



The Scottish Parliament
Pàrlamaid na h-Alba

PUBLIC PETITION NO.

PE01860

Name of petitioner

Jennifer Morrison Holdham

Petition title

New legislation for Prescription and Limitation Act

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to amend the Prescription and Limitation Act to allow retrospective claims to be made.

Action taken to resolve issues of concern before submitting the petition

I have raised this issue with Shirley-Anne Somerville MSP and the Law Society of Scotland.

Petition background information

Prescription sets time limits after which legal obligations (and associated rights) will be extinguished. Prescription and limitation are very similar, both containing time limits which courts must consider.

Where rights are thwarted for no fault of any petitioner a safety net in terms of legislation would be humane and serve justice.

In my own experience, lawyers failed to serve a writ in time and such a delay stopped my rights. Many Scots may benefit from the action being proposed in my petition, as I hope to, if new law allows.

Others may also benefit by extension of rules, especially if circumstances out of their control unjustly thwarts their rights.

A good outcome for others in Scotland enduring similar deprivation to mine, is also my hope.

Unique web address

<https://www.parliament.scot/GettingInvolved/Petitions/PE01860>

Related information for petition

Do you wish your petition to be hosted on the Parliament's website to collect signatures online?

YES

How many signatures have you collected so far?

0

Closing date for collecting signatures online

24 / 03 / 2021

Comments to stimulate online discussion

Do you agree that the law on prescription and limitation needs to change?
Do you have any experience of the current law affecting your rights?