

## PARLIAMENTARY BUREAU

### LEGISLATIVE CONSENT MEMORANDUM - JUDICIAL REVIEW AND COURTS BILL (UK LEGISLATION)

#### Introduction

1. Under Rule 9B.3.5, the Parliamentary Bureau is required to refer any legislative consent memorandum (LCM) that has been lodged with the Parliament to the committee within whose remit the subject matter of the relevant provision falls.

#### Judicial Review and Courts Bill

2. The Judicial Review and Courts Bill was introduced in the House of Commons on 21 July 2021.

3. An LCM was lodged by Keith Brown MSP, Cabinet Secretary for Justice and Veterans, on 17 November 2021.

4. The Bill makes provision relating to criminal courts procedure and non-criminal courts and tribunal procedure (including the use of written and electronic procedures), Coroners and judicial review.

5. The LCM indicates that the Scottish Government intends to lodge a motion seeking the Scottish Parliament's consent to the UK Parliament legislating on this matter.

#### Designation of lead committee

6. The relevant provision in the Bill relates to the enforcement of fines. As such, it falls within the responsibilities of the Cabinet Secretary for Justice and Veterans. The remit of the Criminal Justice Committee includes "*to consider and report on matters relating to criminal justice falling within the responsibility of the Cabinet Secretary for Justice and Veterans*". As the enforcement of fines is an element of criminal justice procedure, the remit of the Criminal Justice Committee is therefore engaged.

7. No other committee remit appears to be engaged.

8. The LCM will also be considered by the Delegated Powers and Law Reform Committee in regard to any provisions in the Bill conferring powers on the Scottish Ministers to make subordinate legislation.

#### Recommendation

9. The Bureau is invited to agree to refer, under Rule 9B.3.5, the LCM on the Judicial Review and Courts Bill to the Criminal Justice Committee to consider and report on it.

## **SUPPLEMENTARY LEGISLATIVE CONSENT MEMORANDUM - ADVANCED RESEARCH AND INVENTION AGENCY BILL (UK LEGISLATION)**

### **Introduction**

10. Under Rule 9B.3.5, the Parliamentary Bureau is required to refer any legislative consent memorandum (LCM) that has been lodged with the Parliament to the committee within whose remit the subject matter of the relevant provision falls.

### **Advanced Research and Invention Agency Bill**

11. The Advanced Research and Invention Agency Bill was introduced in the House of Commons on 2 March 2021.

12. An LCM was lodged by Shirley-Anne Somerville MSP, Cabinet Secretary for Education and Skills on 2 September 2021. A supplementary LCM was then lodged on 18 November 2021.

13. The Bill makes provision to create a new body, the Advanced Research and Invention Agency (ARIA), with an aim of supporting “ambitious scientific research with a tolerance to failure”.

14. The supplementary LCM indicates that the Scottish Government intends to lodge a motion seeking the Scottish Parliament’s consent to the UK Parliament legislating on devolved matters in this Bill.

### **Designation of lead committee**

15. The LCM falls within the responsibilities of the Cabinet Secretary for Education and Skills. The remit of the Education, Children and Young People Committee includes “*to consider and report on matters falling within the responsibility of the Cabinet Secretary for Education and Skills*”. The remit of the Education, Children and Young People Committee is therefore engaged. It was this committee that considered the previous LCM on this Bill.

16. No other committee remit appears to be engaged.

17. The LCM will also be considered by the Delegated Powers and Law Reform Committee in regard to any provisions in the Bill conferring powers on the Scottish Ministers to make subordinate legislation.

### **Recommendation**

18. The Bureau is invited to agree to refer, under Rule 9B.3.5, the LCM on the Advanced Research and Invention Agency Bill to the Education, Children and Young People Committee to consider and report on it.

**Parliamentary Business Team  
November 2021**