



The Scottish Parliament
Pàrlamaid na h-Alba

Criminal Justice Committee

Kenneth Gibson MSP
Convener
Finance and Public Administration Committee

6 December 2024

Dear Kenneth

Scrutiny of SPCB supported bodies

Thank you for your letter of 13 November 2024 about the report of your inquiry into Scotland's Commissioner's landscape.

I have followed the work of your Committee with interest and welcome the recommendations in the report of the inquiry as representing a constructive way forward on this subject. I was pleased to have been able to give evidence to your Committee during its inquiry.

I note your Committee's ongoing interest in the question of whether there should be an enhanced parliamentary scrutiny process for SPCB supported bodies.

In this regard, you indicated that you would welcome the Criminal Justice Committee's views on the budget, spending, and performance of the Scottish Biometrics Commissioner, as well as information on the Committee's scrutiny of the post more generally.

In principle, the Criminal Justice Committee seeks to take evidence from the Scottish Biometrics Commissioner on a roughly annual basis, although in practice it has been challenging to keep to this schedule due to our other work commitments, notably legislation.

The Committee did manage to take evidence from the Commissioner in November 2024, when we questioned him on the contents of his annual report. This was a wide-ranging evidence session at which the Committee questioned the Commissioner on the key activities he had undertaken during the year, his plans for the future and the significant developments within his area of responsibilities.

At the meeting, the Committee also took the opportunity to take evidence on the role of the Commissioner more generally. This included hearing evidence on the Commissioner's strategic plan, the remit of the Commissioner, and the budget of his office.

Contact: Criminal Justice Committee, The Scottish Parliament, Edinburgh, EH99 1SP. Email justice.committee@parliament.scot. We welcome calls through Relay UK and in BSL through Contact Scotland BSL.

While I am clear that the Committee found the evidence session to be valuable and generally welcomed the work being undertaken by the Commissioner, the session was not specifically designed as a formal assessment of his performance as an office holder and a budget holder. For that reason, the Committee is not in a position to express a collective view on this aspect of the Commissioner's performance.

If it is helpful, I would add that although we have not discussed performance matters as such as a Committee, I did not sense from the questions explored by Members any major concerns in this respect.

You may also be interested to note that, although not funded by the SPCB or appointed by Parliament as such, we also plan to hear from the Police, Investigations and Review Commissioner in the New Year on her annual report.

I hope this is helpful background information. I wish your Committee well in your ongoing work in this area.

Yours sincerely,

Audrey Nicoll MSP
Convener