Inquiries into Deaths (Scotland) Bill

The Scottish Parliament’s Finance Committee invites organisations and individuals to submit written evidence setting out their views on the financial implications of the Inquiries into Deaths (Scotland) Bill.

The Bill

The Inquiries into Deaths (Scotland) Bill (“the Bill”) was introduced on the 1 June 2015 by Patricia Ferguson MSP.

The estimated financial implications of the Bill are set out in its accompanying Financial Memorandum (FM). A copy of the FM can be found at page 25 of the Explanatory Notes.

The Financial Memorandum

1. The FM states that the purpose of the Bill is to—

   “repeal and re-enact the Fatal Accidents and Sudden Deaths (Scotland) Act 1976 (“the 1976 Act”) but with amendments to give effect to many of the recommendations made in the Report on the Review of the Fatal Accident Inquiry (FAI) Legislation by Lord Cullen in 2009 (the Cullen Report) and other amendments which go beyond Lord Cullen’s recommendations.”

2. The Policy Memorandum states that “the main amendments made in this Bill which go beyond the Cullen recommendations and which are different from the Government’s FAI Bill are designed to achieve three overarching policy objectives—

   - extending the scope of mandatory FAIs,
   - to place families of the deceased at the heart of the inquiry process and to give them their proper place in relation to the investigation of the death of their loved one,
   - to ensure that lessons are learned from the death and enforced for the purpose of ensuring the future safety of Scottish citizens.”

How to submit evidence

The Justice Committee is the lead committee and it is understood that it intends to hold its final oral evidence session with the Member in charge in September.

The Finance Committee invites you to respond to the attached questions by Friday 21 August 2015. All responses should be sent electronically (in MS Word - no
confirmatory hard copy required) to finance.committee@scottish.parliament.uk. Written responses will be handled in accordance with the Parliament’s policy for handling written evidence received in response to calls for evidence.

What happens next?

All written evidence received will be considered and you may be invited to provide further information to the Committee in oral evidence. As a result of the sometimes tight deadlines for Parliamentary scrutiny of a Bill it is possible that any invitation to give evidence might be extended at relatively short notice.

Should you have any queries in relation to this, please do not hesitate to contact the Committee clerking team on Tel: 0131 348 5451
Finance committee questionnaire

This questionnaire is being sent to those organisations that have an interest in, or that may be affected by, the financial implications of the Inquiries into Deaths (Scotland) Bill. Estimates of the Bill’s financial implications are set out in its accompanying Financial Memorandum (FM), which can be found at page 25 of the Explanatory Notes.

In addition to the questions below, please add any other comments you may have which would assist the Finance Committee’s scrutiny of the FM.

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

3. Did you have sufficient time to contribute to the consultation exercise?

Costs

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?

Wider Issues

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?