The Scottish Parliament
Pàrlamaid na h-Alba

Published 19 November 2026
SP Paper 48
3rd Report, 2026 (Session 7)

Criminal Justice Committee

Pre-budget scrutiny of the 2027-28 Scottish budget - Justice portfolio resilience, reform and resource allocation



Published in Scotland by the Scottish Parliamentary Corporate Body.

All documents are available on the Scottish Parliament website at:
www.parliament.scot/documents

For information on the Scottish Parliament contact Public Information on:
Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: info@parliament.scot

© Parliamentary copyright. Scottish Parliament Corporate Body
The Scottish Parliament's copyright policy can be found on the website —
www.parliament.scot

Contents

Introduction 1
Executive Summary and main findings 3
Questions considered by the Committee 5
Key recommendations for budget reform 7
Strategic Theme 1: Prison reform and sentencing 10
Recommendations - Prison reform and sentencing 13
Strategic Theme 2: Community Justice 15
Recommendations - Community justice 17
Strategic Theme 3: Prevention and rehabilitation of offenders 19
Recommendations - Prevention and rehabilitation of offenders 20
Strategic Theme 4: Victims, survivors, safety and access to justice 22
Recommendations - Victims, survivors, safety and access to justice 24
Strategic Theme 5: Policing 28
Recommendations - Policing 31
Strategic Theme 6: Fire and rescue services, community safety and resilience 34
Recommendations - Fire and rescue services, community safety and resilience 35
Annexe A: Extracts from Committee minutes 38
Annexe B: Evidence and information gathered 40
Oral evidence (and associated submissions and correspondence) 40
Other written submissions 41
SPICe briefings and blogs 42

Criminal Justice Committee

To consider and report on matters relating to criminal justice falling within the responsibility of the Cabinet Secretary for Justice, and functions of the Lord Advocate other than as head of the systems of criminal prosecution and investigation of deaths in Scotland


criminaljustice.committee@parliament.scot


0131 348 5973

Committee Membership



Convener
David Linden
Scottish National Party



Deputy Convener
Ben Macpherson
Scottish National Party



Amanda Bland
Independent



Maggie Chapman
Scottish Green Party



Stephen Kerr
Scottish Conservative and Unionist Party



Marie McNair
Scottish National Party



Pauline McNeill
Scottish Labour

Introduction

Purpose of the report

1. This report presents the Criminal Justice Committee's pre-budget scrutiny of the Scottish Government's justice portfolio and the Crown Office and Procurator Fiscal Service (COPFS) ahead of the 2027–28 Scottish Budget. Pre-budget scrutiny allows parliamentary committees to evaluate previous spending impact, examine baseline funding pressures across portfolio bodies, and influence strategic policy priorities before final budget proposals are laid before the Parliament.

Operational and fiscal context

2. Throughout its scrutiny, the Committee examined evidence against a backdrop of severe fiscal constraints across the public sector. Portfolio organisations, including Police Scotland, the Scottish Fire and Rescue Service (SFRS), the Scottish Courts and Tribunals Service (SCTS), the Scottish Prison Service (SPS), and third-sector partners, continue to manage complex operational demands alongside constrained capital allocations, inflationary pressures, and workforce retention challenges.

3. A central focus of this year's scrutiny has been assessing how single-year budget decisions align with long-term strategic transformation, preventative spend, and cross-portfolio outcomes.

4. The Committee heard significant concern that the portfolio lacks a clear, long-term strategic roadmap to transition services out of crisis management. Rather than defining clear strategic outcomes and working backward to allocate resource, justice spending continues to be driven largely by annual budget cycles rather than a clearly articulated long-term strategic framework. Without a coherent long-term strategy, preventative ambitions will remain unrealised.

Structure of the report

5. The Committee was encouraged by the level of engagement with this inquiry and is grateful to all organisations and individuals who gave their time to provide written and oral evidence. Given the tight timescale required to report ahead of the Scottish Budget, the Committee had to limit its oral evidence sessions to two representative panels; however, every written submission received was considered in full and carried equal weight in informing our recommendations.

6. The report's findings and recommendations are structured around the Committee's six agreed strategic themes :

   - Theme 1: Prison Reform and Sentencing
   - Theme 2: Community Justice
   - Theme 3: Prevention and Rehabilitation of Offenders
   - Theme 4: Victims, Survivors, Safety and Access to Justice
   - Theme 5: Policing

- Theme 6: Fire and Rescue Services, Community Safety and Resilience

Executive Summary and main findings

Portfolio-wide overview and financial resilience

7. The Committee considered evidence regarding the strategic framework underpinning justice portfolio spending. The evidence consistently highlighted the importance of aligning annual budget decisions with long-term preventative priorities and strategic outcomes.

