



I made it clear to Mr Catto by email that, in my response to Mr Rumbles' question, I had stated clearly that I did not know the answer to his question, but ventured three speculative and general hypotheses – certainly not allegations. As I understood it, Mr Rumbles had not received an answer he sought from others and he was asking for ideas. I offered him the three aforementioned and invited others to provide more if they could. I therefore explained to Mr Catto that logic forbade my stating hypothesis as fact, namely as to whether or not there was a factual or legal basis for me to suppose incompetence, vested interest or corruption. I was not in a position to know.

A second important point, however, was that the gist of my comments, speculative, general and theoretical in nature as they were, were not directed at any individual or entity. It was, therefore, unfortunate that it had been assumed, that my comments were “allegations” directed at CMAL.

As you know, I drafted a letter to you along these lines, but now request that it be superseded by this letter. I ask this because you kindly drew to my attention subsequently, that for the purposes of the law of defamation, under the provisions of section 41 (Defamatory Statements) of the Scotland Act 1998, the status of any statements made by witnesses while giving evidence to a Scottish Parliament committee is absolutely privileged. In other words, Section 41 serves to protect statements made in such proceedings against proceedings for defamation.

In that context I feel it would be appropriate for me to ask that it be put on record, by means of this letter, that I consider the threat made to me by CMAL, through their agents, to be both misguided and an attempt to pressurise a witness to amend evidence he gave in an honest endeavour in the public interest to uncover the circumstances behind very serious issues evident regarding the procurement and construction of ferry vessels in Scotland.

The RECC may also be interested to note, that on 27 March, I wrote an explanatory and conciliatory letter to the Chairman of CMAL, Mr Erik Østergaard. I did not receive the courtesy of an acknowledgement.

I hope the RECC will find the above account of events useful.

Yours sincerely

Roy Pedersen