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- Scottish Government should be stripped of right to appoint SPA chair

22 Jun 2017



The next chair of the Scottish Police Authority should be publicly appointed, and not chosen by Scottish Government ministers, it has been argued.

Scottish Conservative MSP Margaret Mitchell said, after current chair Andrew Flanagan announced his departure, it was time for the style of appointment to be changed.

She wants to see the SPA chair chosen in the same way positions like the Scottish Public Services Ombudsman are selected, through a panel chaired by Holyrood's presiding officer involving MSPs from all parties.

She made the comments at today's Scottish Parliament policing sub-committee.

It follows weeks of criticism of the SPA and its senior staff members over a lack of accountability and transparency.

**Scottish Conservative MSP Margaret Mitchell, convener of Holyrood's justice committee, said:**

"We are now on to our third SPA chair in just over four years.

"It's self-evident that the previous chairs have lacked the necessary skills and experience, on issues like handling the media, to justify their appointment.

"Coupled with this, there has always been a concern about their independence, given they owe their appointment to the Scottish ministers of the day.

"It's now time to review the appointment by ministers and consider appointing the SPA chair in an open and transparent manner."

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## [Poverty and Inequality Commission to](#)

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22 Jun 2017



A new Poverty and Inequality Commission is to be created in Scots law – despite SNP attempts to block it.

The proposal by Scottish Conservative social security spokesman Adam Tomkins was voted through in the Scottish Parliament earlier today.

He was backed by other opposition parties to set up the Commission as part of the Child Poverty Bill.

The work of the Commission will be to monitor the Scottish Government's progress on child poverty, and ensure scrutiny on the targets being set for ministers.

However, the SNP voted against the idea, saying it wasn't "value for money" and would have too much "downtime".

Despite nationalist opposition, the amendment went through by five votes to four at the Social Security Committee earlier, meaning the legislation will now be strengthened.

**Scottish Conservative social security spokesman Adam Tomkins said:**

"It's vital the Scottish Government is held to account on its work to reduce child poverty in Scotland.

"Establishing this Commission in Scots law will do exactly that.

"It's disappointing the SNP oppose this but, fortunately, all other parties agreed it was a necessary step to take.

"This will hold the Scottish Government to account on its poverty pledges, and make sure the targets being set are hit.

"It strengthens the legislation and allows scrutiny of Scottish Ministers to be as robust as possible."

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The amendment was voted through 5-4 at this morning's social security committee.

For more on the Child Poverty Bill, visit:

<http://www.parliament.scot/parliamentarybusiness/Bills/103404.aspx>

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## [Sturgeon must come clean on second CAP crisis](#)

22 Jun 2017



Nicola Sturgeon has been urged to “come clean” on whether or not the Scottish Government will need to ask for an extension in delivering vital farming payments.

The deadline for processing Common Agricultural Policy cash is next Friday and, if that is missed, the European Commission could slap ministers with a fine of up to £60 million.

As of last week, nearly 6000 farmers were still waiting for 2016 CAP payments, and the Scottish Government is signing off significantly fewer than 1000 a week.

That means the deadline will almost certainly be missed, with the prospect of a huge penalty for the taxpayer and more hardship for farmers.

At First Minister’s Questions today, Scottish Conservative Ruth Davidson demanded answers on what contact the SNP has had with the EC over an extension.

However, Ms Sturgeon wouldn’t say if a derogation had been sought – despite being asked specifically three times – instead saying she would “endeavour to make payments on time”.

Last year, the Scottish Government’s failed IT system starved rural Scotland of hundreds of millions of pounds.

And just last week, Audit Scotland warned the problems would only be fixed in 2018 “at the earliest” and that serious issues remained in processing the crucial subsidies.

### **Scottish Conservative leader Ruth Davidson said:**

“The deadline for processing these payments is a week away and, if the Scottish Government does not meet that deadline, it could be fined tens of millions of pounds.

“That’s why rural Scotland and taxpayers need to know if the SNP has

approached the European Commission for an extension.

“Instead, Nicola Sturgeon did what her rural affairs secretary did earlier this week and dodged the question.

“It’s a disgrace that so many farmers are still waiting for payments, and it looks like – for the second year running – the SNP is going to have to go cap-in-hand to Europe and ask for special treatment.

“This all has a massive knock-on impact for the wider rural economy.

“It’s no wonder rural communities have completely lost trust in the SNP.”

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As of June 15, 5861 payments were still to be processed before next Friday’s deadline.

On average, the Scottish Government’s IT system is processing 895 payments a week, meaning the deadline will almost certainly be missed.

To see the full statistics, visit the below link and click “cap payment updates”:

<http://www.scottishconservatives.com/cap-payments-update/>

**In a damning report last week, Audit Scotland said – should that deadline be missed – the Scottish Government could be fined up to £60 million:**

<http://www.audit-scotland.gov.uk/report/common-agricultural-policy-futures-programme-further-update>

**Earlier this year, Nicola Sturgeon offered assurances to farmers that she’d sort out the CAP crisis:**

“Last year’s problems with farm payments were unacceptable. Many of you, rightly, made that very clear to us. So did your union.

“In fact farm payments has been a good example of the role NFUS can play. It has been clear in its criticism, while also being very constructive in working with us to mitigate the impact on farmers.

“I want to assure all of you today that lessons have been learned. The Scottish Government has already accepted every recommendation made by Audit Scotland in relation to future payments, as part of our work to improve the system. We have also made £270 million of loans available for farmers who needed to receive their 2016 payments in January or earlier. And we expect all 2016 payments to be made by the end of June.

“We understand the difficulties that late payments caused to you last year. We apologise for those difficulties. We are determined not to repeat them.”

