



The Scottish Parliament  
Pàrlamaid na h-Alba

## Justice Committee

David Harvie  
Crown Agent  
Crown Office and Procurator Fiscal  
Service

All correspondence c/o:  
Justice Committee Clerks  
Room T2.60  
The Scottish Parliament  
Edinburgh  
EH99 1SP

Tel: 0131 348 5195  
Textphone: 0800 092 7100  
[justicecommittee@parliament.scot](mailto:justicecommittee@parliament.scot)

9 February 2017

Dear David

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

Thank you for your letter of 24 January 2017, in which you provide follow-up information on a number of issues raised during the oral evidence session of 17 January 2017.

During that evidence session you gave a commitment to provide information on the number of times that the Crown Office and Procurator Fiscal Service paid damages or compensation to victims and witnesses as a result of their being unlawfully detained by the Crown Office, each year, for a period of 10 years.

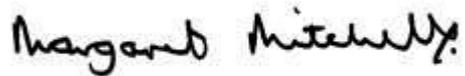
You have provided details of payments in 22 cases where compensation was paid to the accused or witnesses as a result of unlawful detention and you indicate that the current system of recording has only been in place since 2014, and therefore you are only able to provide information from 2014 onwards.

However, the Committee request was for data on victims and witnesses, and not for accused and witnesses, and therefore it would be appreciated if statistics on those categories could be provided.

Whilst the data provided has been extracted from the current recording system, the Committee would appreciate historic data being extracted from relevant files or systems for the time period requested. A breakdown of each case by victim, witness or accused would assist the Committee greatly in analysing the information provided.

Finally, as the Committee has concluded taking evidence on this inquiry and is shortly to consider its findings, a response by Wednesday, 15 February would be much appreciated.

Best wishes

A handwritten signature in black ink that reads "Margaret Mitchell". The signature is written in a cursive style with a prominent flourish at the end of the name.

Margaret Mitchell MSP  
Convener, Justice Committee