

# **PE2085/X: Introduce a statutory definition of residency for Fatal Accident Inquiries into the deaths of Scots abroad**

## **Dave Scott written submission, 10 February 2026**

I write in my position as an offshore energy industry representative and committee chair working within the offshore energy UK sector I&C specialist interest group. In relation to PE2085/Q which I had the opportunity to speak on behalf of industry during the petitions committee meeting on the 8th of October 2025.

As an industry representative, I spoke in support of the work Mr Cornock has pursued over the previous six years, following the tragic death Mr Cornock's family suffered and has endured since their son David, was suspected to have been murdered whilst executing a contract on behalf of a Scottish energy sector based company in 2019.

What is clear is that significant effort and resources have been expended on this topic by the Campaign Groups, Scottish Parliament and Scottish Government since 2007. It is equally clear that this system is not working to the extent it is not even being initiated correctly. It is extremely disappointing that despite prior efforts during a campaign since 2007 by Ms Julie Love, that this area of legislation still regularly fails the Scottish people. The Scottish Parliament have full autonomy in this area of legislation and should be highly motivated to address such an intolerable failure in the implementation of legislation. Particularly given the high numbers of families impacted since the initial campaign highlighted this issue in 2007.

Further to the parliamentary question raised on 3 December 2025 during justice and home affairs proceedings by Bob Doris MSP, regarding inadequacies in legislation governing deaths of Scottish citizens abroad (Case ID BD21013). In my capacity as an industry representative who has supported the campaign group, I wish to provide my considered observations and recommendations. It is my hope that this matter will be raised in parliament again with the Justice Secretary, Angel Constance MSP.

Based on the Justice Secretary's comments in Parliament, it is evident that the position adopted lacks a defensible legal foundation and would not withstand scrutiny under statutory and procedural standards applicable within the United Kingdom. The defence of Justice Department inaction—characterised by the Justice Secretary's avoidance of material facts, assurances that the matter had been "shaken up and down," and repeated assertions inconsistent with fact—highlights a fundamental misinterpretation of legislation and its implementation. This failure continues to obstruct the issuance of coroner's reports, personal and company insurance settlements, and, where appropriate, Fatal Accident Inquiries (FAIs). These mechanisms are essential to ensure the proper administration of justice and to provide bereaved families with a conclusive outcome, whether satisfactory or

otherwise. At present, families of Scots who die abroad are left with unresolved and wholly unsatisfactory outcomes due to legislative inaction.

Whilst it is greatly appreciated that Bob Doris MSP raised this matter to the Justice Secretary in Parliament and this was supported by Liam Kerr MSP and Michael Marra MSP, it is surprising that no counterargument was advanced regarding the demonstrable success of equivalent inquiries conducted by neighbouring jurisdictions within the UK. Highlighting this disparity could have countered the Justice Secretary's assertion that establishing all facts in every case is impracticable and that FAls are rarely required—claims contradicted by the consistent delivery of multiple inquests into deaths abroad and the conclusion of justice in England and Wales for equivalent cases.

Justice must prevail irrespective of complexity. It is the Justice Secretary's statutory duty to ensure that justice is delivered. At present, there appears to be a lack of willingness to address evident legislative deficiencies, raising serious questions about priorities, leadership capability, and commitment to serving the best interests of the people of Scotland. Scots continue to be failed when they die abroad, whether travelling for work, leisure, or any other purpose. The Justice Secretary's unwillingness to act demonstrates a profound disregard for thousands of deceased Scottish citizens and, most importantly, for the bereaved families seeking closure, financial security in the wake of losing a family member and most importantly justice.

To further the argument for positive change of Scotland's legal systems, I recommend that the disparity between outcomes for Scots who die abroad and those for other UK citizens be emphasised as part of a follow-up petition hearing and parliamentary question posed to the Justice Secretary. This approach would effectively rebut any incorrect assertions that the legislation is operating as intended. Since, statistical evidence demonstrates the frequency of positive outcomes in equivalent cases within other UK jurisdictions, providing compelling proof that Scottish legislation is either inadequate or improperly implemented.

Mr Cornock and his campaign supporters have assisted in progressing the petition to the Parliament's Petitions Committee in the expectation that this would have yielded the cross party engagement and ambition of MSP's to resolve the current short fall in legislation. From my position as an independent industry representative, I second the extreme dissatisfaction that Mr Cornock, his family and other bereaved families have encountered and still have to endure through their dealings with the petitions committee, MSPs and in particular the Justice Secretary.

Mr Cornock maintains my support in his ambitions in this matter, and I hope the committee will re-engage parliament to bring an end to the repeated failure to successfully implement legislation which would certainly benefit all Scottish citizens.