



The Lord President

Parliament Square
Edinburgh, EH1 1RQ

1 April 2014

David Stewart MSP
Convenor
Petitions Committee
Scottish Parliament
EH99 1SP

Dear Mr Stewart,

PEO1458 Register of Interests for Members of the Scottish Judiciary

Thank you for your letter of 6 March 2014. I apologise to you for this late reply.

I appreciate that you should wish to follow up the question of the Scottish Court Service register of interests that I raised at our meeting.

I have carefully set out for the Committee my reasons for believing that a register of interests for members of the judiciary is unnecessary. My view is shared by the Scottish Government, the UK Government, and the Chief Justices in the other jurisdictions of the UK. It is a view that has been endorsed by external international scrutiny through the work of Council of Europe's Group of States against Corruption (GRECO) in its evaluation reports in 2001 and 2014.

The position of the judicial office holders on the board of the SCS is entirely different. The requirement of those judicial office holders who are members of the SCS to register their interests arises in the context of their membership of a public body. The disclosure of their interests arises from their work as board members, which may involve the placing of contracts and employment questions. It is not related to their holding judicial office. As members of the SCS they do not exercise judicial functions.

A register of interests for the judiciary would, for all the reasons I have previously given to the Committee, be fundamentally different from that of the SCS.

The Right Honourable Lord Gill

Telephone 0131 240 6701

Fax 0131 240 6704

DX549306 Edinburgh 36

lppo@scotcourts.gov.uk