

POLICY NOTE

THE SCOTTISH COURTS AND TRIBUNALS SERVICE (ADMINISTRATIVE SUPPORT) (SPECIFIED PERSONS) ORDER 2015

SSI 2015/224

1. The above instrument was made in exercise of the powers conferred on them by section 62(1)(h) of the Judiciary and Courts (Scotland) Act 2008 (“the 2008 Act”) and all other powers enabling them to do so.

Policy Objectives

2. This instrument provides that the Scottish Sentencing Council (“the Council”) is added to the list of persons to which the Scottish Courts and Tribunals Service (“the SCTS”) provides, or must ensure the provision of property, services and staff.

3. The SCTS are an independent body corporate who provide administrative support to Scottish Courts and to the judiciary of those courts, including the High Court of Justiciary, Court of Session, sheriff courts and justice of the peace courts, and to the Office of the Public Guardian and Accountant of Court.

4. It is considered appropriate that the SCTS provide administrative support to the Council as they already provide administrative support to judicial members, who will make up six of the twelve members of the Council.

5. There is also a requirement within the Criminal Justice and Licensing (Scotland) Act 2010 for the STCS to provide information on sentencing to the Council, when requested. With the STCS providing administrative support to the Council this requirement may be fulfilled with a more streamlined approach.

Consultation

6. The Scottish Ministers have consulted the Lord Justice General in relation to these regulations as required by the 2008 Act.

Impact Assessments

7. Equality Impact Assessment (EQIA) is a tool to assist in considering how policy may impact, either positively or negatively, on different sectors of the population in different ways.

8. We have considered the impact of policy on particular groups of people (their age, race, gender, sexual orientation, religion or belief or whether disabled or not). We are not aware of any evidence that any of the equality strands will be affected by these regulations.