

Scapegoating Tydeman is a disgrace



BRIAN WILSON

ONE good thing about the removal of David Tydeman as chief executive of the Ferguson shipyard at Port Glasgow was that it sets a precedent. Finally, it is possible for someone to carry the can.

That novelty must surely be built on. For over a decade, this saga has assembled a cast of villains, none of whom has paid any penalty. Mutual interest has underpinned the invulnerability of politicians, civil servants and sundry associates.

There is general surprise that Mr Tydeman is the precedent-setter. Since he accepted the poisoned chalice in December 2021, he came across as an adult in the room who identified the scale of problems and got on with addressing them.

Whoever's fault it is that the order for two modest CalMac ferries is running seven years late and costing at least quadruple the original fixed price, it is not David Tydeman's, whose main offence, it seems, has been an excess of frankness.

He kept coming back to ministers and Holyrood committees to tell them the ferries would be delayed even longer and cost even more. Recipients of these messages did not react well. Neither did the random bunch scraped together as the board of Ferguson Marine (Port Glasgow) Ltd: not the most attractive gig for itinerant non-execs.

Mr Tydeman's fate appears like a classic case of shooting the messenger. It wasn't his fault more time and money were required to finish the ferries. These inevitabilities were baked into past failures under his predecessors, both private and public.



David Tydeman had respect from the workforce as a shipbuilding man

I visited the Ferguson yard a couple of months ago and Mr Tydeman gave me a tour of the Glen Sannox. I am relatively well versed in this whole affair but still found what I witnessed astonishing. Round every corner was a story of almost unbelievable incompetence which had to be fixed.

For example, it had become apparent that when the bow of the vessel was lowered, it did not fit securely. A specialist team was required to correct

this rather basic flaw. I don't know whether it derived from design specifications, errors in construction, or deterioration over the years of waiting. But it was an inescapable fact that the work had to be done.

Repeat that by hundreds, including the nonsensical "environmental" wheeze of dual-fuelling the vessels with diesel and gas imported from Qatar to be trucked from Kent to Ardrossan and Skye. So long passed that spares required to fix the

original installations were unobtainable. Mr Tydeman's fault?

None of this came cheap and cumulatively kept ratcheting up the millions. Mr Tydeman became the bearer of bad news because there was so much bad news to report. But it was also clear that he had respect from the workforce who recognised a shipbuilding man when they saw one. This is borne out by his standing in the industry.

I doubt if he intended to be at Ferguson's very long once the ferries were in the water. Meantime, he worked hard to rebuild the yard's credibility within the industry. This involved telling the Scottish Government how much they would have to invest in order to secure future orders. Again, they did not like what they heard.

What happened at Holyrood on Tuesday was extraordinary. The SNP MSP for Inverclyde, Stuart McMillan, sought to raise an urgent question about Mr Tydeman's dismissal. This required a vote in which four of Mr McMillan's colleagues sided with the opposition. It needed the SNP's Green confrères to deny his request.

At this point, Cabinet Secretary Mairi McAllan intervened to say that "the decision to terminate the contract... was entirely for the company's board". It is difficult to know which would be worse: that this was true, which I do not believe, or that it is untrue.

There was no such shyness about ministerial involvement when Mr Tydeman was appointed. The then-finance secretary Kate Forbes hailed it as "an important milestone for Ferguson Marine which reflects the progress made - David Tydeman brings four decades of industry experience and senior leadership and will be key to securing our long-term ambitions for the yard". Note the word "our".

This is a publicly-owned asset and vast sums of public money have been sunk into it directly and indirectly by the Scottish Government, which also

appointed the chairman, a court favourite named Andrew Miller who previously chaired Prestwick Airport and has no shipbuilding pedigree. Ms McAllan cannot divorce herself from responsibility by that one degree of separation.

The interim replacement of Mr Tydeman by a non-executive board member begs plenty of its own questions. How, and over what period, was this weeks-long hiatus? What process did John Petticrew go through before being parachuted into the role?

He lives in Canada and his shipbuilding experience was in the Middle East. It is by no means apparent why he is better placed than Mr Tydeman to chart a course for the future of a small shipyard on the Clyde. Perhaps Ms McAllan will in due course explain.

The reality is that this decision could not have been taken without ministerial approval and equally that the minister takes her advice from Transport Scotland, where so many of the Ferguson bodies are buried. The starting point is that the order should never have been gifted to the yard in the first place, in the absence of a builder's refund guarantee. It was political opportunism at its worst in the name of "saving" the yard but has actually done it reputational damage that may be beyond repair.

Not that anyone in Edinburgh cares, but the islands also continue to pay a huge price for this folly. Other than Mr Tydeman, nobody has resigned or been sacked. The treatment of him is an additional reason why a public inquiry, conducted under oath, is required to get at the truth. Otherwise, they all walk away scot-free.

Meanwhile, there is a vital question to resolve. Who will launch the second ferry? Perhaps Nicola Sturgeon can be pressed into service, one last time?

Brian Wilson is a former Labour Party politician. He was MP for Cunningham North from 1987 until 2005 and served as a Minister of State from 1997 to 2003.



NEIL MACKAY

YOU can feel the winds of a culture war already blowing around Holyrood's Assisted Dying Bill, and it was only lodged in Parliament yesterday and published today.