8. The Committee heard consistent evidence that prolonged financial pressures have reduced resilience across the justice system, limited opportunities for preventative investment and increased pressure on frontline services. Witnesses argued that opportunities to absorb rising costs through efficiencies alone are increasingly limited and highlighted the challenges posed by inflation, workforce pressures and growing demand.

9. While the Committee respects the operational independence of Chief Officers and service leaders, it does not accept that operational independence can be used to deflect scrutiny of the policy, financial and strategic decisions taken by Ministers. Where funding decisions constrain operational capacity, reduce frontline resources or prevent essential reforms from being delivered, Ministers must be held accountable to the Parliament for the consequences. The Committee considers that responsibility for public safety cannot be separated from responsibility for providing the resources necessary to maintain effective justice services. The Scottish Government must demonstrate how its budget decisions will protect public safety, maintain operational resilience and deliver measurable improvements in performance.

10. The Committee is seriously concerned that the Scottish Government has not yet demonstrated how the justice system can meet growing demand, sustain existing frontline capacity and deliver the reforms Ministers have committed to within the resources currently envisaged. The Committee recommends that the Scottish Government publish a fully costed, multi-year justice delivery plan, identifying the resources required by each major justice organisation, the operational consequences of alternative funding scenarios, measurable performance objectives, implementation deadlines and arrangements for regular reporting to the Parliament.

Prison reform and sentencing

11. The Committee heard substantial evidence that prison overcrowding continues to place significant strain on Scotland's prison estate. Witnesses expressed concern that increasing prisoner numbers are limiting opportunities for rehabilitation, while pressures on community alternatives risk undermining efforts to reduce reliance on short custodial sentences. The Committee heard evidence that greater confidence in and investment in community-based disposals could support more sustainable long-term outcomes.

Community justice

12. Evidence highlighted the important role of community justice services in reducing reoffending and supporting a preventative approach to justice. Witnesses argued

that community justice services, justice social work and third-sector providers face increasing demand alongside funding uncertainty. The Committee heard evidence that longer-term investment and greater funding stability could improve service sustainability and reduce future pressure elsewhere in the justice system.

13. The Committee recognises that prisons, courts and policing are also facing significant financial pressures. However, evidence received suggested that increased investment in preventative and community-based services may help reduce longer-term demand across those parts of the justice system.

Prevention and rehabilitation of offenders

14. The Committee heard evidence that preventative approaches continue to be constrained by acute operational pressures elsewhere in the system. Witnesses also identified digital transformation and improved interoperability between justice agencies as significant opportunities to improve efficiency and reduce avoidable demand.

Victims, survivors, safety and access to justice

15. The Committee heard evidence that court delays continue to impact victims, witnesses and accused persons. Witnesses also raised concerns regarding the sustainability of victim support services and elements of the criminal justice workforce, including criminal defence practice. The Committee concludes that maintaining access to justice requires sufficient system capacity across courts, support services and the legal profession.

Policing

16. The Committee heard evidence that policing faces significant financial and operational pressures. Witnesses highlighted increasing demand associated with non-crime incidents, workforce pressures and growing requirements in specialist areas of policing. Evidence also raised concerns regarding the consequences of a prolonged flat-cash funding settlement.

Fire and rescue services, community safety and resilience

17. The Committee heard evidence that the Scottish Fire and Rescue Service faces substantial estate, workforce and resilience pressures. Witnesses highlighted concerns regarding infrastructure investment, staffing challenges and the resources required to support future service transformation.

Questions considered by the Committee

Is the justice and COPFS portfolio sustainable, and what are the opportunities and limits for future public sector reform?

18. The evidence received raised significant concerns about the sustainability of existing funding arrangements. Committee members noted clear support across the sector for ongoing improvements in the efficient and effective delivery of services, recognising that achieving true operational modernisation requires targeted upfront investment rather than ongoing retrenchment.

19. Witnesses highlighted that years of absorbed cost savings and efficiency drives have now exhausted internal flexibilities, leaving services vulnerable to mounting inflationary pressures and increasing operational demand. Members acknowledged that major structural public sector reform has already taken place within the portfolio, most notably through the creation of national services for policing and fire in 2013, which delivered substantial long-term financial savings. A clear message from stakeholder evidence was that flat-cash funding for 2027–28 would reduce frontline staffing, lengthen response times, delay court proceedings, and increase risks to staff safety.

20. The Committee notes with serious concern evidence that the Scottish Courts and Tribunals Service (SCTS) submitted a request for reform investment which has not yet been accepted by the Scottish Government and indicated that the Government's approach to coordinating and funding justice reform remained unclear. [1] The Committee questions how Ministers can credibly commit to reducing court backlogs, increasing solemn court capacity and modernising justice processes while refusing the investment required to deliver those changes. The Committee recommends that Ministers provide a full explanation of the decision, including the amount requested, the reasons for it not yet having been accepted, the operational consequences and the alternative funding arrangements proposed. The Scottish Government should provide the Committee with a fully costed programme for court reform and backlog reduction, including clear implementation milestones.

