

ITEM 7.2A: 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).
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 **21 May 2021 – 20 September 2021**. 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?
Correspondence	28	<ul style="list-style-type: none"> • Advice on where to find information on specific sentences (2) • Advice on general sentencing and resources (0) • Stakeholder engagement (1) • MSP engagement (0) • Public engagement (4) • Guideline enquiry (1) • Misdirected query (20) 	Three items did not require a response. All other correspondence was responded to within timescale.
Complaints	0		
FOISA requests	2	<ul style="list-style-type: none"> • Seeking specific information about the number of criminals sentenced by Scottish courts who were resident in Scotland at the time but now reside elsewhere in the UK (this information is not held by the Council). • Request for information about the costs of developing the sentencing young people guideline. 	The first item was responded to within the timescale. The response to the second item is in progress according to its timescale.

DPA requests	0		
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Recommendation

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

Scottish Sentencing Council Secretariat

October 2021