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Mr Ben Macpherson, MSP,  
Convener, SPCB Supported Bodies Landscape  
Review Committee,  
The Scottish Parliament,  
Edinburgh,  
EH99 1SP

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Date 09/09/2025

Dear Convener

**SPCB SUPPORTED BODIES LANDSCAPE REVIEW COMMITTEE REPORT –  
19<sup>TH</sup> JUNE**

Thank you for the opportunity to give evidence to the Committee on 8<sup>th</sup> May as part of your review. I'm writing in response to the Committee's report published on 19<sup>th</sup> June 2025.

There are a number of recommendations contained in the report that consider actions for the Scottish Government, namely at paragraphs 142, 148, 150, 153, and 167 which we fully accept. In line with the Committee's recommendation at paragraph 167 I also recognise the need for further engagement between the Scottish Government, SPCB and SPCB supported bodies to consider how best to act on the recommendations at paragraphs 155 and 165.

At paragraph 142, the Committee has recommended that the Scottish Government urgently undertakes a strategic mapping exercise to identify the functions of all Scottish public bodies and where they overlap, to inform decisions on future size, structure, and coherence across the public sector. On 19<sup>th</sup> June I announced the publication of the Scottish Government's Public Service Reform (PSR) Strategy. As part of workstream 4 of the PSR Strategy (ensuring the right delivery landscape), we are proactively acting upon this recommendation, with some of the work around this already underway.

Other recommendations at paragraphs 148, 150, and 153 relate to the creation of new Parliamentary Commissioners. This has an impact for the Ministerial Control Framework (MCF) and proposals for new Bodies currently under consideration. The report lists a number of criteria that should be met for new Parliamentary Commissioners which are broadly reflected in the MCF already. Should Parliament

accept the recommendations in full, the Scottish Government's Public Bodies Support Unit will review the MCF and make any necessary revisions to accurately reflect the Committee's recommended criteria and view that the SPCB supported body landscape should not be expanded to include new advocacy type SPCB supported bodies.

Government officials currently exploring options to create new Parliamentary Commissioners are considering the Committee's recommendations regarding the criteria for establishing new SPCB supported bodies and the Committee's view that the SPCB supported body landscape should not be expanded to include new advocacy type SPCB supported bodies. If the Parliament accepts the Committee's recommendations, these will also be adhered to when Scottish Ministers consider our position in relation to Members Bills proposing the establishment of new SPCB supported bodies.

I should note that the Government is continuing to support the establishment of a Victims and Witnesses Commissioner through the Victims, Witnesses, and Justice Reform Bill. Stage 3 of the Bill is scheduled for 16<sup>th</sup> and 17<sup>th</sup> September.

We are content that the new Commissioner meets the criteria for the establishment of new SPCB supported bodies as set out by the Committee. Our reasons for doing so, in light of the Commissioner being an advocacy type body, is due to an existing gap where no public body or organisation has the statutory power of holding criminal justice agencies to account in relation to how the rights of victims and witnesses are met or upheld. The Victims and Witnesses Commissioner will fill this gap and provide the mechanism of accountability that is lacking from the criminal justice system. We also identify a clear functional need for this role and a clearly defined remit, with the Commissioner having the general function of promoting and supporting the rights and interests of victims and witnesses and providing an independent voice for victims and witnesses, championing their views, and encouraging policy makers and criminal justice agencies to put victims' rights and interests at the heart of the justice system.

Respondents to the public consultation considered that it would be necessary to establish the role through legislation in order to ensure transparency and to give victims confidence in the person representing them, and the role has strong stakeholder support, particularly in its ability to hold Scottish Government and criminal justice bodies to account. As such, it is necessary that the Commissioner be independent from Government and is not a role that can be given to a third sector organisation. We also consider that, as representing and promoting the voice of victims and witnesses is not a short-term project or time-limited Inquiry, it is appropriate for the role to be permanent.

With regards to the Committee's recommendations at paragraph 155 and suggestions that there should be a review of the remit and powers of the Scottish Human Rights Commission (SHRC), there are a number of additional powers identified for the SHRC under our proposed Human Rights Bill. These include a broader, more flexible investigation power, an expanded power to raise and intervene in legal proceedings under the Bill and an enhanced ability to provide advice. The proposals are intended to bolster the Commission, and give it a role that

reflects the human rights culture we want to embed in Scotland. The Scottish Government supports the Commission's accreditation as an 'A status' National Human Rights Institution within the United Nations system, and the proposals seek to maintain and support that status. Government officials remain available for further discussion between Scottish Government, SPCB and SHRC to agree an approach following the publication of the Committees report.

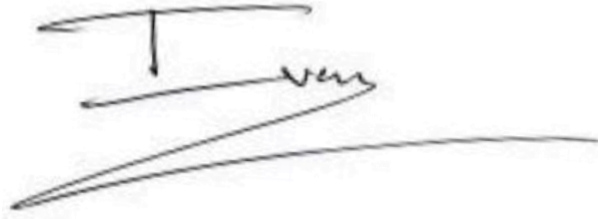
I also note the recommendation at paragraph 155 that the Scottish Public Services Ombudsman (SPSO) should be granted the power to conduct own-initiative investigations in the public interest, and a suitable legislative vehicle identified for this change. The [discussion paper](#) for proposals regarding a Human Rights Bill includes a section on a specific provision for an own-initiative investigation power for the SPSO, but only where an issue is relevant to Human Rights. The report's recommendation proposes a wider remit regarding own-initiative investigations than the Bill proposals. Officials are engaging with the SPCB in relation to the report's recommendation and giving consideration to the widening of the SPSO's powers in respect of own-initiative investigations.

At paragraph 165 of the report, the Committee recommends that greater use could be made of the wider public sector estate wherever possible. Sharing services is a key theme of our strategy to make more efficient use of resources. The Single Scottish Estate (SSE) programme that we are delivering is supporting a more efficient approach to public sector property management, optimising costs and estate footprint through supporting a more joined up approach between different parts of the public sector. The SSE has already reduced the size, cost, and emissions of the public sector estate - an overall total of £41m of SSE benefits have already been secured, well on the way to achieving the initial target of £50-80m of benefits.

All bodies subject to the Scottish Public Finance Manual (SPFM) require consent under Property Controls for acquisitions and major property investments. Proposals are scrutinised, including to ensure Value for Money to the public purse, and assurance is provided to Ministers that the SSE principles have been considered before decisions are made. SPFM guidance is applicable in terms of demonstrating best value and good practice and I'm very pleased to see this principle reflected in the Committee's report and I recognise the need for further consideration of how this principle can most appropriately be delivered with SPCB supported bodies with regard to the wider public sector estate. I have asked the SSE team to give this further consideration.

I fully agree with the Committee's recommendation at paragraph 167 of the report that there is a need for ongoing dialogue between the SPCB, SPCB supported bodies and Scottish Government. I would like to offer the Committee my assurance that Scottish Government Officials will remain available for discussions around the future of the public bodies landscape and offer support in ensuring the recommendations of the report are realised.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ivan McKee'. The signature is stylized with a large 'I' and a long horizontal stroke at the bottom.

**Ivan McKee**