



The Scottish Parliament  
Pàrlamaid na h-Alba

## JUSTICE COMMITTEE

### MINUTES

21st Meeting, 2020 (Session 5)

Tuesday 15 September 2020

Present:

Annabelle Ewing  
James Kelly  
Fulton MacGregor  
Shona Robison

John Finnie  
Liam Kerr  
Rona Mackay (Deputy Convener)  
Adam Tomkins (Convener)

Apologies were received from Liam McArthur.

The meeting opened at 10.15 am.

1. **Defamation and Malicious Publications (Scotland) Bill:** The Committee took evidence on the Bill at Stage 1 from—

Professor John Blackie, University of Strathclyde;

Christopher Brookmyre, Author;

Campbell Deane, Bannatyne Kirkwood France & Co.

2. **Subordinate legislation:** The Committee took evidence on the International Organisations (Immunities and Privileges) (Scotland) Amendment Order 2020 [draft] from—

Humza Yousaf, Cabinet Secretary for Justice, Scottish Government.

3. **Subordinate legislation:** Humza Yousaf (Cabinet Secretary for Justice) moved—

S5M-22416—That the Justice Committee recommends that the International Organisations (Immunities and Privileges) (Scotland) Amendment Order 2020 [draft] be approved.

After debate, the motion was agreed to (by division: For 7, Against 1, Abstentions 0).

4. **Subordinate legislation:** The Committee took evidence on the Management of Offenders (Scotland) Act 2019 (Consequential Amendments) Regulations 2020 [draft] from—

Humza Yousaf, Cabinet Secretary for Justice, Scottish Government.

5. **Subordinate legislation:** Humza Yousaf (Cabinet Secretary for Justice) moved—

S5M-22518—That the Justice Committee recommends that the Management of Offenders (Scotland) Act 2019 (Consequential Amendments) Regulations 2020 [draft] be approved.

The motion was agreed to.

6. **Subordinate legislation:** The Committee took evidence on the Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2020 [draft] from—

Humza Yousaf, Cabinet Secretary for Justice, Scottish Government.

7. **Subordinate legislation:** Humza Yousaf (Cabinet Secretary for Justice) moved—

S5M-22573—That the Justice Committee recommends that the Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2020 [draft] be approved.

The motion was agreed to.

8. **Subordinate legislation:** The Committee considered the following negative instrument—

Mental Health Tribunal for Scotland (Practice and Procedure) (No. 2) Amendment Rules 2020 (SSI 2020/246)

The Committee agreed to make no recommendations in relation to the instrument.

9. **European Union (Withdrawal) Act 2018:** The Committee considered a proposal by the Scottish Government to consent to the UK Government legislating using the powers under the Act in relation to the following UK statutory instrument proposals-

The Law Enforcement and Security (Separation Issues etc.) (EU Exit) Regulations 2020

European Institutions and Consular Protection (Amendment etc.) (EU Exit) Regulations 2018 (SI 2018/1391)

The Committee agreed that the Scottish Parliament should give its consent to the Law Enforcement and Security (Separation Issues etc.) (EU Exit) Regulations 2020, and the European Institutions and Consular Protection (Amendment etc.) (EU Exit) Regulations 2018.

10. **Defamation and Malicious Publications (Scotland) Bill (in private):** The Committee reviewed the evidence heard earlier in the meeting.

The meeting closed at 12.35 pm.

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