

# **PUBLIC PETITIONS COMMITTEE**

Tuesday 15 April 2008

Session 3

£5.00

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### **PUBLIC PETITIONS COMMITTEE**

#### **6<sup>th</sup> Meeting 2008, Session 3**

##### **CONVENER**

\*Mr Frank McAveety (Glasgow Shettleston) (Lab)

##### **DEPUTY CONVENER**

\*John Farquhar Munro (Ross, Skye and Inverness West) (LD)

##### **COMMITTEE MEMBERS**

\*Bashir Ahmad (Glasgow) (SNP)  
 \*Claire Baker (Mid Scotland and Fife) (Lab)  
 \*Angela Constance (Livingston) (SNP)  
 Nigel Don (North East Scotland) (SNP)  
 \*Rhoda Grant (Highlands and Islands) (Lab)  
 \*Robin Harper (Lothians) (Green)  
 \*Nanette Milne (North East Scotland) (Con)

##### **COMMITTEE SUBSTITUTES**

Jim Hume (South of Scotland) (LD)  
 Marilyn Livingstone (Kirkcaldy) (Lab)  
 John Scott (Ayr) (Con)  
 \*John Wilson (Central Scotland) (SNP)

\*attended

##### **THE FOLLOWING ALSO ATTENDED :**

Tom Divers (Greater Glasgow and Clyde NHS Board)  
 Nick Henderson  
 Billy Hunter (Greater Glasgow and Clyde NHS Board)  
 Brian Main (NHS Tayside)  
 Gerry Marr (NHS Tayside)  
 Paul Martin (Glasgow Springburn) (Lab)  
 Rob McDowall

##### **CLERK TO THE COMMITTEE**

Fergus Cochrane

##### **ASSISTANT CLERKS**

Franck David  
 Zoé Tough

##### **LOCATION**

Committee Room 6

## Current Petitions

### Criminal Memoirs (Publication for Profit) (PE504)

14:37

**The Convener:** There are quite a number of current petitions. I hope that we will get through as many of them as we can in the time that we have; we have an important evidence-taking session on two of them later in the afternoon.

PE504, by Mr and Mrs James Watson, calls on the Parliament to take the necessary steps to stop convicted murderers or members of their families profiting from their crimes by selling accounts of those crimes for publication.

The petition has been in the system for a considerable period of time. At previous meetings, I have expressed concern about the amount of time that some petitions have been in our system. This is a very old one: it is a six-year-old petition about an issue that has been around for a long time and this is the 15<sup>th</sup> occasion on which it has been considered. I invite suggestions on how the committee might deal with it.

**Nanette Milne:** The petition has been bounced around between the UK Government and this committee. It might be worth asking the Cabinet Secretary for Justice to appear before the committee to probe him a little about what is going on between the two Governments.

**The Convener:** The petition has been around for a long period. Such a request is not unreasonable. Does that have committee members' broad consent? If so, we can move the petition on, as we need to do. There needs to be some conclusion to the matter. There is a role for the cabinet secretary and the Scottish Government, but there are also UK legislation issues. Let us see if we can cut through some of that. Are we happy to support Nanette Milne's suggestion?

*Members indicated agreement.*

**The Convener:** Okay—that will be our course of action.

### Institutional Child Abuse (PE535 and PE888)

**The Convener:** The next two petitions are on the broad topic of institutional child abuse. PE535, by Mr Chris Daly, calls on the Parliament to urge the Scottish Executive to make an inquiry into past institutional child abuse, particularly in respect of children who were in the care of the state and under the supervision of religious orders, to make

an unreserved apology for said state bodies, and to urge the religious orders to apologise unconditionally. The petition was lodged quite a while ago; in fact, it is the second-oldest petition in the system.

PE888, which is also by Chris Daly, calls on the Parliament to urge the Scottish Executive, in the interests of people who have suffered institutional child abuse, to reform Court of Session rules to allow fast-track court hearings in personal injury cases, to review the implementation of the Prescription and Limitation (Scotland) Act 1973, and to implement the recommendations of the Scottish Law Commission report on the limitation of actions.

We have considered the information that has been submitted, and there have been fairly extensive debates and discussions on the issues that have been raised—indeed, ministerial statements have been made. I recollect the former First Minister and ministers with responsibility for education and children making statements on institutional child abuse.

Do members have any views on how the committee should deal with the petitions?

**Rhoda Grant:** We should close consideration of them. The petitions have been successful in bringing a grave issue into the public arena and ensuring that things have happened. There has been great movement, and people have taken seriously the concerns that have been expressed, as they should have done. What has happened shows that submitting petitions to the committee works.

**The Convener:** Do members agree that we should follow the course of action that Rhoda Grant suggests?

*Members indicated agreement.*

### Vulnerable Adults (Medication) (PE867)

**The Convener:** PE867, by W Hunter Watson, calls on the Parliament to provide adequate safeguards against vulnerable adults being given, by surreptitious means, unwanted, unnecessary and potentially harmful medication. We have the relevant papers in front of us. Do members have any comments on how we should deal with the petition?

**Angela Constance:** The matter has been dealt with. Two distinct issues are involved. There are people who have the capacity to give consent to receiving medication and people who do not have that capacity. The Adults with Incapacity (Scotland) Act 2000 was an innovative piece of legislation in Scotland, and the code of practice under that act was recently revised to take account of covert medication. There will be issues