

Parliamentary Bureau – Approval of Scottish Statutory Instruments and Laid Documents

Affirmative Instruments

[Sea Fisheries \(Remote Electronic Monitoring and Regulation of Scallop Fishing\) \(Scotland\) Regulations 2024 \(SSI 2024/Draft\)](#)

1. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Jamie Hepburn on behalf of the Parliamentary Bureau: That the Parliament agrees that the Sea Fisheries (Remote Electronic Monitoring and Regulation of Scallop Fishing) (Scotland) Regulations 2024 (SSI 2024/Draft) be approved.

Purpose

2. To mandate the use of Remote Electronic Monitoring (REM) systems on all “relevant scallop boats” and “relevant pelagic boats” during fishing trips in the Scottish zone and, for Scottish vessels falling within those categories, during fishing trips wherever they are fishing. The instrument revokes the REM requirements in article 6 of the Regulation of Scallop Fishing (Scotland) Order 20174 (the 2017 Order), which are being superseded. In addition, the instrument consolidates the gear restrictions for scallop dredge vessels fishing for king scallops in the Scottish zone into a single article in the 2017 Order, with minor amendments.

Consideration by committee

3. At its meeting on 1 May 2024, after debate, the Rural Affairs and Islands Committee agreed to recommend by division (For 7, Against 0, Abstentions 2) that the Instrument be approved. The [Committee’s report was published on 30 May 2024](#).

Laid Document subject to Parliamentary control

[Scottish Public Services Ombudsman: Child Friendly Complaint Handling Statement of Principles \(SPSO/2024/01\)](#)

4. Under [section 16A of the Scottish Public Services Ombudsman Act 2002](#), the Scottish Public Services Ombudsman (SPSO) is required to publish a statement of principles concerning complaints handling. These are subject to Parliamentary approval and the Statement of Complaints Handling Principles were agreed by Parliament on 12 January 2011.
5. On 18 April 2024, the SPSO laid a proposed additional document to the Complaint Handling Principles in anticipation of the enactment of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 (the UNCRC Act) which takes effect from 16 July 2024. This document

creates some additional child friendly complaints principles which will apply to public bodies falling under the remit of SPSO, whenever a complaint involves a child.

6. Given that these additional child-friendly complaints principles [amount to material revisions to the existing complaint handling principles](#), they therefore require parliamentary approval. The Parliament considers such documents in the same way as it would consider an affirmative instrument and therefore the Bureau is required to lodge the following motion—

Jamie Hepburn on behalf of the Parliamentary Bureau: That the Parliament agrees that the Scottish Public Services Ombudsman: Child Friendly Complaint Handling Statement of Principles (SPSO/2024/01) be approved.

Consideration by committee

7. At its meeting on 29 May 2024 the Education, Children and Young People Committee agreed to recommend that the Child Friendly Complaint Handling Statement of Principles be approved. The [Committee's report was published on 29 May 2024](#).

Decision

8. Business Managers are invited to note that the above motions will be lodged.
9. Business Managers should reserve their position if their party intends to speak against or oppose the motions.

Notification of Affirmative Instrument subject to expedited timetable

[Early Release of Prisoners and Prescribed Victim Supporters \(Scotland\) Regulations 2024 \(SSI 2024/Draft\)](#)

10. The above instrument was laid on 29 May 2024 and is subject to the Affirmative Procedure.
11. The First purpose of the instrument is to make provision using Scottish Ministers powers under section 3C of the Prisoners and Criminal Proceedings (Scotland) Act 1993 (the 1993 Act) (as introduced by Section 11 of the Bail & Release from Custody (Scotland) Act 2023 (the 2023 Act)), to release certain categories of persons early from prison.

[The Policy Note sets out more detail on the eligibility criteria and exclusions.](#)

12. The second purpose of the instrument is to prescribe victim support organisations (VSOs) for the purposes of section 14 of the 2023 Act. Section 14 makes provision so that victims can nominate a victim support organisation to

receive information at the same time as the victim, or on their behalf, under either of the two statutory schemes of information for victims: the Victim Notification Scheme for victims of offenders sentenced to more than 18 months' imprisonment, or the short-term information scheme which enables victims of offenders sentenced to fewer than 18 months' imprisonment to receive more limited information.

13. The Scottish Government stated that the recent, sharp and unanticipated increases in the prison population has led to an emergency situation arising across the prison estate which places at significant risk to (i) the security and good order of a prison or prisons generally and (ii) the health, safety and welfare of prisoners or those working in any such prison. Scottish Ministers consider the use of emergency release to be necessary and proportionate in response to the effects of the sudden rise in the prison population.
14. Given the urgent nature of the regulations, the Scottish Government has requested that the Instrument be subject to an expedited timetable. The Criminal Justice Committee has therefore agreed to consider the instrument and report within a shorter timescale, planning to take evidence from stakeholders and the Cabinet Secretary, before considering a motion on whether to recommend to Parliament that it be approved on 12 June, in time for consideration by the whole Parliament on Thursday 13 June.
15. Given that this will take place after the Bureau meeting on 11 June, an update on the outcome of the Committee's consideration will be provided to Business Managers following the publication of its report on 13 June and also whether the motion to approve the instrument can be lodged and added to the Business Programme.

Parliamentary Business Team
May 2024