Finance Committee

Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill

Submission from Police Scotland

Response

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

No.

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

Not Applicable.

3. Did you have sufficient time to contribute to the consultation exercise?

Not Applicable.

Costs

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details

It is suggested that a civil application for a Drink Banning order might cost Police Scotland £60000 in legal fees. This is unlikely; the simplest and most cost effective way for Police Scotland to pursue a Drinks Banning Order is through the Criminal Courts at sentencing for an SPR we have submitted where no cost would be involved. (Paragraph 88 – 91 of the financial memorandum)

The Financial Memorandum suggests there would be minimal costs to Police Scotland for the introduction of ASB fixed penalty offences for Alcohol Advertising offences. This will involve a significant revision of our ASBO fixed penalty tickets given the references to discount periods etc. which is unprecedented. I also note that the bill makes reference at Paragraph 2c and 3 of the Schedule that payments are made to the Local Authority. This is a departure from current ASB Tickets that would be paid to Scottish Court and Tribunal Service.

If Police were to enforce this legislation as opposed to it being purely a matter for persons attached to the Local authority such as Licensing Standards Officers, then a process would require to be developed for transmitting ticket information to Local Authorities. This would likely incur a cost for an update to
I6 and the cost of building an interface with whatever Local Authority system I6 interfaces with. This in fact may require 32 separate interfaces from i6 to Local authorities. I would suggest that this will require further research to define costs but it is inconclusive that the costs can be regarded as minimal in terms of system updating. This would be significant IT development with associated costs. Again as these tickets would be payable to the local authority ASB ticket books would require to be significantly revised. If a single book was utilised this may cause confusion as to who payment should be made to thereby necessitating a separate book incurring additional cost. (Paragraph 58)

Participation in an alcohol awareness scheme as an alternative to a fixed penalty is not perceived to have significant costs to Police Scotland regarding the Training scheme itself, however this will involve significant amendment to existing ASB tickets given the level of information this Bill might require is provided to an offender that differs from existing provisions of ASB ticket issue. Again this introduces the possibility of a separate standalone ticket book. Either way all existing ticket books would require to be withdrawn and officers reissued with the revised book or separate books would be required to be ordered for all operational police officers. The Cost of this will require to be ascertained. As successful participation in the scheme will lead to withdrawal/cancellation of the ticket which would require a change I6 will need its business rules changed to allow for this. (Paragraph 96 – 105)

5. **Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?**

As detailed above there may be significant additional costs not incorporated in the financial memorandum.

6. **If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?**

It cannot be gauged at this stage what the financial implications will be for Police Scotland or how those costs should be met.

7. **Does the FM accurately reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?**

As detailed there are considerable uncertainties how some technical aspects would be addressed to implement the changes proposed in the bill and consequently costs and timescales cannot be established without further research.
Wider Issues

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?

Please refer to earlier comments.

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?

There may be additional costs however at this time it cannot be foreseen.