



The Scottish Parliament
Pàrlamaid na h-Alba

Finance and Public Administration Committee

Angela Constance MSP
Cabinet Secretary for Justice
and Home Affairs
Scottish Government

By email

All correspondence c/o:

Finance and Public
Administration Committee Clerks
Room T3.60
The Scottish Parliament
Edinburgh
EH99 1SP

Tel: 0131 348 5219

Textphone: 0800 092 7100

FPA.committee@parliament.scot

2 November 2023

Dear Angela

Victims, Witnesses, and Justice Reform (Scotland) Bill

As you are aware, the Finance and Public Administration Committee (the Committee) is responsible for scrutinising Financial Memorandums (FMs) to Bills. As such, the Committee ran a call for views on the FM for the Victims, Witnesses, and Justice Reform (Scotland) Bill between 26 June 2023 and 8 September 2023, which received [seven responses](#).

In their submissions to the Committee, the Crown Office and Procurator Fiscal Service (COPFS) and Police Scotland provide additional estimates on the material impact of the Bill, following analysis undertaken by these individual organisations. Of particular note is the COPFS assessment that “the creation of a new specialist court to prosecute sexual offences will have significant and ongoing resource implications for COPFS”, forecast to amount to an additional £20.9 million per year. We note the statement in the FM, in relation to costs related to the Sexual Offences Court falling on COPFS, that “Costs arising from this are unknown at present as specific operational decisions in these areas will only be taken once the legislation is approved”.

In light of COPFS estimate of additional costs of £20.9 million per year for the operation of a new specialist court, compared with the minimum costs set out in the FM which we note only provides figures for those costs incurred by the Scottish Courts and Tribunals Service, the Committee seeks clarification of:

- **the reasons for the differences between the two estimates as well as the margins of uncertainty in the Government estimates contained in the FM, and**
- **how the Government expects these forecast costs will be met, and by whom, should the COPFS forecasts prove accurate.**

We further draw to your attention the submission received from Police Scotland, which assesses the material financial implication of trauma-informed practice as a minimum of £1,000,000, increasing to £4,000,000 depending on potential work that may be required. We note the FM assesses that delivering trauma informed training via e-learning will create a minimum one-off cost to Police Scotland of approximately £1 million, with no specific figures provided for annual recurring costs.

We ask, again, for the reasons for the differences between the figures estimated by Police Scotland and the Scottish Government's own estimates, and how the Government expects these costs will be met (and by whom), should the Police Scotland estimates prove to be correct.

We would welcome a response by Friday, 30 November 2023.

I am copying this letter to the Convener of the Criminal Justice Committee for their information.

Yours sincerely

**Kenneth Gibson MSP
Convener
Finance and Public Administration Committee**