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CAMPAIGNERS CALL FOR REFORMS TO SCOTTISH DEATH INQUIRIES

Campaigners have called for an overhaul of the way deaths are investigated in Scotland to help relieve the trauma experienced by bereaved families.

Ronnie Conway, co-ordinator of the Association of Personal Injury Lawyers (APIL) in Scotland, said a review of the Fatal Accident Inquiry (FAI) legislation was a great opportunity for reforms which could provide bereaved families with the assurance that a death is being properly investigated.

“There is a lack of uniformity about whether an inquiry is held at all,” said Ronnie. “There needs to be transparency about the decision to hold an inquiry in the first place, and the Crown Office should be required to give reasons for its decision to the family.”

Ronnie said there is also a need for judicial training and specialisation so that sheriffs dealing with complex issues have the experience and knowledge to head up a comprehensive inquiry.

“Procurators fiscal (PFs), who recommend when a death warrants an inquiry, often have little or no experience of the common causes of accidents and health and safety law,” he said. “We’d like to see a specialist team of PFs formed, all with extensive knowledge of FAI issues, so that each death receives proper, qualified consideration.”

Ronnie went on to say that bereaved families should also be given better access to legal advice and representation. “Many family members find themselves without legal aid and unrepresented at inquiries, while witnesses attending to explain the cause of death will have a paid legal team there to help. This is not in the interest of justice and now is the time to level the playing field,” he said.

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Note to editors:

- For more information contact Lisa Wardle, Press & PR Officer, APIL, t: 0115 9388715, or Michael Johns, Assistant Press & PR officer, APIL, t: 0115 9388702.
- APIL responded to the Review of Fatal Accident Inquiry Legislation consultation paper.
- Link to the consultation paper: <http://www.scotland.gov.uk/About/fatal-accident-review/>
- Link to APIL's response: <http://files.apil.org.uk/pdf/ConsultationDocuments/1467.pdf>