

ITEM 5.1A: CORRESPONDENCE, COMPLAINTS, AND FOISA REPORT

Purpose

1. To provide members with a report on the Council's performance in terms of its statutory obligations under the [Freedom of Information \(Scotland\) Act 2002](#) (FOISA) and the [Scottish Public Services Ombudsman \(SPSO\) Act 2002](#) (SPSO).
2. To provide an overview of the items of correspondence which have been responded to by the Secretariat on behalf of the Council, in terms of [standing orders](#) 9.16(b)-(c).

Discussion

3. This report covers the period **09 November 2019 – 18 September 2020**. The following table provides an overview of the number of items under each category, the subject matter and whether those items were responded to within the timescales set out by FOISA, SPSO and the Standing Orders.

Category	Items	Subject	Response within timescale?
FOISA requests	3	<ul style="list-style-type: none"> • Request for sentencing statistics for Black Asian Minority Youth in Scotland • Request for the information contained within (i) the cognitive maturity literature review and (ii) sentencing guidelines for young people • Request for “documentation pertaining to guidelines/protocols governing the calculation of the punishment part (tariff) of a life sentence in Scotland” and other related information 	The response to one item was late due to the Covid-19 pandemic. The two other items were responded to within timescale.
DPA requests	0		
Complaints	0		
Correspondence	58	<ul style="list-style-type: none"> • Advice on where to find information on specific sentences (11) • Advice on general sentencing and resources (5) • Stakeholder engagement (0) • MSP engagement (0) 	All were responded to within timescale.

		<ul style="list-style-type: none">• Public engagement (6)• Guideline enquiry (16)• Misdirected query (20)	
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Recommendation

4. **Members are invited to note the content of this report and provide any comments.**

Scottish Sentencing Council Secretariat

September 2020