

Stewart Maxwell MSP



The Scottish
Parliament

Tobin's Law



Stewart said the issue was very complicated and any changes to the system must be strictly monitored to ensure that the principle that a person is innocent until proved guilty must be upheld. However it was obvious that changing the law for specific offences, to allow previous convictions to be used as evidence, could have real value in court.

Stewart said,

"The recent trial and conviction of Peter Tobin in England for the murder of Dinah McNicol exposes the problems of the law in Scotland. Peter Tobin had a clear modus operandi, knowledge of which could be valuable to a jury. In Scotland Tobin's previous convictions would not have been known to the jury -despite them relating directly to the case.

I believe it is time for Scotland to look closely at changing the law to allow some convictions to be used in court and I hope the Lord Advocate and the Justice Secretary will look closely at this issue.

For a limited number of serious offences like murder, attempted murder, rape or serious assault there must be a case for allowing this kind of evidence to be introduced.

This is not the kind of evidence that can ever be used lightly and safeguards such as a pre-trial hearing with a judge to determine if the evidence is relevant are essential. However in the recent Tobin case the evidence would have been difficult to understand without knowing that he had killed and buried another victim in that garden. This is an issue that requires serious consideration by Scotland's legal system."

Stewart has written to the Lord Advocate, Elish Angiolini, and the Justice Secretary, Kenny MacAskill, urging them to learn from the recent trial in England of Peter Tobin, at which one of his previous convictions for murder was introduced as evidence during the trial.

The evidence that he had murdered and buried Vicky Hamilton in the same grave as Dinah McNicol helped to explain the crime scene and established a pattern of behaviour which helped lead to his conviction for Ms McNicol's murder. In Scotland this information could not have been made known to the jury.

Writing to the Law Officers and Justice Secretary

Stewart Pays Respect To Miep Gies

Stewart has paid his respects to Miep Gies, the last surviving member of the group who helped Anne Frank and her family hide from the Nazis for more than two years, who has died aged 100.

Stewart laid a motion before parliament also commending her charitable work long after the death of Anne Frank.

Commenting, Stewart said:

"The bravery shown by Miep Gies in defying Nazi occupation laws and hiding Anne Frank for as long as she did is a shining example of humanitarianism in one of mankind's bleakest times.

"Without the enduring courage of Miep Gies, the story of Anne Frank may have not have been told to the world. She will be sadly missed".



Alcohol Abuse Costs Each Taxpayer £900

Alcohol misuse could be costing taxpayers around £3.56 billion per year, according to the findings of a new independent study.

The research, produced by independent health economists at the University of York, examined the impact of alcohol misuse on families, public services and the economy. Researchers estimate the total annual cost of alcohol abuse at between 2.48 billion pounds and 4.64 billion pounds – with a mid-point estimate of 3.56 billion pounds.

Averaged across the population, the £3.56 billion figure means that alcohol misuse could be costing taxpayers in the West of Scotland around £900 for every adult.

Following the publication of the report Stewart has reiterated his call for opposition parties in the Scottish Parliament to support the plans for minimum pricing of alcohol to help combat the country's growing problem with alcohol abuse.

Stewart said:

"The figures discussed in this report illustrate that the cost of alcohol misuse to Scotland's economy is even worse than we thought. People have to realise that even those of us who drink responsibly end up paying the costs of alcohol misuse due to the heavy burden placed on police, families, the NHS and the economy."

"The Scottish Government's Alcohol Bill includes a package of evidence-based measures to get to grips with this issue, including minimum pricing to combat the dirt-cheap ciders, lagers and low-grade spirits favoured by problem drinkers."

"It is widely supported by a number of agencies including all four chief medical officers, the Royal College of Physicians, senior police and the licensed trade, two former Scottish Labour Health Ministers, the House of Commons Select Committee on Health and Tennent Caledonian."

"No one has said that minimum pricing is going to solve all of Scotland's alcohol problems at once, but a wealth of expert opinion agrees that it could have a real impact as part of a wider package of measures."

"I call on all MSPs to do the right thing and support the measures included in the Alcohol Bill."

Stewart Encourages Recycling

Stewart Maxwell started the New Year as he means to go on by recycling as much as possible, and he hopes that everyone in the West of Scotland will also do their bit for the environment in 2010.

Stewart said,

"I started off the year by recycling my Christmas cards - a simple, yet fantastic way of contributing to improving our environment and boosting recycling."

"It is an easy way to be environmentally friendly and at the same time helps tidy up after Christmas. I would certainly encourage everyone to pop along to their nearest card recycling collection box or depot".



Get in touch...

Unit 27
Sir James Clark Building

Phone: 0141 887 2607
Fax: 0141 887 2626

www.stewartmaxwell.com