21. In his opening statement, the Cabinet Secretary for Justice, Neil Gray MSP, highlighted the exceptionally severe fiscal backdrop, noting that the latest UK budget delivered a real-terms cut to Scotland's budget of approximately £650 million in 2027–28 (£550 million in resource and £100 million in capital). [2] He emphasised that while the overall justice portfolio currently receives over £4.6 billion, rising demand, inflationary impacts, and workforce costs mean that "difficult choices will have to be made, and it will not be possible to meet all the asks made of the Government". [3]

22. Addressing the legacy of major structural reforms, the Cabinet Secretary for Public Service Reform, Ivan McKee MSP, and Neil Gray both noted that national centralisation (such as the 2013 creation of Police Scotland and the Scottish Fire and Rescue Service) successfully removed duplication and delivered significant long-term efficiencies. [4] Neil Gray confirmed that cumulative budget savings achieved through Police Scotland since 2013 total £2.5 billion (with annual baseline savings sitting at around £291 million). [5]

23. However, both Ministers acknowledged that because these major structural savings have already been made, achieving further equivalent cash savings within police and fire is significantly more challenging, making digital transformation, data sharing, and cross-portfolio demand reduction the primary drivers for future public service reform. [6]

How effectively does justice spending support the prevention of offending and reoffending across public services?

24. Despite the Scottish Government's policy commitment to shifting the balance away from custody, a large amount of justice spending continues to be absorbed by the prison estate to meet current demand.[i] [7]

Ministerial evidence on implementation

25. In evidence to the Committee, Cabinet Secretaries Ivan McKee MSP and Neil Gray MSP outlined Government progress against several key committee priorities, including work to streamline third-sector grant funding, roll out alternative mental health triage pathways, and expand shared digital infrastructure across the justice sector.

26. On multi-year funding, Mr McKee stated that the Scottish Government is reviewing third-sector grant processes across 500 mapped relationships across all government portfolios, a cross-government database established for the first time, to reduce administrative burdens, eliminate siloed funding, and increase long-term financial certainty for voluntary partners. [8] On mental health triage ("Right Care, Right Person"), Mr Gray stated that while uniformed police officers should not be default responders for non-criminal mental health calls, a proportion of incidents involving immediate risk or harm will still require a policing response. He highlighted ongoing work with health partners and the Scottish Association for Mental Health (SAMH) to roll out community-based crisis "nook" facilities to divert non-criminal calls away from the police. [9]

27. On digital interoperability, Ministers highlighted ongoing work to modernise court processes, including remote police evidence giving and cross-system data sharing. [10]

---

[i] See, for example, Scottish Prison Service (2024–25 allocation of £436.5m) compared with Community Justice Scotland (core allocation of £14m), written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

Key recommendations for budget reform

28. The Committee recommends that the Scottish Government, working with local authorities and other commissioning partners, move away from short-term, project-based funding for established third-sector justice services and introduce three-to-five-year, inflation-indexed funding agreements from 2027–28. These agreements should provide full-cost recovery for essential services, including core costs and the costs of staffing, management, premises, training and organisational infrastructure. Funding arrangements should recognise the value of established, effective services and the importance of retaining experienced staff and maintaining trusted relationships with service users.

29. The Committee recommends that the Scottish Government establish a funded, time-limited programme to modernise information-sharing between Police Scotland, COPFS and SCTS, eliminate the continued reliance on approximately 350,000 paper citations annually and reduce avoidable trial delays. [11] The Committee is particularly concerned that all 50 recommendations arising from HMICS/HMIPS scrutiny of citation delivery were reported as outstanding. Ministers should require the relevant organisations to publish a joint implementation plan identifying responsibility, funding requirements and completion dates for each recommendation. The Committee considers that the routine use of police officers to deliver court citations is an inefficient use of scarce policing resources and should be brought to an end through the introduction of alternative arrangements.

30. The Committee recommends that the Scottish Government develop and publish a multi-year justice investment strategy, setting out clear measurable milestones for making resources available towards prevention, early intervention, community-based justice and rehabilitation. This should include a transparent assessment of the current balance of expenditure between custodial and community-based provision, the intended changes to that balance, and how progress will be measured and reported to the Parliament. The strategy must identify the resources required, distinguish unavoidable operating costs from additional investment, establish deadlines and measurable performance indicators, and provide for regular public reporting. The Committee expects Ministers to demonstrate not merely how money has been allocated, but what tangible improvements in public safety and justice outcomes have been achieved.

