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RE: Pre-budget scrutiny 2027-28: Public Service Reform and the criminal justice system

22 October 2026

Dear Convener,

Public Service Reform and the Justice Portfolio

Thank you for your letter of 8 October 2026 seeking an overview of the strategic direction of Public Service Reform across the justice portfolio as part of the Committee's pre-budget scrutiny.

Scotland's Public Service Reform Strategy: Delivering for Scotland sets a national vision in which everyone has access to public services that are efficient, good quality and effective. For the justice portfolio, this means preventing harm and addressing underlying demand earlier; organising services around people and communities rather than around organisational boundaries; improving the movement of people, cases, evidence and information through the system; and making better use of workforce, technology, data, estates and public resources. Reform must maintain or improve public safety, rights, access to justice, operational resilience and public confidence.

The justice portfolio has a substantial record of delivering successful reform and transformation. The establishment of national police and fire services in 2013 created national capabilities and has delivered significant efficiencies, while recent programmes including the Digital Evidence Sharing Capability (DESC) and Summary Case Management (SCM) have improved criminal justice processes. The next phase of justice reform must build on that work by increasing the coherence, pace and scale of change across organisational and portfolio boundaries.

Justice organisations continue to face changing and challenging patterns of demand, increasingly complex cases, workforce pressures and ageing physical and digital infrastructure. These pressures are interconnected. Demand, delay or service change in one part of the system can have significant consequences for policing, prosecution, courts, legal

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aid, prisons, community services, fire and rescue, health, housing and local government. Reform therefore needs to be considered across (and beyond) the justice system, rather than just by individual organisations.

Prevention

Prevention is central to improving outcomes and sustaining public services. The national Public Service Reform Strategy defines prevention as intervening early to stop problems becoming established or escalating. In justice, prevention includes reducing crime, fire and wider harm; diverting people appropriately from formal criminal justice processes; providing credible community-based interventions; and supporting rehabilitation and reintegration. It is notable that the Scottish Violence Reduction Unit was one of the first organisations to adopt a public health model focused on primary, secondary and tertiary prevention: a model that has since been adopted more widely across the public sector, and internationally.

Many people who come into contact with justice services have interconnected needs relating to mental health, trauma, housing, substance misuse, poverty or social isolation. These needs cannot be addressed effectively by justice organisations acting alone. Successful reform therefore requires sustained partnership across portfolios, including with local government, health and social care, the third sector, communities and people with lived experience.

The justice portfolio is looking to strengthen its understanding of the causes and costs of increasing demands and to identify where earlier intervention can deliver the greatest public value. This will include consideration of preventative budgeting and invest-to-save approaches, where up-front expenditure is required before benefits are realised. Many benefits will be delivered in the longer-term with immediate benefits being harder to realise. The justice portfolio also recognises that benefits may arise in a different service or portfolio from where the original investment was made. Therefore, it should be recognised that much of this activity may not provide immediate cash-releasing savings for individual portfolios.

Current and developing activity includes youth justice and violence prevention, CashBack for Communities, arrest referral, diversion from prosecution, bail support, electronic monitoring, community sentences, restorative justice, throughcare and reintegration, and the preventative work of the Scottish Fire and Rescue Service. As set out in the Programme for Government, the Justice portfolio is leading work to bring together public, philanthropic and private sector funding to deliver socially focused investment and impacts. The initial emphasis is a Social Impact Partnership focused on investments to reduce reoffending, and the wider aim is for this to become a template for co-investment in preventative action across the public sector, not just Justice.

While the work to shift the balance between custody and justice in the community is an important part of this approach, imprisonment remains necessary for those who pose a serious risk of harm.

Joined-up services

The Public Service Reform Strategy calls for services to be organised around people rather than requiring individuals to navigate organisational boundaries. For justice, this means improving the full pathway from prevention and initial contact with the justice system through

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investigation, prosecution, courts and sentencing to custody, community intervention, release and reintegration.

A whole-system approach is also essential to achieving a sustainable prison population. Prison population pressures are affected by patterns of offending, remand, court throughput, sentencing, release arrangements, the availability of community interventions and the support available following release. Changes must protect public safety, respect judicial independence and be supported by credible local and community capacity.

Summary Case Management, earlier engagement and case preparation, DESC, digital citations and productions, remote evidence and work on witness attendance are intended to improve the flow of cases and information across the criminal justice system, reducing unnecessary hearings, duplication and delay. Further work is required to bring these and related programmes together into a clear and sequenced view of the future criminal justice pathway, while ensuring that services remain accessible to people who cannot or should not use digital channels. This whole-system approach will also need to respect the operational independence of justice organisations including the constitutional position and prosecutorial independence of the Lord Advocate, and judicial independence.

