

Crown Office and Procurator Fiscal Service

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Crown Agent's Office



Margaret Mitchell MSP
Convener
Justice Committee
Scottish Parliament
Edinburgh
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23 February 2017

Dear Convener

Scottish Government's Draft Budget 2017-18 Justice Committee's Report to the Finance Committee

I am writing to respond to the Committee's recommendations in the above report in so far as they relate to the Crown Office and Procurator Fiscal Service.

My letter of 8 February provided details of our recently published corporate strategies – finance, workforce planning, digital and estates - which will, I trust, address a number of the issues raised by the Committee. As I said in that letter, we have identified possible scenarios for the future, our responses to which will depend in large part on future levels of funding, the extent of justice system reform and the nature of the casework we require to undertake.

Annex A provides our responses to the Committee's recommendations. The Committee also drew out two helpful conclusions which I comment on below:

- In paragraph 17, the Committee concluded that presenting budget information by area of work and type of activity both had benefits and felt it would be useful in annual details of spend were available in both formats. This is something we will look at in preparing our Annual Report and Accounts, which are published each year; and
- in paragraph 55 the Committee concluded that the new leadership within the COPFS provides an ideal opportunity to take a fresh look at the priorities, resources and demands on the prosecution service and to implement changes to improve its efficiency and effectiveness. I can confirm that COPFS will be refreshing its Strategic Plan in the course of 2017 and this will include reviewing priorities, resources and the demands on the service.

I hope this information is helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Harvie', written in a cursive style.

David Harvie
Crown Agent

Scottish Government's Draft Budget 2017-18 COPFS response to Justice Committee Recommendations

Paragraph 24:

The Committee... seeks a reassurance from the Scottish Government that if the Lord Advocate found it necessary to request additional funding support in 2017 that any such request would be looked upon favourably.

COPFS Response

Any requests for additional funding would be considered within the context of the Scottish Budget as a whole taking account of available resources and spending priorities across all portfolios

Paragraph 24

The Committee understands that this is the final year of additional funding for the prosecution of complex cases involving domestic abuse and sexual offences. It believes that it would be more transparent to include any predictable funding for specific purposes within future draft budgets.

COPFS Response

The budget is held by the Justice portfolio and is distributed to the organisations that require the funding, of which COPFS is one, in order that delivery of the overall programme can be monitored.

Paragraph 41

The Committee welcomes the work that the COPFS is undertaking to develop a workforce strategy and recommends that it inform the long-term financial strategy. It is important to retain experienced and trained staff, so that they can provide a return on investment. The Committee welcomes the commitment from the Crown Agent to doing so.

COPFS Response

COPFS's workforce strategy was published on 31 January and, together with our work on our Fair Futures project is focussed on ensuring we retain a cohort of experienced and properly trained staff.

Paragraph 43

The Committee has heard first-hand during its current COPFS inquiry about the negative experiences of some victims and witnesses involved in the criminal justice process and welcomes increased funding for voluntary organisations to support them. The Committee would appreciate information from the Scottish Government on its plans for this additional funding.

This request for information is directed to the Scottish Government and we have confirmed with them that they will provide a response directly to the Committee in the near future.

Paragraph 45

The Committee appreciates that opportunities will present themselves over the next financial year, but given that £0.7m is to be saved through non-staff costs. It recommends that any estate savings that can be predicted be included in the estates strategy, to inform financial planning.

COPFS Response

Potential estates savings are included within our estates and financial strategies.

Paragraph 49

The Committee is disappointed at the delay in the COPFS producing a long-term financial strategy. It welcomes the work that the new Lord Advocate and his team are doing to finalise a financial sustainable plan for the next five years and hope that this plan will identify future predicted demands and priorities, and clarify how these will be met. Given recurring concerns from the Auditor General over delays in producing the strategy, the Committee would be concerned if the plan were not completed by the first half of 2017.

COPFS Response

The finance strategy, together with the Estates, workforce and Digital strategies were published on 31 January 2017, as noted in the Crown Agent's letter of 8 February to the Convener.