

**MINUTES OF MEETING OF THE CRIMINAL COURTS RULES COUNCIL
IN PERSON AND VIA WEBEX TUESDAY 15 MAY 2024**

- Present:**
- Lord Justice Clerk (Chair)
 - Sheriff Paul Brown
 - Dr Gabrielle Watson
 - Frances McMenamin KC
 - Michael Meehan KC
 - Stuart Fair JP
 - Kate Wallace, Victim Support
 - Wendy Robertson, SCTS
 - Anna Donald, Scottish Government
 - Michael Gallen
 - Laura Buchan, COPFS
- In Attendance:**
- Ross Martin (Depute Clerk of Justiciary)
 - Katy Kelman (LPPO)- Observer
 - Laura Tait (LPPO)- Observer
 - Jonathan Hodges (LPPO)- Observer
 - Andrew Campbell (LPPO)- Observer
- Secretariat:**
- Lori Pidgeon Deputy Legal Secretary to the Lord President
- Apologies:**
- Lord Matthews
 - Lord Mulholland
 - Sheriff Cruickshank
 - Ian Dickson, Scottish Legal Aid Board
 - Stuart Munro

Item 1: Welcome and apologies

The Chair welcomed members, noting apologies.

Michael Gallen was welcomed as the new solicitor member to the Council.

Item 2: Minutes and matters arising [Paper 1]

1. The minutes of the previous meeting on 13 February 2024 were approved and it was agreed papers 2- 19 were to be treated as private.

1. Bail Appeals and CPOs in the Sheriff Appeal Court

The Chair asked that this matter be placed on the agenda for the next meeting with the email from the Sheriffs Principal to be circulated to members in advance for consideration.

Kate Wallace advised she would like to consider the request and provide a view from Victim Support Scotland.

Item 3: Scottish Government update [Paper 2- private]

2. Members considered the update from the Scottish Government highlighting various pieces of legislation which may impact on the work of the Council. There were no action points arising for the Council at this time.

Item 4: United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act [Papers 3-9]

3. Members considered the draft rules and discussed points arising. Instructions were provided to LPPO with amendments to be made accordingly. Laura Buchan to contact LPPO directly about observations made by COPFS.
4. LPPO will circulate amended rules for approval.

Item 5: Act of Adjournal (Criminal Procedure Rules 1996 Amendment) (Mutual Legal Assistance) 2024 [Papers 10 & 11 – private].

5. Members approved the instrument

Item 6: Act of Adjournal (Criminal Procedure Rules 1996 Amendment) (Proceeds of Crime Information Orders) 2024 [Papers 12, 13 & 14 – private].

6. An update was provided from the UK Government on 13 May which members require time to consider. This item will be placed on the agenda at the next meeting

Item 7: Rules Request: Retained EU Law [Papers 15 & 16 – private].

7. The Council agreed with the recommendation from LPPO that rules are not required.

Item 8: Rules Request: National Security Act 2023 [Papers 17 & 18 – private].

8. Members agreed with the recommendation from LPPO that rules should be drafted.
9. It was also agreed that similar rules should be drafted in respect of the Terrorism Act 2000.

Item 9: Simplified Vulnerable Witness Notification [Paper 19- private]

10. The Chair confirmed the Council was seeking an update.
11. The Chair advised it would be helpful if members could see how the system operated in practice.
12. Laura Buchan offered to provide an update by correspondence.

Item 10: AOB

13. There was no AOB

Item 11: Date of next meeting

14. The next meeting is due to take place on 16 October 2024