31. To assist with the above, the Committee recommends that the Scottish Government introduce preventative spend assessments across relevant portfolios, including Justice, Health, Housing, Education and Social Security, to identify opportunities for joint investment in addressing the underlying causes of offending and reducing avoidable demand on criminal justice services.

32. The Committee recommends that the Scottish Government lead on establishing a binding, fully funded agreement between Justice, Health, Police Scotland, NHS boards and relevant health and social care services to implement “Right Care, Right Person” principles across Scotland. The agreement must clearly establish which organisation is responsible for responding to non-criminal mental health and welfare incidents, including those occurring outside normal working hours, and be accompanied by a clear implementation timetable, firm delivery deadlines, and measurable reporting on reductions in police time spent responding to non-criminal

incidents. The Committee expects adequately resourced, accessible 24-hour health and social care alternatives to be put in place across every area of Scotland without delay. Police officers must not be required to undertake functions properly belonging to health and social care professionals, and police involvement must be reserved strictly for situations where there is a genuine policing requirement, including an immediate threat to life or serious harm. [12]

33. The Committee recommends that the Scottish Government provide targeted funding to unlock stalled reforms, including allocating £30 million annually for the Fire and Rescue Service "Developed Role".[ii] However, the Cabinet Secretary for Justice highlighted that a key barrier to unlocking the agreement is that firefighter pay, terms, and conditions are negotiated at a UK-wide level. He indicated his intention to engage directly with UK Government counterparts to align national negotiations and funding prioritisation to enable role expansion. [13]

34. The Committee recommends that the Scottish Government concludes on an expeditious basis its review of criminal legal aid remuneration with a view to improving recruitment and retention within criminal defence practice, while ensuring that any changes are accompanied by sufficient funding to avoid unintended impacts on case throughput and access to justice.

35. The Committee recommends that the Scottish Government ensure that its justice reform and budget planning is informed by meaningful engagement with trade unions, professional bodies and frontline staff, with particular regard to workforce sustainability, safe staffing, retention, professional development and the impact of proposed changes on working conditions.

36. The Committee recommends that the Scottish Government publish, alongside the 2027-28 budget, a clear financial assessment for each major justice organisation showing the funding required to maintain existing services, meet pay and inflationary pressures, address rising demand and deliver proposed improvements. This should distinguish resource and capital expenditure and identify the consequences of any funding shortfall for staffing, operational capacity, public safety and service delivery.

37. The Committee recommends that the Scottish Government provide a formal, detailed response to each recommendation in this report, setting out whether it is accepted, the funding to be allocated, the body responsible for implementation, the timescale for delivery and the measures by which success will be assessed. Where recommendations are not accepted, Ministers should provide a full explanation. The

---

ii The "Developed Role for Scotland's Firefighters" is an agreed strategic framework between the Scottish Fire and Rescue Service (SFRS), the Fire Brigades Union (FBU), and the Scottish Government to broaden the statutory operational scope of firefighters beyond traditional firefighting. The framework expands firefighters' responsibilities into three core areas: emergency medical co-responding alongside the Scottish Ambulance Service (including out-of-hospital cardiac arrests), severe climate and flood response, and specialised multi-agency emergency incidents. Nationwide implementation remains dependent on securing an estimated £30 million in sustained annual revenue funding to cover necessary pay, training, and operational equipment. Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

Committee further recommends that the Cabinet Secretary for Justice provide a six-month implementation update, followed by annual progress reports, to enable Parliament to scrutinise whether the commitments made in the 2027–28 budget have resulted in measurable improvements in public safety, frontline capacity, operational resilience and access to justice.

Strategic Theme 1: Prison reform and sentencing

Custodial overcrowding and capacity thresholds

38. The Scottish Prison Service (SPS) is operating under significant capacity pressures, with the prison population recently reaching a record daily high of 8,603[iii] against an estate design capacity of 7,805. This has left the overall prison estate operating at 109% of design capacity, leaving no contingency space across the system to absorb further population increases. [14]

39. Beyond overall headcount, the composition of the prison population directly compounds these operational pressures:

- **Long-term sentence cohort (Over 50%)** – A majority of individuals are serving long-term sentences. Managing a predominantly long-term population increases operational complexity because these individuals require long-term housing, ongoing progression management, and sustained access to accredited offending behaviour programmes to reduce risk before release. As total numbers exceed capacity, access to these mandatory rehabilitative programmes becomes severely bottlenecked, creating critical waiting lists and halting sentence progression.

- **Remand population (approximately 25%)** – People held on remand account for roughly a quarter of the total population. High remand levels create distinct operational strains because unconvicted individuals require separate housing from convicted prisoners and experience continuous movements for court appearances, driving up transactional staff workload. SPS explicitly highlights reducing remand levels through community support and bail alternatives as a key mechanism to safely lower overall population pressure.

