Response from Eric McQueen, Scottish Court Service

SCOTTISH PARLIAMENT FINANCE COMMITTEE - CALL FOR EVIDENCE ON THE BRITISH SIGN LANGUAGE BILL

Thank you for your email of 20 November 2014 seeking my response as Chief Executive of the Scottish Court Service on questions relating to the Financial Memorandum on the British Sign Language Bill introduced in the Scottish Parliament on 29 October 2014 by Mark Griffin MSP.

The British Sign Language (Scotland) Bill aims to promote the use of British Sign Language (BSL), principally by requiring BSL plans to be prepared and published by the Scottish Ministers and listed public authorities. The intention is that, by placing this obligation on the Scottish Government and listed authorities, the profile of the language will be heightened and its use in the delivery of services increased.

I should first of all be clear about what aspects of the petition fall within the Scottish Court Service’s competence. The Scottish Court Service (SCS) is an independent statutory body constituted in terms of the Judiciary and Courts (Scotland) Act 2008 and is responsible for the provision of administrative support for the sheriff and JP courts, the Court of Session and High Court of Justiciary, and for members of the judiciary. SCS also provides administrative support to the Office of the Public Guardian and with effect from 1 April 2015 will merge with the Scottish Tribunal Service in providing administrative support to the tribunals currently devolved to the Scottish administration. I can therefore only answer queries about that administrative function. I do not proffer any explanation or comment on the merits of judicial decisions or the means by which those decisions might be reached.

I provide below my response to the specific questions raised in relation to the Financial Memorandum.

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?
   The Scottish Court Service did not take part in any earlier consultation exercise on the Bill.

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?
   Not applicable

3. Did you have sufficient time to contribute to the consultation exercise?
   Not applicable. SCS notes that the normal consultation period was applied.
**Costs**

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

The financial implications reflected in the FM relate to the implementation of the Bill, namely, the work associated with the preparation of the Authority Plan and Performance Review.

We note that the FM itself confirms that figures cannot be put on any additional costs arising from an increase in demand for services in BSL, as it is not possible to estimate how much additional activity will be generated and what the nature of that activity will be. This is something the SCS would need to scope in due course.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

Please see 4 above.

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

SCS estimates it should be possible to meet the financial costs associated with the Plan and Review process from within existing budgetary provision.

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?

Paragraphs 16 to 19 of the Financial Memorandum set out the estimated costs likely to be incurred by SCS in relation to the Plan process. SCS considers those estimates to be reasonable.

**Wider Issues**

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?

Additional costs might be incumbent upon those organisations which require to upscale to meet increased demand upon services, such as interpretation and translation service providers.

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?

SCS is not able, at this time, to comment on any future costs associated with the Bill, for example through subordinate legislation.