

**Scottish Parliament Justice Committee****Scottish Civil Justice Council and Criminal Legal Assistance Bill****Written submission from the Association of Chief Police Officers in Scotland**

I refer to your correspondence dated Wednesday 16 May 2012, requesting comment on the Scottish Civil Justice Council and Criminal Legal Assistance Bill and can confirm that this has been considered by Crime and Criminal Justice Business Areas and can offer the following by way of comment.

Part 1 of the Bill sets out a number of recommendations for reform of the civil court system. It is viewed that none of these would directly impact on the police service.

Part 2 of the Bill introduces financial contributions in criminal legal aid to ensure those who are able to pay towards the cost of their defence do so and makes changes to financial eligibility. It is viewed that such changes would have little or no direct impact on the police service. It is worthy of note, however, that should the Bill be enacted in its current format, there may be consequential non-cashable police savings and efficiencies. The proposed re-structure of the fees available through Legal Aid and Assistance by Way of Representation (ABWOR) would appear to support the efficient operation of the justice system by removing perverse incentives. Should the re-balancing of the fee structure result in earlier pleas, outcomes would include a reduction in the number of officers being cited for court and a reduced administration process e.g. submission of statements, processing of productions, officers being cited to attend court etc.

Ciorstan Shearer  
Chief Superintendent  
ACPOS Criminal Justice Business Area  
26 July 2012