



The Scottish Parliament
Pàrlamaid na h-Alba

Audrey Nicoll MSP
Convener, Criminal Justice Committee

By email

All correspondence c/o:

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Dear Audrey,

Bail and Release from Custody (Scotland) Bill

As you are aware, the Finance and Public Administration Committee is responsible for scrutinising Financial Memorandums (FMs) to Bills. The Committee ran a call for views on the FM for the Bail and Release from Custody (Scotland) Bill between July and September 2022 and received three responses, from Victim Support Scotland, Police Scotland and Glasgow City Health and Social Care Partnership, all of which have been published on the Scottish Parliament's call for views website¹.

The Committee understands that the Criminal Justice Committee is currently undertaking scrutiny of the Bill at Stage 1. To help inform your scrutiny, the Committee wishes to set out some of the key issues highlighted in written evidence.

Victim Support Scotland (VSS) notes there will be additional costs to their organisation associated with the introduction of the Bill, however, it acknowledges the Scottish Government's commitment to work collaboratively to identify associated costs during consideration of future budgets.

¹ [Bail and Release from Custody \(Scotland\) Bill: Financial Memorandum - Scottish Parliament - Citizen Space](#)

Written evidence received from **Police Scotland** states that an increase in resource demand and subsequent costs is to be expected, although this is currently difficult to quantify due to a lack of data.

Concerns in relation to the FM were raised by **Glasgow City Health and Social Care Partnership**, particularly in relation to sections 1, 9 and 10 of the Bill. Their written submission states that financial implications are not accurately reflected in the FM and costs to local authorities have been understated. It further notes that no allowance is made in the FM for pay inflation which will have an impact on overall costs.

The Financial Memorandum acknowledges that there will be an impact on local authority justice social work services and estimates that the provisions included in Part 1 of the Bill will have a financial impact on local authorities of approximately £2.512m. Glasgow City HSCP estimated a shortfall of between £1.2m - £2m, depending on the category of staff who undertake the work.

Glasgow City HSCP also noted that additional costs will be incurred by local authorities in relation to the duty to engage in release planning and throughcare support, however, "it is difficult to estimate what the cost will be due to uncertainty around the numbers involved".

The Committee agreed to refer the three responses received to your Committee for consideration as part of evidence taking at Stage 1.

Yours sincerely,

Kenneth Gibson MSP
Convener, Finance and Public Administration Committee