As a supporter of the legislation, I've promised myself that I won't get dragged into any point-scoring slanging matches. To do so would disgrace the Bill's intention. It's meant to cement one of the last great human rights reforms and it mustn't be debased by Twitter-level rage and distortion.

Part of that promise to myself means respecting those who oppose the Bill for genuine reasons of personal morality.

I hope the many good people on the opposite side of the aisle to me feel and act the same. The concept of death isn't something I want to foul with political one-upmanship.

Evidently, those who spread lies and disinformation - on either side - shouldn't be accorded the same respect, and should, clearly, be called out.

So I'll try to stick to the facts and leave rhetoric for others. The draft law is a Private Members' Bill from LibDem MSP Liam McArthur. I spent an afternoon with him recently going into the minutiae of the Bill. He's a staid, sober, old-school politician. There's no loudmouth bragging. In fact, he's rather humble and very cautious. He's garnered strong cross-party support.

The Bill is heavily safeguarded. Only those diagnosed as "terminally ill" can apply for the right to die. There's a "mental capacity" safeguard, where two doctors must agree that the patient fully understands both their condition and the consequences of their choice.

This law isn't for people who are mentally ill, depressed, or disabled. It's only for those with a diagnosis of terminal illness and deemed mentally fit. That's its foundation. But there are more checks and balances.

Anyone who wants to apply to use the law must be resident in Scotland for 12 months. So Scotland cannot become a "suicide destination" like Switzerland.

There's a two-week cooling-off period. Medication must be self-administered. Objector rights exist for medics who wish to opt out.

Doctors are forbidden from suggesting patients access the law. Requests can only come from the patient. If the Bill passes, the legislation will be reviewed every five years to ensure it's fit for purpose, otherwise it ceases to be law.

Mr McArthur's Bill follows what's known as the "terminal illness" model. This is effectively the same system in some US states, Australia and New Zealand. The alternative is the "permissive" model. This is followed in Canada, Holland, Belgium and Luxembourg. Under the permissive model, a diagnosis of terminal illness isn't required to access the law. Broadly, the permissive model can be used due to "intolerable suffering".

CAMLEY'S CARTOON



Steven Camley's cartoons are available by contacting photoenquiries@heraldscotland.com

Let's debate assisted dying with respect

I agree with Mr McArthur when he says the permissive model and its concept of "intolerable suffering" is "highly problematic". It's far too subjective. In Canada, it was courts which led on the right to die, not politicians as in Scotland.

Canadian courts agreed with plaintiffs who felt their constitutional rights weren't being respected when it came to the right to die. Parliament then reluctantly legislated. This made bad law. Moves to expand the Canadian law to allow access for people with mental illness have been paused.

One of the most common and misplaced concerns is that Mr McArthur's Bill will create a slippery slope where Scotland morphs into Canada. However, terminal illness models don't metamorphose into permissive models. We've seen this proven worldwide. In Oregon, right-to-die laws have existed

since 1997 and eligibility criteria hasn't changed in 27 years.

The Humanist Society Scotland, which has campaigned for the Bill, describes the Canada trope as "the most consistent bad-faith argument used against assisted dying". The society's chief executive, Fraser Sutherland, told me that it was "fundamentally inaccurate". There is ample evidence of jurisdictions around the world where assisted dying laws for the terminally ill have been introduced and have not been extended at all. The "slippery slope" is a "mirage".

Mr McArthur has rightly called for both Holyrood and the nation to focus on the Bill he has drafted, not deeply-flawed legislation from Canada. "There's a desperate need," he said, "on the part of some opponents, to spend all our time discussing Canadian legislation."

There are understandable fears around the elderly being coerced by unscrupulous relatives into an early death. However, this fear is misplaced.

In Scotland, only those who are already dying can access the law. Put crudely: why bully your granny into suicide when she's dying anyway?

Indeed, research around the world shows that relatives mostly try to prevent their loved ones accessing such laws, rather than urging them to take their lives.

Support among the public now stands at around 75%. Politicians are finally catching up, and it seems Mr McArthur's Bill will eventually pass into law, unlike earlier attempts at Holyrood which failed, most notably legislation by the late Margot MacDonald, who sadly died from Parkinson's.

Both Mr McArthur and the Humanist

Society say that religious groups now form the main opposition. The healthcare profession - most notably in the shape of the British Medical Association - has moved from a position of opposition to one of neutrality.

Those of a religious persuasion are, of course, entitled to their views. It should be hoped that they exercise their right to express those opinions in an honest way. The Humanist Society fears faith groups will "distort and muddle the debate".

There is a horrible truth at the heart of this all: we already have a form of assisted dying, except it's not legislated for, and so therefore not controlled.

There are, as Mr McArthur told me recently, "instances where medics, possibly in discussion with family, sometimes not, are increasing morphine to manage pain in the certain knowledge that it's significantly increasing the risk of hastening death".

He added: "So we've basically got assisted dying - we're just not either honest about it, transparent, or robust in the way we regulate it."

That's a hard discussion for anyone. All of this is hard to discuss. But Scotland is going to have this discussion now the Bill has landed in Parliament, and for all our sakes we need to debate with respect, honesty and decency.

If we can't discuss death in a dignified manner, then what sort of society are we?