

Bail and Release from Custody (Scotland) Bill — Stage 2

After section 1

Katy Clark

1 After section 1, insert—

<Report on operation of section 1

- (1) The Scottish Ministers must, as soon as practicable after the end of the reporting period, prepare a report on the operation of section 1 during the reporting period.
- (2) The report must, in particular, include information on—
 - (a) the impact of section 1 on local authorities,
 - (b) whether local authorities have adequate resources to meet the requirements set out in section 1, and
 - (c) where further resources are required, what action is being taken to address this.
- (3) In preparing a report under subsection (1), the Scottish Ministers must consult—
 - (a) each local authority,
 - (b) any professional body representing social workers in Scotland,
 - (c) such other persons as the Scottish Ministers consider appropriate.
- (4) The reporting period is the period of 1 year beginning with the day on which section 1 comes into force.
- (5) The Scottish Ministers must lay a copy of the report before the Scottish Parliament.>

Section 2

Katy Clark

2 In section 2, page 2, line 34, leave out subsection (3)

Section 10

Katy Clark

3 In section 10, page 15, line 31, at end insert—

<34D Throughcare support: duty to report

- (1) The Scottish Ministers must, as soon as practicable after the end of the reporting period, prepare a report on the operation of section 34C during the reporting period.
- (2) The report must, in particular, include information on—
 - (a) the impact of section 34C on the persons listed in subsection (2)(a) to (d) of that section,
 - (b) whether the persons have adequate resources to comply with the standards published under section 34B, and

- (c) where further resources are required, what action is being taken to address this.
- (3) In preparing a report under subsection (1), the Scottish Ministers must consult—
 - (a) the persons listed in section 34C(2)(a) to (d),
 - (b) such other persons as the Scottish Ministers consider appropriate.
- (4) The reporting period is the period of 1 year beginning with the day on which section 34C comes into force.
- (5) The Scottish Ministers must lay a copy of the report before the Scottish Parliament.>

After section 11

Katy Clark

- 4 After section 11, insert—

<Impact on Management of Offenders etc (Scotland) Act 2005

Review of impact on the Management of Offenders etc (Scotland) Act 2005

- (1) Within 1 year of Royal Assent, the Scottish Ministers must—
 - (a) review the impact of Part 2 of this Act on the operation of arrangements made under section 10 of the Management of Offenders (Scotland) Act 2005 (“the 2005 Act”),
 - (b) prepare and publish a report on the outcomes of that review.
- (2) A review under subsection (1) must, in particular, include consideration of whether any changes are required to national guidance in relation to—
 - (a) the monitoring of offenders covered by section 10(1) of the 2005 Act following release from custody,
 - (b) ensuring a consistent approach across Scotland.>

Before section 12

Katy Clark

- 5 Before section 12, insert—

<Report on operation of Act

- (1) The Scottish Ministers must, as soon as practicable after the end of the reporting period, prepare a report on the operation of this Act during the reporting period.
- (2) The report must, in particular, include information on the impact on resources of—
 - (a) section 1 on local authorities,
 - (b) section 10 on the persons listed in section 34C(2) of the 2016 Act.
- (3) The reporting period is the period of 1 year beginning with the day after Royal Assent.
- (4) The Scottish Ministers must lay a copy of the report before the Scottish Parliament.>