

Justice Committee

Police and Fire Reform (Scotland) Act 2012

Letter from the Convener to the Chair of the Scottish Police Authority

Thank you for providing the legal advice requested by the Justice Committee on 27 November. The Committee considered this advice at its meeting yesterday.

We also considered your request, along with a similar request from Chief Constable Stephen House, that the advice provided be treated as confidential. The Committee was disappointed that you did not ask at the time of the Committee's request that your legal advice be treated as private and that you were not aware of the public manner in which the Committee conducts its scrutiny functions. We also have concerns that we have been asked not to publish material which was paid for by public monies.

On balance, however, we note that you misunderstood the Committee's intention to treat the advice in the same way as other information provided by witnesses. We are therefore prepared to accept your request not to publish the legal advice you provided, and that of the Chief Constable, on this occasion.

Additionally, we believe that releasing the legal advice to the public may not be in the interests of ensuring an early resolution to the outstanding matters of dispute relating to the responsibilities of the SPA and Chief Constable. We would again urge you both to resolve this issue as soon as possible.

We are however clear that our decision today by no means sets a precedent for the future and we intend to continue to conduct our business with openness and transparency wherever possible.

We have written on similar terms to the Chief Constable and intend to publish both letters on the Committee web pages later today.

Christine Grahame MSP
Convener, Justice Committee
5 December 2012