

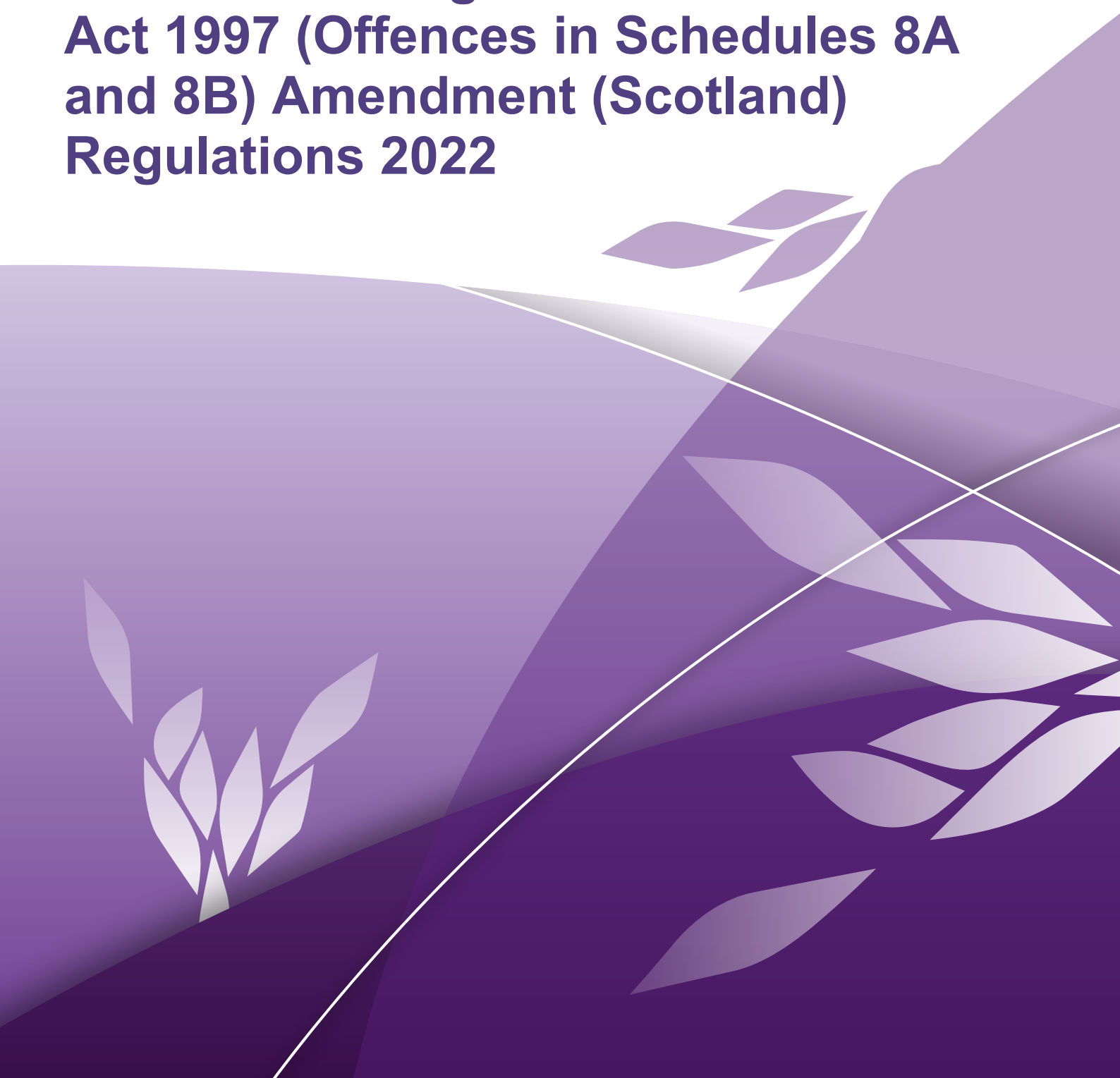


The Scottish Parliament
Pàrlamaid na h-Alba

Published 1 December 2022
SP Paper255
9th Report 2022 (Session 6)

Education, Children and Young People Committee

Subordinate Legislation: The Police Act 1997 (Offences in Schedules 8A and 8B) Amendment (Scotland) Regulations 2022



Published in Scotland by the Scottish Parliamentary Corporate Body.

All documents are available on the Scottish
Parliament website at:
[http://www.parliament.scot/abouttheparliament/
91279.aspx](http://www.parliament.scot/abouttheparliament/91279.aspx)

For information on the Scottish Parliament contact
Public Information on:
Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: sp.info@parliament.scot

Contents

Introduction	1
Instrument Overview	2
Delegated Powers and Law Reform Committee	2
Education, Children and Young People Committee	2
Conclusion	3

Education, Children and Young People Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Education and Skills and matters relating to the Historical Abuse Inquiry within the responsibility of the Deputy First Minister.



ecyp.committee@parliament.scot

Committee Membership



Convener
Sue Webber
Scottish Conservative
and Unionist Party



Deputy Convener
Kaukab Stewart
Scottish National Party



Stephanie Callaghan
Scottish National Party



Graeme Dey
Scottish National Party



Bob Doris
Scottish National Party



Ross Greer
Scottish Green Party



Ruth Maguire
Scottish National Party



Michael Marra
Scottish Labour



Willie Rennie
Scottish Liberal
Democrats

Introduction

1. At its meeting on 30 November 2022, the Education, Children and Young People Committee considered a piece of subordinate legislation which is subject to the affirmative procedure.
2. The [minutes](#) of the meeting have been published on the Committee's web pages. The Official Report of the meeting will be published on 5 December 2022 and can be accessed [here](#).
3. This report summarises the purpose and the scrutiny of the instrument as well as confirming the Committee's decision.

Instrument Overview

4. [The Police Act 1997 \(Offences in Schedules 8A and 8B\) Amendment \(Scotland\) Regulations 2022](#) was laid before the Scottish Parliament on 24 October 2022.
5. The purpose of the regulations are as follows -
 - To amend schedules 8A and 8B of the Police Act 1997 (“the 1997 Act”) which contain lists of offences. A conviction for an offence included in either list is, in accordance with specified rules, disclosable by the state (that is, Disclosure Scotland on behalf of the Scottish Ministers) on “higher level disclosures” beyond the point which the conviction becomes “spent” under the Rehabilitation of Offenders Act 1974 (“the 1974 Act”).
 - Higher level disclosures are the standard and enhanced disclosures under the 1997 Act and scheme record disclosure under the Protection of Vulnerable Groups (Scotland) Act 2007 (“the 2007 Act”).
6. A policy note published to accompany the statutory can be accessed [here](#)

Delegated Powers and Law Reform Committee

7. The Delegated Powers and Law Reform Committee at its meeting on [1 November 2022](#) considered the Instrument and made no comment.

Education, Children and Young People Committee

8. At its meeting on 30 November 2022, the Committee considered the The Police Act 1997 (Offences in Schedules 8A and 8B) Amendment (Scotland) Regulations 2022.
9. The Committee heard evidence from the Minister for Children and Young People, Clare Haughey MSP.

Conclusion

10. Clare Haughey MSP, Minister for Children and Young People, moved motion S6M-06431 - That the Education, Children and Young People Committee recommends the Police Act 1997 (Offences in Schedules 8A and 8B) Amendment (Scotland) Regulations 2022 be approved.
11. The Committee agreed motion S6M-06431 unanimously.

