



The Scottish Parliament  
Pàrlamaid na h-Alba

Keith Brown MSP  
Cabinet Secretary for Justice and  
Veterans

**Public Audit Committee**  
Room T3.60  
The Scottish Parliament  
EDINBURGH  
EH99 1SP

By email only

Email:

[publicaudit.committee@parliament.scot](mailto:publicaudit.committee@parliament.scot)

10 November 2022

Dear Cabinet Secretary,

**New vessels for the Clyde and Hebrides: Arrangements to deliver vessels 801 and 802**

Thank you for your response to the Public Audit Committee's correspondence of 29 September 2022 in relation to its scrutiny of the Auditor General for Scotland's report, [New vessels for the Clyde and Hebrides: Arrangements to deliver vessels 801 and 802](#).

The Committee considered your response at its meeting on 3 November 2022. At this meeting, Committee Members expressed concern that the first question in our correspondence has not been answered. This question asked what information the former Minister for Transport and Islands, Derek Mackay shared with you (either orally or in writing) about the status of the procurement of the ferry vessels, and specifically whether he raised any concerns with you on this issue before going on annual leave during the summer of 2015.

Your response confirms that you were contacted by Transport Scotland officials on 20 August 2015, while Mr Mackay was on leave. However, the response provides no detail about what information, if any, he shared with you before this date.

**For the avoidance of doubt, the Committee is keen to establish all instances before 20 August 2015 when the former Minister for Transport and Islands provided an update to you on the procurement of the vessels, including any**

**occasion(s) where he raised particular concerns with you. The Committee asks that detailed information is provided in your response to this question, to understand what was discussed when you met with the former Minister, or drawn to your attention by him in written correspondence.**

The Committee asks you to revisit the first question in our original correspondence to you and provide a response to the specific question that was asked.

In more general terms, we wish to express our disappointment that the content of your letter does not provide the level of detail we would have expected, to assist our scrutiny of the Auditor General's report. We would therefore encourage you to also revisit your response to questions two and three and if further detail can be provided, the Committee would welcome this information.

For the avoidance of doubt, we have set out questions two and three again, in light of your role and responsibilities during the period under scrutiny—

- **What direct action did you take, as the Cabinet Secretary responsible for ferry services, upon reading the detail of CMAL's concerns?**
- **The Committee would be grateful if you could confirm whether Mr Mackay, in his role as the supporting Minister for Transport and Islands—**
  - **highlighted any concerns to you about the ability of shipyards tendering for the contract, to provide a full Builders Refund Guarantee, between February and August 2015, either orally or in writing.**
  - **made you aware of correspondence received from Stuart McMillan MSP regarding the procurement process for ferry contracts and his subsequent response.**

We hope that this letter helps to confirm exactly what information we are seeking.

The Committee would be grateful for a response by **30 November 2021**. Should this date present any difficulties, please contact the clerks as soon as possible.

Yours sincerely

**Richard Leonard MSP,  
Convener**