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verdict. The most common explanation of the difference between it and not guilty is that not guilty means that the accused did not commit the crime while not proven means that there was a reasonable doubt about whether the accused did commit the crime. In other jurisdictions, not guilty covers both of these possibilities. Because the courts are deciding whether the prosecution has proved its case beyond reasonable doubt, in law both the not guilty and not proven verdicts mean no more than the prosecution has failed to do so. In 1994 the Government published a consultation paper entitled "Juries and Verdicts". This set out the arguments for and against the 3 verdict system and invited comments. In the event, responses to the consultation process both from the legal profession and the general public did not disclose widespread support for the abolition of the not proven verdict or any consensus for change. There has been no significant demand for change since then, although the issue has been raised in the context of particular cases.

24. A Committee debate on petition PE 535, which seeks an **Inquiry into abuse in List D and other residential establishments**, is scheduled for the afternoon of Wednesday, 1 December. Convention is that the motion will be "to note" the petition. Mr Peacock met with the main lobby group INCAS (In Care Abuse Survivors Group), of which the petitioner Mr Daly is a member, on Tuesday, 23 November 2004 to hear their concerns first-hand. At the debate itself Mr Peacock will set out a package of measures/actions including: funding for INCAS, the establishment of a reference group; and a review of the law on limitation as well as reiterating the detail of the Executive's ongoing child protection programme. Given the sensitivity of the subject matter there is likely to be significant media interest in the debate.

***Bills Active in Parliament***

25. **Annex C** tracks progress of Bills proceeding through Parliament and indicates any areas of controversy.

***Whitehall, EU and Beyond***

26. The **UK Government's legislative programme** will be announced with the Queen's Speech on Tuesday, 23 November. As well as announcing Bills that will extend to Scotland on reserved matters (e.g. Identity Cards), it will announce Bills that – subject to the consent of the Scottish Parliament via "Sewel Motions" – will include devolved provisions. The Cabinet Sub-Committee on Legislation has authorised Sewel Motions for provisions within 9 Bills (Constitutional Reform, Gambling, Disability Discrimination, Animal Welfare, European Union, Inquiries, National Lottery, Railways, Serious Organised Crime & Police) and is considering a further 2 Bills (Commission for Equality & Human Rights, International Organisations). As the use of Sewel Motions remains controversial and frequently misunderstood, Ms Curran is considering a pro-active parliamentary and media strategy, though the amount of detail that can be given on the day of the Queen's Speech is limited as the Executive cannot announce greater detail than the UK Government.

27. The First Minister will bring the Scottish presidency of the REGLEG Group of EU Regions with Legislative Powers to a close by chairing the **5<sup>th</sup> Annual REGLEG Conference in Edinburgh on Monday, 29 - Tuesday, 30 November**. Other Ministers, including the Lord Advocate and Mr Scott, are expected to take part in hospitality events surrounding the Conference. The Conference will include discussion of the Treaty establishing a Constitution for Europe, including new provisions for strengthening the subsidiarity principle, and better regulation in Europe. Commissioner Margot Wallström will

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