



The Scottish Parliament
Pàrlamaid na h-Alba

Kevin Hobbs
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**Rural Economy and Connectivity
Committee**

Room T3.40
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Dear Mr Hobbs,

I am writing further to recent correspondence between the Rural Economy and Connectivity Committee and a witness, Mr Roy Pedersen, who previously gave evidence to the Committee's ongoing inquiry into the construction and procurement of ferry vessels in Scotland.

Mr Pedersen originally wrote in March this year to make the Committee aware of correspondence he had received from Addleshaw Goddard LLP on behalf of Caledonian Maritime Assets Ltd (CMAL). It appears that this correspondence alleged that certain comments Mr Pedersen had made when appearing before the Committee were defamatory against CMAL and requested that they be withdrawn and a written apology issued to CMAL.

As you may be aware, section 41 (Defamatory statements) of the Scotland Act 1998 provides that, for the purposes of the law of defamation, any statement made in proceedings of the Parliament (which includes a committee of the Parliament) is absolutely privileged. Section 41 serves therefore to protect statements made in such proceedings against proceedings for defamation. I provided this information to Mr Pedersen in my reply to his letter to the Committee

In this context, I am writing on behalf of the Rural Economy and Connectivity Committee to express the serious concerns of all its members regarding the behaviour of Caledonian Maritime Assets Ltd., through its legal advisers, towards Mr Pedersen as a witness to the Committee's inquiry. The Committee considers it to be imperative that, in line with the legislative provisions detailed above, all witnesses

who give evidence to committees in the Parliament are able to do so safe in the knowledge that they will not be subjected to intimidation or threatening behaviour by other parties.

On behalf of the Committee, I would respectfully request a written acknowledgement from you that the action taken by CMAL in this matter was highly inappropriate, together with an assurance that a suitable apology will also be provided by CMAL to Mr Pedersen.

I hope you will appreciate the importance of addressing these matters frankly and directly given the highly negative precedent they would otherwise set for the Committee's future work.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in blue ink that reads "Edward Mountain". The signature is written in a cursive style with a trailing flourish at the end.

Edward Mountain
Convener