JUSTICE 1 COMMITTEE

AGENDA

12th Meeting, 2004 (Session 2)

Wednesday 24 March 2004

The Committee will meet at 10.45 am in Committee Room 3.

1. **Criminal Procedure (Amendment) (Scotland) Bill**: The Committee will consider the Bill at Stage 2 (Day 3).

Alison Walker
Clerk to the Committee
Tel: 0131 348 5195
Papers for the meeting—

**Agenda item 1**

Members should bring with them copies of the Criminal Procedure (Amendment) (Scotland) Bill, available from the Document Supply Centre or on the Scottish Parliament website: http://www.scottish.parliament.uk/bills/index.htm

Members should also bring with them copies of the marshalled list, available from the Document Supply Centre on the morning of Tuesday 23 March 2004, and the groupings of amendments, available from the Document Supply Centre on the morning of Wednesday 24 March 2004. Copies of these documents will also be emailed to members as soon as they are available.

Papers for information circulated for the 12th meeting, 2004 (session 2)—

Criminal Procedure (Amendment) (Scotland) Bill—

Correspondence from the Deputy Minister for Justice: Increase in sheriff sentencing powers J1/S2/04/12/1

Documents not circulated—

Copies of the following have been provided to the Clerk:

- The Summary Justice Review Committee, *Report to Ministers*;
- Scottish Executive, *Further Measures to Improve the Provision of Primary Care Services – A Consultation*;
- Scottish Executive, *The Consultation on Civil Partnership Registration: analysis of the responses*.

A copy of this document is available for consultation in room 3.11 CC. It may also be obtainable on request from the Document Supply Centre.

Forthcoming business—

Wednesday 31 March 2004 – Justice 1 Committee, Chamber;
Wednesday 21 April – Justice 1 Committee, Committee Room 1;
Wednesday 21 April – joint meeting with the Justice 2 Committee, Committee Room 1;
Wednesday 28 April – Justice 1 Committee, Committee Room 2;
Wednesday 28 April – joint meeting with the Justice 2 Committee, Committee Room 2.

* denotes a change from forthcoming business previously indicated.
HIGH COURT REFORM: INCREASE IN SHERIFF SENTENCING POWERS

You may recall that in the opening speech of the Stage 1 debate on the Criminal Procedure (Amendment) (Scotland) Bill on 25th February Cathy Jamieson said that the Executive remains committed to commencing S13(1) of the 1997 Crime and Punishment (Scotland) Act in spring 2004. She promised to make an announcement on timing soon.

I am now writing to let you know that the Executive intends to make shortly a commencement order that would bring S13(1) into effect on 1 May 2004. We intend that the Order should stipulate that any accused appearing on an indictment with a first calling on or after 1 May would be subject to the increased sentencing power of the sheriff.

Cathy explained in her speech that she had been reassured that the Sheriffs Principal were confident that the sheriff courts will be able to accommodate the estimated increase in solemn business provided that they are given the necessary degree of stability in the provision of judicial resources, and provided that there is careful management of judicial, staff and court resources.

For its part, the Crown Office and Procurator Fiscal Service have recruited significant numbers of additional lawyers. Management will continue to monitor, and discuss with the Trade Unions, how best its legal resource is deployed to ensure that priority is given to the prosecution of serious crime.

We shall of course be monitoring the impact of the increase in sentencing powers on all concerned very carefully.
I am copying this letter to the Convener of Justice 2 Committee and placing a copy in SPICE.

Officials are sending copies of this letter to other interested parties to keep them in touch with our plans.

HUGH HENRY