40. The Committee notes that this chronic overcrowding severely limits the ability of SPS staff to deliver safe, decent, and rehabilitative regimes. Instead of engaging in constructive case management, frontline officers are forced to focus almost entirely on basic physical containment, population movement, and immediate risk management.

Estate infrastructure and community supervision

41. Evidence submitted to the Committee highlighted the acute operational pressures facing the Scottish Prison Service (SPS) due to rising custodial population levels and estate maintenance backlogs. While submissions acknowledged the operational necessity of managing prison overcrowding, witnesses emphasised that custodial estate resourcing must be balanced with targeted investment in community supervision. Evidence indicated that expanding community payback, justice social work capacity, and robust electronic GPS monitoring enforcement provides an effective, evidence-based mechanism to manage risk in the community while mitigating pressure on the prison estate. [15]

---

iii As of Friday 13/11/2026, this figure stood at 8,559 people.

Degradation of rehabilitative regimes and throughcare pathways

42. Overcrowding and associated staffing constraints have created severe bottlenecks in mandatory offending behaviour programmes, educational courses, and vocational training. Prisoners who require specific risk-reduction programmes to satisfy Parole Board requirements for safe release frequently face extended waiting lists, effectively delaying their progression and further inflating the long-term custodial population. [16]

43. Furthermore, justice social work teams inside prisons and in local authorities are struggling under unsustainable caseloads. The lack of capacity hampers pre-release planning, housing coordination, and continuity of addiction and mental health care. When individuals are released without stable accommodation or immediate community support, the likelihood of rapid recall or reoffending increases significantly, driving a costly cycle back into custody. [17]

44. Written evidence from Social Work Scotland highlighted increasing demand and complexity within justice social work services. It reported a 19% increase in Multi-Agency Public Protection Arrangements (MAPPA)[iv] cases since before the pandemic, alongside growing numbers of high and very high-risk individuals requiring intensive risk management and multi-agency coordination. The submission also identified increasing challenges in securing housing, mental health and addictions support for people subject to supervision in the community. [18]

45. The Cabinet Secretary for Justice acknowledged the acute operational pressures across the prison estate, noting that operating costs currently sit at over £50,000 per prisoner place per year. [19] Neil Gray stated that the Scottish Prison Service (SPS) is currently managing an unsustainable population level, exemplified by recent acute operational disruption at HMP Polmont, which he acknowledged was potentially an outcome of wider systemic population pressures. [20]

46. Members highlighted the stark financial inefficiency of current spending patterns. The Committee questions the logic of repeatedly incarcerating people for low-level offences, when allocating more custodial cost toward intensive, wraparound community support and addiction treatment would yield far greater long-term reductions in reoffending.

47. On estate strategy, the Cabinet Secretary confirmed that construction remains on track for HMP Glasgow and HMP Highland. He stated that while the Scottish Government's formal intention remains to close HMP Barlinnie immediately upon the opening of HMP Glasgow, he is "cognisant of the current and projected prison figures, so the decision could still be reviewed" regarding whether Barlinnie might temporarily need to be retained for additional capacity. [21]

48. Independent MSP and Committee Member Amanda Bland MSP challenged the Cabinet Secretary over the lack of long-term vision and forward planning, asking how the Government could even consider keeping Barlinnie open given it is a

---

iv Multi-Agency Public Protection Arrangements (MAPPA) are the statutory arrangements through which police, local authorities, the Scottish Prison Service and other agencies work together to assess and manage the risks posed by certain high-risk offenders in the community.

Victorian jail well-documented as unfit for purpose that ought to be bulldozed in favour of humane conditions. [22]

49. SNP MSP and Committee Convener David Linden MSP highlighted operational evidence from former Barlinnie Governor Mick Stoney that keeping Barlinnie open cannot be decided on short notice and requires long-term planning, criticising the Government's apparent shift in direction. [23]

50. He stressed that prison must be reserved for those who pose a serious risk to public safety, citing Scottish Government data that the average sentence length for sexual offences has risen by 37% in recent years, reflecting an increasing volume of serious solemn prosecutions before the High Court, while emphasising that capacity in the community must be expanded to support rehabilitation and reduce reoffending. [24]

Availability of community infrastructure and options to custody

51. While statutory frameworks favour alternatives to custody, a persistent gap remains between policy intent and court outcomes, with short custodial sentences (under 12 months) continuing to be used despite evidence that community disposals are more effective at reducing reoffending. However, evidence submitted to the Committee highlights that this reflects stark regional disparities in community infrastructure rather than judicial inconsistency. Where local justice social work, mental health, and third-sector providers face severe capacity constraints and single-year funding cycles, courts encounter delays and a lack of reliable local alternatives, leaving short custodial sentences as an unavoidable default. Delivering multi-year, nationally consistent resourcing for community options is therefore essential to give sentencers the practical infrastructure required to sentence effectively. [25]

How are flat-cash settlements or real-terms budget reductions affecting safety, regime delivery, and staff wellbeing within prisons?

