Supplementary written submission from the Crown Office and Procurator Fiscal Service

COPFS Staffing Data

I am writing in response to Diane Barr’s email of 22 December 2016 in which she asked for clarification of the number of prosecutors employed by COPFS by reference to the written evidence of the FDA.

In their evidence in relation to the number of employed prosecutors, the FDA referred to 515, whereas I referred to 534 in my letter of 15 December 2016. The difference between the two figures is easily explained. There were 515 prosecutors as at the end of July 2016 and 534 at the end of October 2016. I thought it important that the Committee had the most up to date information.

Both figures are taken from the same data set showing all grades of prosecutors employed by COPFS, whether permanent or on fixed-term contracts. The increase reflects the benefit of a recruitment exercise conducted earlier in the year. Of the 534 prosecutors employed at 31 October 2016, 21 were fixed-term.

With reference to my oral evidence about the increase in the number of deputes and senior deputes from 285 in 2009 to 354 in 2016, I was referring to all deputes and senior deputes, whether permanent or on fixed-term contracts. The 21 fixed-term prosecutors referred to above were all deputes and therefore are included in the figure of 354.

In clarifying these issues, I have identified a typing error in my letter of 15 December for which I must apologise. The reference in the final paragraph of page three of my letter to the number of prosecutors as “534 FTE, excluding trainees” should have been “534 FTE, including trainees”. For the sake of completeness and to help with comparison, the figure of 515 provided by the FDA also included trainee solicitors.

Finally, I should also like to clarify a further point relating to the FDA evidence that COPFS had 558 FTE (full-time equivalent) prosecutors in 2009. When giving evidence on 20 December, I referred to a figure of 547 in 2009/10 as the high point in the number of employed prosecutors and, on reflection, thought it important to clarify that this was a reference to our routine end of year figure¹ which does not take account of monthly variations throughout the year. The FDA figure of 558 is correct, but relates to only one month during that financial year, December 2009.

I hope this clarification is helpful.

David Harvie
Crown Agent
5 January 2017

¹ The comparable figure for 2008/09 was 503 and for 2010/11 was 533.