

# Parliamentary Bureau – Legislative Consent Memorandum

## Criminal Justice 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.

### Criminal Justice Bill

2. This Bill was introduced in the House of Commons on 14 November 2023.
3. An LCM was lodged by Angela Constance, Cabinet Secretary for Justice and Home Affairs on 21 December 2023.
4. The UK Government has set out that the Bill is intended to amend the criminal law to make provisions about criminal justice including the powers and duties of the police; dealing with offenders; reforms to the confiscation regime under the Proceeds of Crime Act 2002, the use of monies in suspended accounts; the prevention and detection of crime and disorder; begging, rough sleeping and anti-social behaviour; and for connected purposes.
5. Relevant provision in the Bill includes Clause 14, which provides for a corporate body or partnership to be held criminally liable where a senior manager commits any offence while acting within the actual or apparent scope of their authority, replacing provisions in the Economic Crime and Corporate Transparency Act 2023 which were confined to specified economic crimes, and Clause 21, which enables the Secretary of State to make regulations about access to driver licence records by the police and other law enforcement agencies.
6. The LCM indicates that the Scottish Government intends to lodge a motion seeking the Scottish Parliament's consent to the relevant provision in this Bill.

### Referral to lead committee

7. The relevant provision in the Bill falls within the remit of the Criminal Justice Committee. The Committee's remit includes to consider and report on matters relating to criminal justice falling within the responsibility of the Cabinet Secretary for Justice and Home Affairs. The Cabinet Secretary is responsible (amongst other things) for police and for justice reform.
8. The LCM will also be considered by the Delegated Powers and Law Reform Committee in relation to any provisions in the Bill conferring powers on the Scottish Ministers to make subordinate legislation.

### Recommendation

9. The Bureau is invited to refer, under Rule 9B.3.5, the LCM to the Criminal Justice Committee as lead committee.

Parliamentary Business Team  
January 2024