

PE1458/N

**Submission from Petitioner Peter Cherbi re: Petition PE1458: Register of Interests for Judges Petition**

**Registers of Interests & Hospitality maintained by the Scottish Court Service & other legal bodies:**

In the course of investigating Registers of Interest maintained by other bodies within the Scottish legal system, it has come to my attention the Scottish Court Service maintain a Register for gifts & hospitality received by SCS staff.

Given the relevance to Petition PE1458 in that those who maintain and work in our courts system are subject to Registers of Interests & Hospitality while the judiciary are not, Committee members may wish to consider approaching the Scottish Court Service to give evidence in relation to the workings & operation of the SCS Registers of Interests & Hospitality.

It is also a matter of record the Crown Office & Procurator Fiscal Service operate a Register of Hospitality & Interests. Given the important role the Crown Office & Lord Advocate have in the justice system I recommend the Committee write to the Lord Advocate and ask for his input on this petition.

It may also interest Committee members to know another public body within the legal system, the Scottish Legal Complaints Commission (SLCC) publish a full Register of Interest and Registers of Hospitality for members and staff, registers which are both constantly updated on the SLCC's website here <http://www.scottishlegalcomplaints.com/about-slcc/who-we-are.aspx>.

In consideration of points raised earlier by Lord Gill against a Register of Interests for the Judiciary, the Lord President claimed in his letter of 5 February 2013 to the PPC **"The introduction of such a register could also have unintended consequences. Consideration requires to be given to judges' privacy and freedom from harassment by aggressive media or hostile individuals, including dissatisfied litigants. It is possible that the information held on such a register could be abused. These are significant concerns. If publicly criticised or attacked, the judicial office holder cannot publicly defend himself or herself, unlike a politician. The establishment of such a register therefore may have the unintended consequence of eroding public confidence in the Judiciary. It also raises the question whether such a measure would have an adverse impact on the recruitment and retention of the Judiciary."**

Contrary to Lord Gill's point of view, there is no evidence to suggest the publication of Registers of Interest and Hospitality by other bodies within the justice system have

adversely affected any operations, nor has the publication of such information in the media appeared to have caused any problems, harassment, privacy issues or undue harm to those others in the justice system who are covered by Register of Interests.

Rather the publication of such Registers of Interest has created a level of transparency and accountability in other parts of the justice system which currently does not exist within the judiciary.

Peter Cherbi

**Petitioner: Petition PE1458: Register of Interests for Judges Petition**