

MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 32, Session 5

Meeting of the Parliament

Thursday 6 October 2016

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 11.40 am.

6. UK Investigatory Powers Bill – UK Legislation: The Cabinet Secretary for Justice (Michael Matheson) moved S5M-1832—That the Parliament supports the principle of modernising the law in the area of investigatory powers; believes that protection of civil liberties, transparency and independent oversight must be at the heart of this process; supports law enforcement in having necessary powers to keep Scotland’s communities safe, subject to the most stringent checks and safeguards; agrees that the relevant provisions of the Investigatory Powers Bill, which was introduced in the House of Commons on 1 March 2016, relating to the interception of communications in places of detention, decisions relating to the issue, renewal, modification, cancellation and approval of interception warrants, targeted examination warrants and functions relating to mutual assistance warrants, the subject matter of Part III of the Police Act 1997 and other equipment interference provisions, the safeguards relating to the use and retention of material obtained by investigative techniques under the Investigatory Powers Bill, oversight arrangements and functions, the functions of, and rights of appeal from, the Investigatory Powers Tribunal, the creation of a Technology Advisory Panel, and amendments to the Regulation of Investigatory Powers (Scotland) Act 2000 in consequence of the Investigatory Powers Bill, so far as these matters fall within the legislative competence of the Scottish Parliament or alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament; recognises that many of the provisions are necessary to ensure that law enforcement operates within an updated and robust legislative framework; supports powers that are demonstrably operationally necessary to counter terrorism and prevent and detect serious crime, and recognises the concerns that have been raised about potential impingement on civil liberties and the privacy of individuals in relation to internet connection records and bulk data collection, but notes that these issues are reserved to the UK Parliament and are not matters that the Scottish Ministers or Scottish Parliament can determine.

The motion was agreed to (DT).

P E Grice
Clerk of the Parliament
6 October 2016

