



The Scottish Parliament
Pàrlamaid na h-Alba

11 June 2026

Alyn Smith MSP
Convener
Criminal Justice Committee
Scottish Parliament
Edinburgh
EH99 1SP

Dear Alyn,

First of all, congratulations on your election as Convener of the Criminal Justice Committee.

I know the role carries significant responsibility and I wish you every success in leading the committee's work over the session ahead.

I am delighted to have now been formally confirmed by Parliament as a member of the committee and I look forward to serving under your convenership and working constructively with you and colleagues from across the Parliament.

I would be pleased to have a conversation early next week ahead of the committee meeting.

As you have invited members to reflect on priorities and potential areas of work, I thought it might be helpful to set out some initial thoughts in advance.

The Role of the Committee

My overarching view is that the committee has an opportunity to become one of the most relevant and impactful committees in Parliament. Crime, public safety, policing, courts, prisons and victims' rights are matters that affect every community in Scotland. The committee should be ambitious in its scrutiny, willing to tackle difficult issues and focused relentlessly on outcomes rather than process.

At a time when public confidence in many institutions is under pressure, the committee has an opportunity not only to scrutinise policy and performance but also to help strengthen trust in the justice system itself. That requires seriousness of purpose, a willingness to ask difficult questions and a commitment to following the evidence wherever it leads.

Justice Priorities for the Session Ahead

A first priority for me would be restoring public confidence in the justice system. Too many people feel that the system has become distant, slow and increasingly disconnected from their experience. The committee should be prepared to examine whether current policies and structures are strengthening or weakening confidence in the rule of law and whether the balance between offenders, victims and wider public safety remains the right one.

Policing and Public Safety

Policing should be a major area of focus. This should include police visibility, community policing, officer numbers, public confidence, complaints handling, governance arrangements, leadership accountability, the use of technology and the growing demands being placed on officers beyond traditional policing functions. There are also important questions around public order capability and readiness in light of recent events across the UK. The public are entitled to know whether Police Scotland has the resources, structures and culture necessary to command and maintain confidence.

Victims, Vulnerability and Violence Against Women

Victims' rights should remain central to our work. The experiences of individuals and families who have felt ignored, dismissed or failed by public authorities demonstrate the importance of a justice system that listens, responds promptly and places victims at its heart. We should not shy away from examining whether victims are being properly supported and whether there remain barriers to reporting wrongdoing, obtaining support or securing justice.

In that regard, I would welcome scrutiny of violence against women and girls, domestic abuse investigations, child protection interfaces within the justice system and the effectiveness of information sharing between agencies where vulnerable people may be at risk. Recent cases have highlighted the devastating consequences that can arise when institutions fail to listen, fail to act or fail to share information appropriately. Parliament has a duty to understand why those failures occur and how they can be prevented in future.

Sentencing, Prisons and Community Safety

Prisons and sentencing policy must remain high on the agenda. Continued reliance on early release schemes raises important questions about capacity, rehabilitation, public safety and transparency. The public are entitled to understand what a sentence actually means and whether sentencing policy reflects public expectations. Equally, we should consider prison conditions, rehabilitation outcomes and support for prison officers working under increasing pressure.

The committee should also examine rural crime, antisocial behaviour, retail crime, youth violence, knife crime and visible disorder. These issues may not always dominate national headlines but they have a profound impact on communities and public confidence. People want to see a justice system that is not only fair but visible, effective and capable of delivering meaningful consequences for persistent offending.

Organised Crime, Trafficking and Exploitation

I would also welcome scrutiny of organised crime in its various forms, including the trade in illegal drugs, county lines activity, money laundering, human trafficking and sexual exploitation. These activities cause enormous harm to individuals, families and communities and often place significant demands on policing, prosecution, health and social services. The committee should seek to understand whether Scotland's institutions have the powers, resources and coordination necessary to tackle these threats effectively.

I also believe the committee should give serious consideration to prostitution, commercial sexual exploitation and the criminal law relating to the purchase of sex. The debate initiated by Ash Regan MSP during the last parliamentary session raised profound questions about exploitation, trafficking, organised crime and violence against women. Given the scale and

seriousness of those concerns, I believe this is an area that merits further parliamentary scrutiny and a thorough examination of evidence from Scotland and internationally.

Constitutional Issues, Accountability and Public Integrity

On a broader constitutional level, I believe there is merit in examining questions surrounding prosecutorial independence, the role of the Lord Advocate and wider accountability mechanisms within Scotland's justice system. These are important issues that deserve careful consideration, particularly where public confidence depends upon clear institutional independence and transparency.

I am also keen that the committee gives serious attention to transparency, accountability and public confidence across justice institutions. Whether in relation to policing, prosecution, government agencies or public bodies, openness and accountability are essential if trust is to be maintained. Where confidence has been damaged, Parliament has a responsibility to ask difficult questions and ensure lessons are learned.

Related to that, I have a strong interest in whistleblower protections, institutional culture and public sector integrity. Those who raise legitimate concerns should be protected rather than discouraged. I believe there is scope for the committee to consider whether existing accountability frameworks are sufficiently robust and whether further measures may be required to strengthen confidence in those exercising public authority.

Legal Aid and Access to Justice

A further area that I believe deserves attention is the long-term sustainability of legal aid and criminal defence practice in Scotland. Concerns have been raised repeatedly by the legal profession, including the Law Society of Scotland and criminal defence practitioners, regarding remuneration, recruitment, retention and the future viability of parts of the criminal defence sector. Access to justice depends not only on effective prosecution and courts, but also on the availability of high-quality legal representation. The committee should examine whether current arrangements are sustainable and whether further reforms are required to protect access to justice across Scotland.

