

# Forensic Medical Services (Victims of Sexual Offences) (Scotland) Bill

## [As Amended at Stage 2]

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### Supplementary Financial Memorandum

#### Introduction

1. As required under Rule 9.7.8B of the Parliament's Standing Orders, this Supplementary Financial Memorandum is published to accompany the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Bill, introduced in the Scottish Parliament on 26 November 2019, as amended at Stage 2.
2. This Supplementary Financial Memorandum has been prepared by the Scottish Government. It does not form part of the Bill and has not been endorsed by the Parliament. It should be read in conjunction with the original Financial Memorandum published to accompany the Bill as introduced.
3. This Supplementary Financial Memorandum addresses the financial impact of Stage 2 amendments to the Bill where they would substantially alter any of the costs. The only new provision of this nature is new section 11A (report on operation of Act).

#### Costs to Public Health Scotland

4. The new provision addresses the Health and Sport Committee's recommendation at paragraph 167 of their Stage 1 report<sup>1</sup> ("we consider the Bill should require an annual report to be produced by NHSScotland setting out what actions are in place to ensure the forensic medical examinations processes are being monitored and evaluated, what systems are in place to drive forward identified improvements, and how the service will ensure the provisions of the Bill are consistently applied across the

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<sup>1</sup><https://digitalpublications.parliament.scot/Committees/Report/HS/2020/9/7/Stage-1-Report-on-the-Forensic-Medical-Services--Victims-of-Sexual-Offences---Scotland--Bill#Introduction>

country.”) The Scottish Government indicated in its response to that report<sup>2</sup> that Public Health Scotland had already been tasked by the Scottish Government with reporting on health board performance against March 2020 Healthcare Improvement Scotland Quality Indicators<sup>3</sup> and the Government was persuaded that these arrangements referenced above should have statutory underpinning.

5. The Scottish Government worked with Public Health Scotland to develop the amendment that became section 11A. Section 11A requires Public Health Scotland to prepare, lay before the Scottish Parliament and publish ten annual reports on the implementation of the Bill.

6. The estimated cost of Public Health Scotland fulfilling the duty under section 11A of the Bill to produce and publish an annual report is £40,000 per annum. This covers the cost of staff time and associated administrative costs. These costs are certain and have been agreed with Public Health Scotland. As mentioned above, the Scottish Government under the remit of the Chief Medical Officer for Scotland’s Rape and Sexual Assault Taskforce already fund Public Health Scotland to produce national dashboards to report on health board performance against the Healthcare Improvement Scotland Quality Indicators and the annual report will simply add a formal laying and publication step in to that process.

7. The current planning assumption is that the Bill will be implemented in late 2021 which would mean that statutory annual reports would require to be published for financial years 2021/22 through to 2030/31 – this is the timescales over which the costs will arise.

## Costs to the Scottish Administration

8. Public Health Scotland received Scottish Government funding in the 2020/21 financial year to, among other things, undertake the work necessary to produce what will now be a published annual report and this arrangement will continue for as long as is required under the Bill. These costs fall to the Scottish Government.

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<sup>2</sup>[https://www.parliament.scot/S5\\_HealthandSportCommittee/Reports/20200925\\_Ltr\\_IN\\_from\\_CabSecHS\\_response\\_to\\_FMS\\_Stage\\_1\\_Report.pdf](https://www.parliament.scot/S5_HealthandSportCommittee/Reports/20200925_Ltr_IN_from_CabSecHS_response_to_FMS_Stage_1_Report.pdf)

<sup>3</sup>[http://www.healthcareimprovementscotland.org/our\\_work/standards\\_and\\_guidelines/stands/sexual\\_assault\\_indicators.aspx](http://www.healthcareimprovementscotland.org/our_work/standards_and_guidelines/stands/sexual_assault_indicators.aspx)



This document relates to the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Bill as amended at Stage 2 (SP Bill 60A)

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