

PE2085/P: Introduce a statutory definition of residency for Fatal Accident Inquiries into the deaths of Scots abroad

Dave Doogan MP written submission, 5 November 2025

As current procedures stand, there is an apparent efficacy gap between the Act as introduced in the Scottish Parliament and the intended effect to bereaved families in Scotland who have lost loved ones abroad. This is certainly true in David Cornock's son David's case which faced inconsistent dialogue, and a deeply regrettable absence of coherent meaningful support from the DCRS or the SFIU from the outset.

There is of course an inevitable element of jeopardy in being subject to the veracity or otherwise of investigations into unexplained deaths abroad which this legislation sought to address, but in the many years since introduction, there clearly remain challenges to this legislation's operation effect and the public's confidence therein.

It is reasonable to have a clear testable criteria for ordinarily resident status. MSPs will doubtless wish to scrutinise the specific criterion and thresholds with which this is presently applied, however in light of Mr Cornock and others cases, clarity over this term is a sensible step to provide confidence in the processes in place moving forward.

Future bereaved families in Scotland must receive support and guidance, through the most challenging of times of times imaginable, of a robust system featuring not only compassion and sensitivity but just as importantly clarity, operational grip, and robust procedures based upon clearly defined and testable language.