The Culture of Scrutiny

Too often public bodies, agencies and institutions become defensive when legitimate questions are asked. Committees must be different. Our role is not to protect institutions from scrutiny but to strengthen them through scrutiny. The public are entitled to expect openness, candour and accountability from those exercising public authority, and I hope the committee will be unapologetic in pursuing those principles.

Public confidence is not restored through public relations exercises or carefully managed communications. It is restored when institutions are prepared to answer difficult questions, acknowledge mistakes when they occur and demonstrate a willingness to learn and improve. I believe the committee can play an important role in fostering that culture of openness, accountability and continuous improvement across Scotland's justice system.

How the Committee Can Work Most Effectively

I also have some thoughts on how the committee itself might work most effectively.

In my view, scrutiny is strongest when it is regular, predictable and based on sustained engagement rather than occasional appearances. I would therefore welcome consideration being given to regular planned evidence sessions with key leaders across the justice system.

This could include the Cabinet Secretary and senior officials, the Chief Constable of Police Scotland, the Chair of the Scottish Police Authority, the Crown Agent and Chief Executive of the Crown Office and Procurator Fiscal Service, the Chief Executive of the Scottish Courts and Tribunals Service, the Chief Executive of the Scottish Prison Service, the Chair of the Parole Board for Scotland, the Chair of the Scottish Legal Aid Board and others with significant leadership responsibilities across the justice system.

Regular engagement of that nature would allow the committee to build expertise, identify emerging issues earlier and maintain meaningful oversight of the institutions for which Parliament ultimately has responsibility.

Evidence, Outreach and Learning from Others

I would also encourage the committee to undertake a significant programme of visits and outreach. Committees are at their best when they see institutions first hand and hear directly from those working within them. That means visiting police stations, courts, prisons, legal practices, rehabilitation programmes, community justice projects, victim support organisations and communities affected by crime across Scotland.

The committee should also be visible. Too often parliamentary scrutiny can feel distant from the communities most affected by the issues under discussion. Where possible, we should seek to engage directly with communities, practitioners and organisations across Scotland rather than expecting everyone to come to Holyrood. That will not only strengthen our evidence base but also help demonstrate that Parliament is listening to the people it serves.

Equally important is ensuring that we hear from voices beyond the usual stakeholders and representative bodies. Frontline practitioners, victims, whistleblowers, families, community organisations and those with lived experience often provide insights that formal submissions alone cannot capture. If we are genuinely committed to evidence-led scrutiny, we must ensure that evidence is drawn from the widest possible range of perspectives.

Principles of Effective Committee Scrutiny

More generally, I hope we can build a committee that is genuinely inquisitive, independent-minded and committed above all else to following the evidence wherever it leads.

One of the principles that I have consistently advocated, both publicly and through my work on parliamentary reform, is that committees perform best when members approach issues with an open mind and a shared commitment to objective evidence rather than predetermined conclusions. Good scrutiny is not about defending positions that have already been reached. It is about testing assumptions, challenging accepted wisdom and being prepared to change our minds when the facts require it.

For that reason, I believe the committee should actively seek evidence from the widest possible range of voices and perspectives. We should hear not only from government agencies and established stakeholders, but also from frontline practitioners, victims, whistleblowers, campaigners, academics, community representatives and those with direct lived experience of the justice system. The quality of our conclusions will only ever be as strong as the breadth and quality of the evidence we are prepared to consider.

We should not be afraid to learn from elsewhere. Scotland does not operate in isolation and many of the challenges facing our justice system are shared elsewhere. We should actively examine how similar issues are being addressed in England, Wales, Northern Ireland and other international jurisdictions, particularly where innovative approaches are delivering better outcomes.

Likewise, I believe there is merit in developing closer working relationships with counterpart committees in the UK Parliament, the Senedd and the Northern Ireland Assembly. Many justice issues are either shared across jurisdictions or have significant cross-border implications. Where appropriate, there may be opportunities for joint evidence gathering, shared learning and informal collaboration.

As you know, I have also long argued that parliamentary committees are at their most effective when they are independent, topical and willing to pursue issues of public concern in real time rather than simply reacting to government legislation and ministerial announcements. Committees should not see their role as merely processing Government business. The strongest committees identify emerging issues early, undertake focused inquiries, pursue lines of inquiry wherever the evidence leads, call decision-makers to account and establish a reputation for fearless, objective scrutiny that commands public confidence regardless of political affiliation.

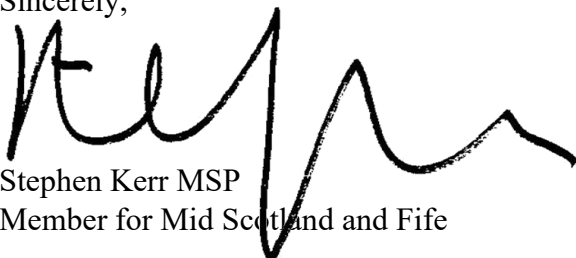
I also hope the committee remains firmly focused on the practical operation of Scotland's justice system and the issues affecting communities across the country. There is more than enough work within our remit to occupy our attention without straying into matters beyond it.

A Committee that Commands Public Confidence

I hope that, under your convenership, we can build exactly that kind of committee. One that is respected not because its members always agree, but because the public can see that we are prepared to examine evidence fairly, challenge assumptions robustly, pursue the truth wherever it leads and reach conclusions based on the facts before us. If we can establish a reputation for independence, seriousness, objectivity, intellectual honesty and a willingness to ask difficult questions of even the most powerful institutions, the committee will make a meaningful contribution not only to Scotland's justice system but also to public confidence in Parliament itself.

I look forward to discussing these issues with you and hearing the priorities of other members.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen Kerr', with a stylized, flowing script.

Stephen Kerr MSP
Member for Mid Scotland and Fife