

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

Call for written evidence

The Scottish Parliament Justice Committee has agreed to hold its first major inquiry of this session into the role and purpose of the Crown Office and Procurator Fiscal Service (COPFS), with 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.”

Questions to consider

Organisations and individuals are invited to submit written views to the Committee in relation to the inquiry. Those submitting views should feel free to address issues raised in the remit in whatever manner they prefer, but it would be particularly appreciated if they could aim to address some or all of the questions set out below, providing specific examples, data or other evidence to back up their views whenever possible—

1. Please outline your views on the overall efficiency and effectiveness of the COPFS in its core role of considering reports about crime from the police and bringing prosecutions. Are there ways in which the services provided by the COPFS could be improved – for instance, through increased use of technology, further reforms to criminal procedure, or better case management? If so, do those changes also bring risks, in terms of the overall interests of justice or of access to

- justice (bearing in mind the differing needs of people across Scotland; urban and rural communities, economically disadvantaged people, vulnerable groups, etc)?
2. Please outline how well you consider the COPFS works with other stakeholders in the criminal justice system, so as to provide a “joined up” and complementary service that helps meet the ends of justice. Other stakeholders might, for instance, include the police, defence lawyers, the courts, the prison service, criminal justice social work, and third party organisations working with victims or offenders.
 3. Does the COPFS as presently constituted have the resources and skillsets it needs to carry out its core role effectively? And is it appropriately “future-proofed” – for instance to deal with new technologies available to criminals, changes in the overall profile of crime in 21st century Scotland, or withdrawal from the European Union? If not, what additional capacities does the COPFS need?
 4. How well does the COPFS respond to the needs of victims of crimes and to witnesses (especially vulnerable witnesses) in criminal cases and meet its legal obligations towards them?
 5. The Inspectorate of Prosecution in Scotland is the independent, statutory inspectorate for the COPFS. What is your awareness of the existence and role of the IPS and of its effectiveness in carrying out that role? How effective has it been in carrying out its role? Does it appear to have the resources it needs?

Submitting evidence

Before submitting evidence to the Committee, organisations and individuals should read, understand and accept the [Scottish Parliament’s policy on the treatment of written evidence](#). In line with this policy, submissions would normally be published on the Parliament’s website.

Those submitting are invited to restrict their submission, if at all possible, to the equivalent of approximately four sides of A4. Evidence should be submitted in electronic (preferably MS Word) format by email to justicecommittee@parliament.scot. Organisations and individuals who do not have access to a PC and the internet may submit a hard copy to:

Clerk to the Justice Committee
The Scottish Parliament
Edinburgh
EH99 1SP

Closing date for submissions: **Wednesday 19 October 2016**

Further information

For further information on this inquiry please contact the committee clerks by email at justicecommittee@parliament.scot or by phone at 0131 348 6241.