

## **Justice Committee**

### **Inquiries into Fatal Accidents and Sudden Death etc (Scotland) Bill**

#### **Written submission from Glasgow City Council**

1. Glasgow City Council is pleased to respond to the call for written evidence on this Bill. Glasgow City Council supports the policy objective of the Bill to reform and modernise the law governing the holding of Fatal Accident Inquiries (FAIs) in Scotland. Glasgow City Council responded to the Scottish Government Consultation in Fatal Accident Inquiries legislation in September 2014. Glasgow City Council responded to the Scottish Parliaments Finance Committee request for views on the financial implications of the Bill in April 2015.
2. Glasgow City Council believes that the circumstances for mandatory FAIs provided for in the Bill are sufficient. In our response to the Scottish Government Consultation, Glasgow City Council expressed the view that suitable and sufficient arrangements currently exist in terms of the reporting requirements of the Looked After Children (Scotland) Regulations 2009, as amended, and the discretion to hold an FAI in relation to the death of a child in residential establishment. Glasgow City Council expressed the view that as the majority of deaths of child in residential establishments are the consequence of life-limiting conditions, an FAI would not be both necessary and beneficial in every such case. Glasgow City Council queried the use of the term “secure care”. Glasgow City Council is pleased to note the use of the term “secure accommodation” in the Bill. Glasgow City Council agrees that the death of a child in secure accommodation should be subject to a mandatory FAI.
3. Glasgow City Council believes that the circumstances provided for in the Bill in respect of discretionary inquiries are appropriate.
4. Glasgow City Council believes that the provisions in relation to the dissemination of the Sheriff’s determination and compliance with the Sheriff’s recommendations are appropriate and reasonable.
5. Glasgow City Council believes that the provisions of the Bill are unlikely to have implications for Glasgow City Council’s existing practices. The policy memorandum states that there has been no death of a child in secure accommodation in the past 5 years, and that a discretionary FAI would usually be held for any death of a child in secure accommodation under the current legislation, unless the bereaved relatives were strongly opposed. The policy memorandum suggests that having this as a mandatory category will result in no more than an additional one or two FAIs every few years. On this basis, there are unlikely to be any practical or financial implications for Glasgow City Council as a consequence of this provision.
6. Glasgow City Council believes that all other provisions of the Bill are appropriate and reasonable. Glasgow City Council does not propose the consideration of any alternative approach.

7. Glasgow City Council will be happy to provide any clarification of this submission if required.

Glasgow City Council  
28 April 2015