

ITEM 6.2A: 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); and
 - 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

2. The table below 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 for the period **1 March 2022 – 27 May 2022**.
3. The table includes a new list of correspondence subject types. This is intended to provide more clarity than the previous list, which can be seen at the **annex** to this paper.

Category	Items	Subject	Response within timescale?
Correspondence	12	<ul style="list-style-type: none"> • General sentencing enquiry (3) • Guideline enquiry (1) • Misdirected enquiry – for another organisation or body (3) • Misdirected enquiry – other (1) • Misdirected enquiry – concerning specific case or sentence (3) • MSP engagement (1) • Public engagement (0) • Research / work programme enquiry (0) • Stakeholder engagement (0) 	All items were responded to within the timescale.
Complaints	0		
FOISA requests	1	Request for the percentage of offenders who are imprisoned for (1)	Yes.

		<p>manslaughter, (2) benefits fraud, (3) sexual offences, and (4) tax fraud. Information concerning points (1), (2), and (4) is not held by the Council (it being noted that there is no crime of manslaughter in Scotland, culpable homicide being its equivalent). Information concerning point (3) is publicly available in the Criminal Proceedings bulletin.</p>	
DPA requests	0		

Recommendation

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

Scottish Sentencing Council Secretariat

May 2022

ANNEX: PREVIOUS LIST OF CORRESPONDENCE SUBJECT TYPES

The following is the list of subject types applied to routine items of correspondence received by the Council until 28 February 2022.

- Advice on general sentencing and resources
- Advice on where to find information on specific sentences
- Guideline enquiry
- Misdirected query
- MSP engagement
- Public engagement
- Stakeholder engagement