52. Evidence from the SPS and staff representatives confirms that operating under flat-cash conditions while managing a record prisoner population directly threatens the safety and stability of the estate. Budget restrictions limit the availability of overtime, agency cover, and specialist staff, leading to restricted regimes where prisoners spend extended hours locked in cells. This restricted environment heightens stress, fuels violence, and increases self-harm among prisoners, which in turn contributes to high sickness absence rates among prison officers and further compounds operational shortages. [26]

How effective and adequately resourced are statutory alternatives to custody and remand reduction strategies?

53. Alternatives to custody, including electronic monitoring, bail supervision, and Community Payback Orders (CPOs), are recognised as highly cost-effective, but they remain structurally underfunded relative to the prison system. Community justice receives only a fraction of the overall prison budget. [27]

Recommendations - Prison reform and sentencing

54. The Committee recommends that the Scottish Government, SPS, and COPFS work together to expand access to bail supervision and electronic monitoring across all local authority areas in appropriate cases, ensuring every court has robust, credible alternatives to pre-trial detention while recognising that remand is sometimes necessary to protect public safety. The Committee further recommends that the Scottish Government work with the judiciary, COPFS, defence representatives, local authorities and community justice organisations to identify and address the barriers to the use of bail and other non-custodial alternatives, including access to stable accommodation, appropriate support and timely assessments.

55. The Committee recommends that the Scottish Government balance capital resourcing for essential custodial infrastructure with sustained revenue funding for community-based alternatives, justice social work, and electronic GPS monitoring, ensuring effective risk management and rehabilitation options across the justice system.

56. The Committee recommends that the Scottish Government consider how the justice budget can better reflect increasing demand for community-based disposals and justice social work services.

57. The Committee recommends that the Scottish Government and SPS ensure that access to education, rehabilitation, offending behaviour programmes, mental health and addiction support, and preparation for release is treated as an essential component of prison provision rather than a service that can be reduced in response to operational pressures. The Government should report on waiting times for key interventions, the impact of delays on progression and release, and the resources required to address unmet need.

58. The Committee recommends that the Scottish Government, working with local authorities and Community Justice Scotland, focuses on expanding national training capacity and funding the next generation of Justice Social Workers, while providing local authorities with the sustainable resourcing needed to manage local workloads and deliver Community Payback Orders (CPOs) consistently across the country.

59. The Committee recommends that the Scottish Government publish a fully costed, long term prison capacity strategy, setting out projected prisoner population pressures, the capacity required to meet those pressures safely, the timetable for new prison construction and estate modernisation, and the implications for

revenue and capital budgets. The strategy should include a clear decision and implementation timetable regarding the future of HMP Barlinnie, recognising that any continued use of the establishment would require substantial advance planning and investment. Ministers must demonstrate that sufficient custodial capacity will remain available for offenders whose imprisonment is necessary to protect the public.

60. The Committee recommends that the Scottish Government set out a clear, evidence-based strategy for reducing the prison population including, as appropriate, reducing the use of short custodial sentences and remand, expanding community-based disposals and addressing the underlying social and economic factors contributing to offending. This strategy should include measurable targets, regular progress reporting and an assessment of the resources required to make community-based alternatives genuinely available across Scotland.

61. The Committee recommends that the Scottish Government work with local authorities, health and social care partnerships and third-sector providers to ensure that people leaving prison have timely access to suitable accommodation, income, health and addiction services, and ongoing community support. This should include clear arrangements for continuity of care and support from the point of release.

62. The Committee recommends that the Scottish Government, SPS and COPFS work together to expand properly resourced bail supervision and electronic monitoring in appropriate cases across all local authority areas. Such arrangements must be supported by effective enforcement, sufficient justice social work capacity and credible sanctions for non-compliance. The Committee emphasises that remand must remain available where necessary to protect victims and survivors, witnesses and the wider public, prevent further offending and secure the proper administration of justice. Any expansion of alternatives to remand should be accompanied by a published assessment of costs, operational capacity and public safety.

