



The Scottish Parliament
Pàrlamaid na h-Alba

Justice Committee

Rt Hon James Wolffe QC
The Lord Advocate
Crown Office and Procurator Fiscal
Service

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Dear Lord Advocate,

Follow-up to the Committee meeting of 16 June

Thank you to you and the Crown Agent for your evidence to the Committee on 16 June. I am writing to request some follow-up information as indicated during that meeting, namely:

1. The Crown Agent mentioned the work of a group with SPS, Police Scotland and others on custody cases and remote videolinks. It would be helpful to have more details on the work of this group and when it expects to conclude with an operational service.
2. Data on the backlog of cases across all courts (so that we can have the figures Mr Harvie mentioned in writing). It would be particularly helpful to have precise details of the number of summary cases. It would also be helpful to have more detailed information on the stage at which cases are sitting. For example, in non-custody summary cases, are accused still being asked to plead and, if pleading guilty, are they still being sentenced?
3. On fiscal fines, it would be helpful to know the type of cases that now result in fiscal fines that did not before. In particular, if during lockdown any domestic abuse cases are being dealt with by way of fiscal fines as an alternative to solemn or summary procedure? Furthermore, what was the percentage of domestic abuse cases dealt with by solemn proceedings or by summary proceedings before lockdown as a proportion of all cases?
4. Further information on the costs of employing additional staff and the posts filled, including the cost of the five additional Advocates Depute and whether any ad-hoc Procurators Fiscal (PFs) have been employed and if so how many and the cost involved. It would also be helpful to know the number of new PFs that have

been appointed to deal with summary cases and the cost? These issues came up in the Committee's previous inquiry into COPFS in 2016.

5. Further details on the alternative venues and locations being considered to host trials to decrease the backlog of cases. Which ones have been identified or are still being considered in your discussions with the SCTS? What are the COPFS and SCTS doing to maximise the number of locations/buildings where summary proceedings can be held to get through the backlog as most of these cases don't have to be held in court rooms or within the court estate? Also, what is being done to get more temporary sheriffs, JPs, retired sheriffs and PFs into the system to address the backlog?
6. More information on the issue you referred to regarding local authority provision of diversion services. You suggested that there were some issues here in terms of working with local authorities. What are these and what is being done to resolve them?
7. It would also be helpful to receive more details about the protocol with defence agents that was highlighted at the meeting.

The Crown Agent gave a commitment to write with details costs on "mobile phones" purchased. It would be helpful to clarify the actual number and cost of the smartphones (as opposed to 'mobile phones') procured by COPFS, and how many of the 800+ 'mobile phones' referred to in correspondence are smartphones? Also, how much did the 1,500 laptops procured by COPFS cost?

Finally, it would also be helpful to receive details of the evaluation of the Aberdeen and Inverness remote summary cases and any follow-up action that is then taken by COPFS or others as a consequence.

Best wishes,

Margaret Mitchell MSP
Convener,
Justice Committee