



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

AGENDA

1st Meeting, 2017 (Session 5)

Tuesday 10 January 2017

The Committee will meet at 10.00 am in the Mary Fairfax Somerville Room (CR2).

1. **Decision on taking business in private:** The Committee will decide whether to take item 3 in private.
2. **Inquiry into the role and purpose of the Crown Office and Procurator Fiscal Service:** The Committee will take evidence from—

Michael Matheson, Cabinet Secretary for Justice, Neil Rennick, Director, Justice, and Willie Cowan, Deputy Director, Criminal Justice Division, Scottish Government.
3. **Draft Budget Scrutiny 2017-18:** The Committee will consider a draft report to the Finance Committee on the Scottish Government's Draft Budget 2017-18.

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The papers for this meeting are as follows—

Agenda item 2

Paper by the clerk - Inquiry into COPFS

J/S5/17/1/1

Private paper - Inquiry into COPFS

J/S5/17/1/2 (P)

Agenda item 3

Private paper - Draft Budget 2017-18

J/S5/17/1/3 (P)

Justice Committee

1st Meeting, 2017 (Session 5), Tuesday 10 January 2017

Inquiry into the role and purpose of the Crown Office and Procurator Fiscal Service

Note by the clerk

Introduction

1. The Committee agreed to hold an inquiry into the role and purpose of the Crown Office and Procurator Fiscal Service (COPFS) at its Business Planning Event in August. At its 6 September meeting, it agreed to this remit—

“The COPFS is Scotland’s independent prosecution service, acting in the public interest to help bring offenders to justice. The core role of the COPFS is to consider reports about crime from the police and other agencies, to decide whether it is in the public interest to prosecute them, and, if so, to deploy the resources that are necessary to help ensure that justice is done.

“The Committee’s inquiry will focus on this core role, examining in particular—

- The effectiveness and efficiency of the COPFS, and how well it works with other stakeholders in the criminal justice system;
- Whether the COPFS has the resources and skillsets it needs to carry out its core role;
- The COPFS’s responsiveness to new challenges and opportunities including the evolving nature of crime in 21st century Scotland, advances in technology, and changes in the delivery of court services that may affect access to justice;
- How the COPFS protects and supports witnesses and victims of crime.

“The Committee will also take evidence on the role and function of the Inspectorate of Prosecution in Scotland. (The IPS is the independent inspectorate for the COPFS.)

“The inquiry will not consider the COPFS’s two other roles of establishing the cause of sudden, unexplained or suspicious deaths or investigating allegations of criminal conduct against police officers, except in relation to the general issue of whether the COPFS has the resources it needs to carry out its purpose.”

2. The Committee issued a [call for evidence](#), with a closing date of 19 October 2016. All [written responses](#) accepted as evidence can be found on the Committee’s [inquiry page](#).

Committee consideration

3. As part of its inquiry the Committee visited the Lord Advocate in Chambers Street on 20 September 2016 and met with the Lord Advocate, the Solicitor General, the Crown Agent and various staff from the COPFS.

4. On 4 October 2016 the Committee met with individuals who had experience of the criminal justice system as victims and witnesses and heard of the difficulties they faced during the process. Notes of the meetings are available [here](#).

5. The Committee's first formal evidence session was on [25 October 2016](#), when it heard first from SACRO, Scottish Women's Aid, Rape Crisis Scotland and Victim Support Scotland. It then heard from a panel of legal representatives, comprising the Law Society of Scotland, and members of the Glasgow, Edinburgh and Aberdeen Bar Associations.
6. At its meeting on [1 November 2016](#) the Committee heard from a single panel consisting of representatives from the Community union, representing G4S staff, Circle Families Outside and Social Work Scotland.
7. At its meeting on [15 November 2016](#), the Committee heard from two panels of witnesses. The first was made up from unions representing COPFS workers and police representative bodies. The second panel consisted of two representatives of the Faculty of Advocates (both former Advocates Depute at the COPFS).
8. On [22 November 2016](#) the Committee heard from two panels of witnesses. The first panel was made up from is made up of Justices of the Peace and the second from representatives from Police Scotland and the Scottish Courts and Tribunal Service.
9. At its meeting on [29 November 2016](#) the Committee heard from Ian Thomson from the Royal Society of Protection of Birds who was representing Scottish Environment Link, about the COPFS's response to environmental and welfare crime. The Committee also heard informally and privately from two former employees of the COPFS and an agreed [note](#) of that meeting has been published.
10. The Committee heard from two personal injury lawyers at its meeting on [13 December 2016](#). The focus of the session was on the COPFS's handling of health and safety offences.
11. At its final meeting of 2016 on [20 December](#) the Committee heard from HM Chief Inspector of Prosecution in Scotland. This session focused on the work of the Inspectorate.
12. At its meeting on 10 January 2016 the Committee will take evidence from the Cabinet Secretary for Justice. This will be the penultimate evidence session, before the Committee takes closing evidence from the Lord Advocate, the ministerial head of the COPFS. The session with the Cabinet Secretary is expected to focus on the Justice Department's relationship with the COPFS and its role in promoting policies and legislative proposals in relation to criminal justice that may have an impact on the COPFS.