Justice Committee

Scottish Court Service recommendations for a future court structure in Scotland

Letter from the Crown Office and Procurator Fiscal Service to the Justice Committee

Costs arising from the Scottish Court Service's (SCS) proposals on a future court structure

Thank you for your letter of 22 May 2013 asking whether the Crown Office and Procurator Fiscal Service (COPFS) have considered the cost implications of the SCS proposals on court restructuring.

COPFS did indicate in previous responses to the Justice Committee, on the 24 October 2012 and 16 May 2013, that there would be additional costs associated with court restructure, including potential changes in respect of payment of witness expenses. However none of the areas in which these costs arise are new to COPFS and they will be able to be met out of the existing budget.

As COPFS has previously outlined the courts restructure programme provides opportunities for work to be processed more efficiently across the criminal justice system. COPFS are committed to working with our criminal justice partners to ensure that the potential for efficiencies and streamlining of processes is maximised. Examples of this would include the way in which it is envisaged that the proposed High Court centres will operate and the consolidation of sheriff and jury business within bespoke centres.

Consideration of future costs have to include reference to the ongoing programme of wider criminal justice reform and investment in technology and focus on efficiencies across the court system which are being approached on a multi-agency basis through the Making Justice Work programme.

The cost implications to COPFS fall into three main areas, namely reimbursement of costs to witnesses, costs associated with staff relocation and finally costs associated with the closure of property owned, or leased, by COPFS.

Witness Costs

COPFS offers reimbursement to Crown witnesses in respect of some expenses related to their attendance at court. However not all witnesses claim expenses, and the types of claims vary. For example some witnesses claim for travel whilst others do not.

An exact projection of witness costs under the proposed restructure can not therefore be made but based on the current volume and nature of claims by witnesses attending for cases in the Sheriff and Justice of the Peace courts affected, COPFS estimate that the probable maximum total additional cost of reimbursing
witness travel for non-High Court cases as a result of court restructuring would not exceed £15,000.

In relation to High Court cases at present witnesses are required to travel throughout the country to give evidence. 80% of current High Court business is already undertaken by the 3 centres identified in the recommendations. Given that the restructuring in respect of High Court business should allow for more certainty as to location of trial at an earlier stage it is hoped that it will prove possible to allocate cases to the nearest location of witnesses involved much more often than can occur at present. It is not clear that restructuring would lead to increased costs in meeting witness expenses however a reasonable approach is to assume that the highest potential increase would not exceed a 20% increase on current expenditure. That would amount to an additional £16,611 per annum.

Staff Costs

COPFS staff members are currently located in offices serving courts in Haddington, Arbroath and Dingwall. No COPFS staff are located in or near the other courts proposed for closure. The staff affected would be transferred to the nearest local office. Again much depends on the circumstances of individual staff and their home locations and travel options at the time of transfer but COPFS estimate that the expense incurred in meeting any additional travelling costs to allow for suitable adjustment to new locations would amount to less than £24,000 per annum for a period of 3 years.

Building Costs

There is an estimated saving per annum to COPFS of £46,332 in relation to costs of renting accommodation in the courts and other offices which would no longer be required following the proposed restructure of the courts estate.

Please do not hesitate to contact me if I can be of further assistance to the Committee.

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Crown and Procurator Fiscal Service
29 May 2013