Strategic Theme 2: Community Justice

Funding

63. Building on the issues discussed in the previous section, the Committee heard evidence that community justice services are facing increasing operational pressures as courts make greater use of community-based disposals. Witnesses highlighted concerns about social work capacity, the sustainability of third-sector provision and the ability of local services to manage rising caseloads within existing resources. [28]

64. This resource pressure leaves local authority justice social work teams and third-sector partners operating on exceptionally tight margins. As the court system works through case backlogs, the volume of community sentences continues to rise. This places heavy demands on community-based supervisors, treatment providers, and unpaid work placements without a corresponding increase in operational funding to sustain capacity.

65. On shifting resources toward community justice, Cabinet Secretary Neil Gray highlighted that the Scottish Government has already substantially increased the baseline budget line for community justice and is working directly with Chief Social Work Adviser Joanna Macdonald to properly resource, expand, and support the justice social work workforce. This work aims to ensure social work teams can manage rising community caseloads and deliver alternatives to custody effectively as the system shifts away from custodial reliance. [29]

Targeted interventions for high-impact cohorts

66. Data across the justice sector indicates that a small proportion of individuals with complex, recurring needs accounts for a disproportionate amount of system engagement. [30] Around 2,900 individuals across Scotland account for roughly 25% of all court time and 50% of outstanding arrest warrants. [31]

67. These typically cycle repeatedly through short custodial stays, police custody suites, emergency departments, and homeless services. [32] Evidence suggests that tailored, multi-agency mentoring models can help break cycles of reoffending by connecting individuals with dedicated caseworkers to address specific underlying challenges and practical needs. [33] Witnesses argued that targeted investment in this cohort could help reduce pressure on the police, courts and prison estate. [34]

Third-sector uncertainty and commissioning obstacles

68. Voluntary organisations deliver a large share of Scotland’s community justice, diversion, youth support, and throughcare services. However, almost all of these bodies are funded through short-term, single-year grant cycles or annual local authority subcontracts. In evidence, members highlighted that statutory grant commissioning frequently forces established third-sector providers into a cycle of constantly creating new short-term "innovative projects" to survive, rather than receiving full-cost recovery, covering core staffing, management, premises, and organisational infrastructure, for established, proven frontline services. [35]

69. This short-term approach creates severe operational disruption. [36] Every winter, organisations are forced to issue provisional redundancy notices to experienced caseworkers while waiting to hear if their funding will be renewed for April. [37] This leads to high staff turnover, loss of institutional knowledge, and interrupted support for vulnerable clients who rely on stable, trusting relationships to stay out of the justice system. [38] The Committee considered proposals to transition core voluntary providers to multi-year funding models to replace single-year grant mechanisms and enhance workforce stability.

70. Regarding third-sector funding stability, the Cabinet Secretary for Public Service Reform, Ivan McKee MSP, agreed that voluntary sector partners act as "essential infrastructure" and should not be forced into annual winter redundancy cycles while awaiting grant renewals. [39] Mr McKee explained that the Government has mapped approximately 500 grant-funding relationships across departments for the first time and is actively working under the Public Service Reform strategy to streamline grants, reduce administrative reporting burdens, move away from rigid single-project funding, and provide greater funding certainty. [40]

71. Independent MSP and Committee Member Amanda Bland highlighted evidence from Karyn McCluskey (Community Justice Scotland) detailing how charities are forced to issue provisional redundancy notices every January due to single-year funding cycles. [41] Bland pressed McKee on whether the Government can actually guarantee value for money or financial stability for local third-sector partners. [42]

72. Green MSP and Committee Member Maggie Chapman criticised the structural flaws in Government grant commissioning, asking why third-sector bodies are continually required to "reinvent themselves" and pitch short-term "innovative projects" just to survive, rather than receiving full-cost recovery for established, proven core services. [43]

How sustainable is current voluntary sector commissioning, and what steps are needed to transition to multi-year funding?

73. Current third-sector commissioning is widely viewed as inefficient and unsustainable. Managing 12-month grant applications consumes significant administrative time that could otherwise be spent delivering frontline services. To establish long-term stability and eliminate annual winter redundancy cycles, the Scottish Government and local commissioning partners must transition away from short-term project grants to three-to-five-year, inflation-indexed funding agreements starting in 2027–28. Crucially, these settlements must provide full-cost recovery, including baseline operational infrastructure, premises, management, and staff development, to ensure voluntary sector partners have the financial certainty required for strategic workforce planning and sustained preventative delivery. [44]

74. While the Cabinet Secretary emphasised that Police Scotland is investing significantly in workforce wellbeing and supporting officers on modified duties back to full deployment, Committee members challenged whether this was being delivered in practice. Conservative MSP Stephen Kerr directly refuted the Cabinet Secretary's position[1], citing evidence from HM Chief Inspector of Constabulary, Craig Naylor. Kerr highlighted HMICS findings that psychological support across the force remains "patchy", day-to-day supervision and formal wellbeing check-ins are

frequently missing, and the underlying IT platform supporting workforce management is over 20 years old. [45]

How effectively resourced are community safety, diversionary schemes, and reoffending reduction programmes?

