



John Brown
request-645856-214cdf8f@whatdotheyknow.com

Our Reference: 202000016049
Your Reference: Water Bailiff

10 March 2020

Dear Mr Brown

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)

Thank you for your request dated 13 February 2020 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

You asked for:

- i. - How many warrants have been issued to people to be empowered as Water Bailiffs appointment by Scottish Ministers between 2018-2019?
- ii. - What arrangements are in place such as for Special Constables if the Water Bailiff is injured or worse during the course of his duty?
- iii. - Please supply the public liability insurance document.
- iv. - What welfare arrangements are in place to ensure these volunteers are maintained such as trauma caused during duty? Again Special Constables also volunteers are afforded health and wellbeing from Police Scotland.
- v. - Please supply any information provided to an appointed Water Bailiff.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot



Response to your request

I have set out some of the information you requested below. While our aim is to provide information whenever possible, in this instance the Scottish Government does not have some of the information you have requested. The reasons why we don't have the information are explained below.

The Scottish Government does not have the information you have asked for at items ii to iv above because responsibility for these matters is for the organisation for whom the bailiff works or volunteers. The Scottish Government is not responsible for these matters. This is therefore a formal notice under section 17(1) of FOISA that the Scottish Government does not have the information you have requested.

With regard to your remaining questions:

i. - A total of 48 bailiff warrants were issued by Scottish Ministers in the two calendar year period 2018 (24) and 2019 (24). Of these, a total of 12 were new warrants and 36 were renewals.

It is worth pointing out that Ministers appoint bailiffs in just three areas of Scotland where District Salmon Fishery Boards (DSFBs) are not in place. These cover the River Clyde, Loch Lomond and River Irvine areas. Bailiffs are appointed directly by DSFBs where these exist.

v. - The appointment letter that is sent to the nominating organisation provides a link to the 'Powers of Water Bailiffs' booklet which should be provided to all new bailiffs. The booklet can be accessed at <http://www.gov.scot/Publications/2004/11/20316/47362> .

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Graham Black, Director of Marine Scotland, Marine Scotland, Area 1B North, Victoria Quay, Edinburgh, EH6 6QQ or by email to Directormarinescotland@gov.scot. Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at: <http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>.

Yours sincerely

Keith Main

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ACRE : Salmon and Recreational Fisheries

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