(*Scottish Government*, 7 February 2017, [link](#)).

**And rural affairs secretary Fergus Ewing made similar remarks:**

“However, we must be realistic. I am determined that, for the 2016 payments, we make clear to Parliament and to the farming industry what the likely timescales really look like. The farming industry needs to have confidence in the payment timetable and that we will do what we say. There must be no

repeat of the problems that were faced in 2015-16.

“From day 1 in the job and for the foreseeable future, the resolution of the CAP payment issues is my top priority as [cabinet](#) secretary. I assure members and all those who are listening in Scotland’s rural communities that I will devote all necessary time and attention to that task. It is my number 1 priority. I give the chamber the categorical assurance that I am determined to oversee and drive forward the work that is necessary to bring the payment regime back on to an even keel.

“I am determined that the Government will learn the lessons from the futures programme not just for the remainder of that programme but for our wider portfolio of [II](#) programmes. However, I do not wish to distract from the clear and present task of getting the last of the payments out to farmers and crofters. Now is the time to focus on that, and on meeting the payment deadline successfully, but I can say to members that there will be a process to learn lessons from the experience.

“On behalf of the Scottish Government, I address three simple words to all farmers and crofters who have suffered as a result: we are sorry. Let me follow that up with four further words: we are fixing it.”

(*Official Report*, 31 May 2016, [link](#)).

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## [SNP admits FoI performance ‘isn’t good enough’](#)

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21 Jun 2017



Scottish Government ministers have admitted their performance on complying with Freedom of Information laws “isn’t good enough”.

In a Holyrood debate sparked by the Scottish Conservatives today, the SNP’s record on replying to FoI requests was heavily criticised by opposition parties.

It follows an open letter from journalists complaining about transparency sent earlier this month, as well as statistics showing the Scottish Government is worse than other public sector bodies at responding in full and on time.

And today, the Scottish Government’s business manager Joe Fitzpatrick told MSPs that “recent performance has not been good enough” and those submitting

FoI requests “have had reasons to be unhappy”.

However, he also hinted that – 12 years on from FoI laws being passed – people were more familiar with the legislation, and therefore more likely to submit detailed requests which, he said, now take an average of seven hours to resolve.

The Scottish Government also accepted the debate motion, which “condemns” the SNP’s performance and calls for an independent inquiry into the issue.

Yesterday, the Scottish Conservatives revealed that barely a third of FoIs to the Scottish Government result in a “full disclosure”, compared to 57 per cent across other public bodies.

**Scottish Conservative MSP Edward Mountain said:**

“There are serious concerns about the way in which the Scottish Government is interpreting and implementing FoI legislation.

“There have been widespread complaints about delays beyond the 20 working-day deadline, emails requesting updates being routinely ignored and ministers taking control of requests without the consent of the applicant.

“Delays and withholding information are not acceptable.

“But it’s not just Freedom of Information – there are also examples of Scottish Government meetings held with no agendas or minutes, or ministers hiding behind a thin veil of commercial confidentiality.

“It all points to an SNP code of secrecy.

“Thankfully, by its own admission, the SNP agrees we need an independent inquiry into this.

“That proves the Scottish Government has been disingenuous in dealing with FoIs, it knows it has and it can’t hide it, and that ministers must be more honest, transparent and accountable in future.”

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The text of today’s Scottish Conservative motion, which the SNP added to but did not amend, reads: *“That parliament condemns the Scottish Government’s poor performance in responding to Freedom of Information requests and calls for an independent inquiry into the way the Scottish Government deals with them. Furthermore, parliament agrees to undertake post-legislative scrutiny of the Act.”*

Yesterday, the Scottish Conservatives revealed SNP failures on FoI:  
<http://www.scottishconservatives.com/2017/06/scottish-governments-foi-failure-exposed/>

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# Scottish Government's FoI failure exposed

21 Jun 2017



The Scottish Government's response rate for Freedom of Information requests is well below the national average, it has been revealed.

Research by the Scottish Conservatives has found that, of all FoI requests dealt with by ministers in the last year, barely a third resulted in a "full disclosure".

That's considerably lower than the overall rate for all Scottish public sector bodies, which stands at 57 per cent.

The figures come amid growing pressure on the Scottish Government over its record of transparency.

Earlier this month journalists wrote an open letter raising fears about the FoI performance of the Scottish Government.

And tomorrow, the Scottish Conservatives will raise the issue as part of their party business at Holyrood.

They will cite figures exposing ministers' worsening performance on responding to FoI submissions.

Between 2016 and 2017, the Scottish Government received 2310 requests, but only responded in full to 879 of them – 38 per cent.

In contrast, all public bodies – including councils and health boards – received 81,641 requests, issuing full responses for 46,486, a total of 56.9 per cent.

Response times at the Scottish Government were also worse than average, with 21.6 per cent coming late, compared to 9.6 per cent nationally.

## **Scottish Conservative MSP Jamie Greene said:**

"These figures prove that the SNP government is paying lip service to the idea of transparency.

"In its place, we see a culture of secrecy where the first instinct is to sweep legitimate requests for information under the carpet.

"These figures will add to the growing question marks over the politicisation of the Scottish Government under the SNP.

“The fact is that Nicola Sturgeon’s control freak government has lost the trust of many Scots.

“We need ministers to show some humility for once, accept there needs to be a root and branch change in their working practices, and deliver the kind of open government that people want and deserve.”

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For the full tables of statistics, visit:

<http://www.scottishconservatives.com/wordpress/wp-content/uploads/2017/06/Scotland-FOI-2016-17.xlsx>

Earlier this month, journalists expressed their FoI concerns in an open letter:

<http://www.bbc.co.uk/news/uk-scotland-scotland-politics-40120002>