The portfolio is also developing a broader programme of whole-system reform through the Justice Delivery Plan, bringing together partners to identify opportunities for more joined-up pathways, improved information sharing and stronger cross-sector collaboration. This will support a more coherent approach to tackling complex and interconnected challenges that cut across organisational and portfolio boundaries.

Efficient services

The third pillar of the national Strategy is the delivery of efficient services. In justice, this means redesigning services and processes, reducing duplication, making better use of shared capability and public assets, and focusing specialist workforce capacity where it adds most value. It also means avoiding changes that reduce cost in one organisation but transfer expenditure, demand or risk elsewhere.

As part of wider public service reform and digital transformation activity, justice organisations will continue to consider how emerging technologies may support service improvement and efficiency, while ensuring appropriate safeguards relating to security, transparency, accountability and human rights.

The portfolio will also contribute to national work on workforce, shared services, collaborative procurement, commercial value and the Single Scottish Estate. The police and fire services have many examples of shared or co-located facilities, more consistent purchasing and a more strategic approach to estates and assets. Future proposals will need to reflect the operational requirements and statutory responsibilities of individual bodies, while also seeking to deliver efficiencies across the wider justice system. This includes contributing, where appropriate, to the Scottish Government's wider ambition to reduce public sector workforce numbers by around 0.5% annually through natural turnover and reform activity.

Workforce reform cannot be applied uniformly across a portfolio containing large operational and frontline services, courts and tribunals, independent bodies, inspectorates and small specialist organisations. The police and fire workforces have both reduced in recent years. Workforce planning should follow the future service and operating model and consider direct

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reductions, capacity released and redeployed, investment in reform capability, and changes driven by demand or legislation.

Outcomes and Efficiency savings and financial sustainability

Across the three pillars, the intended outcomes are less avoidable demand; faster and more reliable pathways; better access and experience for people using justice services; sustainable workforce and operational capacity; modern digital and physical infrastructure; improved financial sustainability; and maintained public confidence, fairness and legitimacy. The Justice Delivery Plan will provide the basis for translating these outcomes into a limited set of measures, with clearer baselines, ownership and reporting arrangements.

Implications for future spending priorities

Future spending decisions will need to balance immediate operational pressures with the need to make investments that will improve outcomes and reduce demand and cost over the longer term. Decisions need to take account of public safety and essential statutory functions.

Justice services are often at the end of a longer pathway, responding to the consequences of unmet need or ineffective interventions elsewhere, including in health, housing, education, social work and support for substance misuse. Sustainable reductions in demand on policing, courts and custody will therefore depend not only on reform within justice, but on earlier and more effective support and prevention activity across wider public services. This may require investment to be made upstream, including in local government and third-sector provision, before reductions in justice demand or expenditure can be realised. Community-based alternatives will only reduce pressure on acute justice services if they are sufficiently available, stable and capable of responding to complex needs. The timing of costs and benefits must also be recognised: prevention, digital and estate reforms may require up-front investment and periods of parallel operation before they release capacity, avoid future costs or deliver cash-releasing savings.

Governance and delivery

Within the justice portfolio, the Justice Board provides the principal forum for portfolio-level leadership and for translating the national Strategy into justice priorities. Individual organisations and programmes remain responsible for delivery through their existing statutory, governance and accountability arrangements.

Justice partners are working together to establish a Justice Portfolio Delivery Plan. This is intended to provide a clearer basis for aligning reform to shared outcomes, identifying cross-system dependencies, sequencing investment and legislative requirements, and monitoring delivery and benefits. It is intended to improve collective leadership and assurance, not to create an additional governance layer.

Conclusion

Public Service Reform in justice is intended to improve outcomes, reduce avoidable demand and secure sustainable services. The portfolio will apply the national pillars of prevention, joined-up services and efficient services while protecting public safety, rights, access to justice and public confidence.

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The Scottish Government will develop and validate the portfolio reform programme as business cases, budget decisions and evidence mature. We will provide the Committee with the clearest available information on delivery, investment, savings and outcomes as the Justice Portfolio Delivery Plan develops.

I hope this overview is helpful to the Committee's pre-Budget scrutiny, and I look forward to discussing these matters further at the Committee's evidence session.

Yours sincerely,

IVAN MCKEE
Cabinet Secretary for Public Service Reform

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