Justice Committee

Management of Offenders (Scotland) Bill

Written submission from the Commissioner for Ethical Standards in Public Life in Scotland

The Commissioner is responding to question 7 of the consultation.

The Commissioner notes that the provisions governing terms for appointment and reappointment to the Parole Board are statutory matters and set out in the body’s founding legislation as it is proposed to be amended.

Appointments to the Parole Board made by the Scottish Ministers are also currently regulated by the Commissioner.

The Code of Practice for Ministerial Appointments to Public Bodies in Scotland includes the following provisions:

“F1 The Scottish Ministers may reappoint a board member to the same position or extend a member’s appointment term provided -
(i) the member’s performance has been properly appraised as being effective during the current term and
(ii) that the member's total period of appointment will not exceed 8 years.”

Should appointments to the Parole Board for Scotland remain within the Commissioner’s regulatory remit, the provisions of the Code, including the foregoing provisions, would continue to apply to those appointments.

The Commissioner further notes that whether to add or remove appointments from his regulatory remit is, in statute, a matter for the Scottish Ministers.

I hope this is helpful to the Committee’s consideration of the Bill.

Commissioner for Ethical Standards in Public Life in Scotland
19 March 2018