



OFFICIAL REPORT
AITHISG OIFIGEIL

Justice Committee

Tuesday 2 May 2017

Session 5



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Pàrlamaid na h-Alba

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JUSTICE COMMITTEE
16th Meeting 2017, Session 5

CONVENER

*Margaret Mitchell (Central Scotland) (Con)

DEPUTY CONVENER

*Rona Mackay (Strathkelvin and Bearsden) (SNP)

COMMITTEE MEMBERS

*Mairi Evans (Angus North and Mearns) (SNP)

*Mary Fee (West Scotland) (Lab)

*John Finnie (Highlands and Islands) (Green)

*Fulton MacGregor (Coatbridge and Chryston) (SNP)

*Ben Macpherson (Edinburgh Northern and Leith) (SNP)

*Liam McArthur (Orkney Islands) (LD)

*Oliver Mundell (Dumfriesshire) (Con)

Douglas Ross (Highlands and Islands) (Con)

*Stewart Stevenson (Banffshire and Buchan Coast) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Alexander Stewart (Mid Scotland and Fife) (Con) (Committee Substitute)

CLERK TO THE COMMITTEE

Peter McGrath

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Justice Committee

Tuesday 2 May 2017

[The Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Convener (Margaret Mitchell): Good morning and welcome to the Justice Committee's 16th meeting in 2017. We have apologies from Douglas Ross and welcome Alexander Stewart back as his substitute.

Under agenda item 1, the committee is invited to agree to take in private item 3, which is consideration of the committee's work programme. Do we agree to do so?

Members *indicated agreement.*

Petitions

Justice for Megrahi (PE1370)

10:00

The Convener: Agenda item 2 is consideration of five public petitions. I refer members to paper 1, which is a note by the clerk. I remind members that, if they wish to keep a petition open, they should indicate how they would like the committee to take it forward, or, if they wish to close a petition, they should set out their reasons for doing so.

The committee is asked to consider and agree what action, if any, it wishes to take in relation to the petitions. Possible options are outlined in paragraph 5 of the clerk's paper. I propose that we take the petitions in turn.

We will start with PE1370, which calls for an independent inquiry into the Megrahi conviction. The petition is discussed on page 2 of the clerk's paper. I invite members' views.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I note that the information that has been put in front of the committee says that the petitioners continue to have regular meetings with the police team for operation Sandwood and

"have faith in the integrity and completeness"

of the inquiry. In any event I would have felt that we should not close the petition until that operation is complete, and I have increased confidence in that regard, if that statement is a correct reflection of the petitioners' views. I propose that we keep the petition open on the basis that we wish operation Sandwood to complete before considering what action we might take.

The Convener: Does anyone else want to comment? I think that we all agree with that. I note that it says in paragraph 10 of the clerk's paper:

"The submission notes the recent publicity suggesting that the family of"

Mr Megrahi

"will launch a bid to appeal against his conviction in the coming weeks."

We will watch that with interest and see whether it affects where we go from here.

Do we agree to continue the petition and await the report from operation Sandwood?

Members *indicated agreement.*

Self-inflicted and Accidental Deaths (Public Inquiries) (PE1501)

Fatalities (Investigations) (PE1567)

The Convener: PE1501 and PE1567 concern the investigation of unascertained deaths, suicides and fatal accidents. Those two petitions are discussed on pages 3 and 4 of the clerk's paper. Do members have any comments on them?

John Finnie (Highlands and Islands) (Green): I was interested in the letter from Mr Jones in annex D of the paper. In particular, I am interested in the second paragraph, in which he comments on paragraph 3 of a letter from the Crown Office and Procurator Fiscal Service. He says:

"That is all very well and clearly understood, but what legislative mechanism is in place for COPFS to notify the Coroner service that a body has been transferred?"

He then mentions a particular incident, which happened in my area. I would be interested in getting a response to that prior to closing PE1501.

The Convener: What in particular are you asking for, John?

John Finnie: Mr Jones mentions an incident that took place in November 2016 at Tain—I assume that it was at the Tain bombing range—when the body of a lance corporal, whom he names, was transferred to Hampshire. He questions what mechanism facilitated that. He is commenting on the response that says that there are well-recognised procedures between the Crown Office and Procurator Fiscal Service and the coroner service. It would be helpful to understand that instance prior to closing the petition.

Stewart Stevenson: I do not disagree with anything that John Finnie said. I come at the matter from a slightly different angle. The Inquiries into Fatal Accidents and Sudden Deaths etc (Scotland) Act 2016 provides for a family liaison charter, and it might be useful for a little time to pass so that we find out whether the approach delivers the benefits that we hoped that it might do when we debated and passed the legislation in session 4. That is another reason for continuing the petition, in addition to what John Finnie said.

The Convener: Is that the committee's view?

Members *indicated agreement.*

The Convener: The committee might wish to note that the Scottish Government and Crown Office consider that they have made their position in relation to the petitions clear in their correspondence, and I remind members that Mr Jones is not one of the petitioners. Although it is unusual to continue on such a basis, there is no reason why we cannot do so. It seems to be the

committee's view that we should seek further information, so on that basis we will keep the petitions open.

Emergency and Non-emergency Services Call Centres (PE1510)

Inverness Fire Service Control Room (PE1511)

The Convener: PE1510 and PE1511 concern police and fire control rooms. They are discussed on pages 5 and 6 of the clerk's paper. I invite members' views.

Stewart Stevenson: Again, I suggest that we keep the petitions open. Two things in our briefing are the hook for my making that suggestion. The first is that Her Majesty's chief inspector of the Scottish Fire and Rescue Service is carrying out an inspection and his report

"will be available in due course".

That does not tell us when it will be available but, given the nature of inspections, I cannot imagine that it will take a substantial time. It would be useful to know the contents of that report, because I am sure that, in examining the operation of the Scottish Fire and Rescue Service, the chief inspector will have considered the issues that the petitions cover.

Similarly, a final report on deliverables from the command and control futures programme is due to be provided next week. It would be useful to see the outcome from that before we consider closing either of the petitions.

The Convener: If there are no more views from members, are we agreed?

Members *indicated agreement.*

The Convener: We now move into private. The next committee meeting will be on Tuesday 9 May, when the committee will take opening evidence on the Domestic Abuse (Scotland) Bill from the Scottish Government bill team.

10:07

Meeting continued in private until 10:29.

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