75. While local diversionary schemes and early intervention programmes consistently prove their value, their availability varies widely across Scotland. [46] Many successful local pilots struggle to secure permanent funding once initial seed money ends, leading to a patchwork where access to effective community support depends heavily on where a person lives. [47]

Recommendations - Community justice

76. The Committee recommends that the Scottish Government transition all third-sector community justice, diversion and throughcare funding from 12-month grants to 3-to-5-year settlements starting in the 2027–28 financial year.

77. The Committee recommends that the Scottish Government and justice partners develop and resource targeted, person-centred, multi-agency interventions for individuals experiencing repeated contact with the justice system, addressing the underlying social, health and economic factors contributing to that contact. These interventions should be trauma-informed, rights-based and developed with the people using the services.

78. The Committee recommends that the Scottish Government ensure that community justice, including justice social work, CPOs, bail supervision, diversion, mentoring, restorative approaches and throughcare, receives sustainable and sufficient funding to meet current and projected demand. Funding should be based on an assessment of local need and service capacity, with particular attention to areas where limited provision currently restricts the availability of community-based alternatives to custody.

79. The Committee recommends that any future emergency release protocols or changes to custodial progression are accompanied by direct resource transfers to community justice providers.

80. The Committee recommends that the Scottish Government publish a fully costed community justice impact and resource assessment alongside any proposed changes to sentencing, prison population policies, custodial progression, remand or release arrangements. This assessment must identify the resources required by justice social work, local authorities and third-sector providers, the availability of effective services across Scotland, and the additional demand arising from

early release or greater use of community disposals, ensuring that these bodies receive the funding necessary to meet any resulting increase in demand. The Committee considers that policy commitments to increase reliance on community justice must be matched by demonstrable delivery capacity and appropriate public protection safeguards.

Strategic Theme 3: Prevention and rehabilitation of offenders

Shifting resources upstream to early intervention

81. Witnesses frequently argued that the justice budget remains heavily focused on responding to acute pressures. While Scottish Government policy frameworks correctly promote early intervention and preventative spend, funding allocations continue to prioritise the downstream, acute end of the system, principally prisons, court scheduling, and emergency police response.

82. Several witnesses argued that greater investment in early intervention could reduce future demand. [48] Intervening early when people first display risk factors or make contact with police produces significantly better long-term public safety outcomes at a fraction of the cost of long-term detention. [49]

83. Submissions from third-sector and specialist bodies demonstrated that early intervention models focusing on overall life stability, such as housing, employment, and speech and language therapy, dramatically reduce reoffending compared to isolated justice interventions. The Royal College of Speech and Language Therapists (RCSLT) Scotland highlighted that unaddressed communication needs act as a major, hidden barrier to rehabilitation, calling for specialist therapists to be embedded across youth justice teams, community payback schemes, and custodial facilities. [50]

84. The Committee recognises that preventing offending will include action on the wider social and economic conditions in which criminality occurs. Poverty, inequality, insecure housing, exclusion, trauma, exploitation and unmet health and social care needs can all contribute to vulnerability and contact with the justice system. Investment in these areas should therefore be recognised as an essential part of a preventative justice strategy.

Cross-agency systems friction and legacy technology

85. A major barrier to effective prevention and rehabilitation is the presence of isolated, legacy IT systems across justice agencies. [51] Police Scotland, the Crown Office and Procurator Fiscal Service (COPFS), the Scottish Courts and Tribunals Service (SCTS), and local authority social work departments rely on separate IT systems that do not communicate seamlessly. [52]

86. This technical fragmentation creates significant administrative duplication, manual data re-entry, and preventable errors, such as lost case updates or delayed notifications.

87. The Committee notes the ongoing focus on digital transformation across the justice sector. Partner agencies are continuing to work towards improved system-wide integration and shared digital infrastructure, supported by initiatives such as the Justice Digital Front Door.[v]

88. The Cabinet Secretary for Public Service Reform emphasised that preventing offending requires breaking out of traditional portfolio silos. Mr McKee stated that the Scottish Government is reformatting the National Performance Framework and introducing preventative budget tagging to explicitly quantify and track how early interventions in non-justice portfolios yield downstream benefits across public services. [53]

89. Cabinet Secretary Neil Gray expanded on this cross-portfolio principle, stating directly that "we need to see housing investment as justice preventative spend and poverty preventative spend ... We need to see education as justice preventative spend". [54]

90. Both Ministers highlighted that joining up services across health, housing, social security, and substance recovery is essential to address the root drivers of crime and reduce avoidable demand on acute justice services. [55]

How can cross-portfolio preventative spend deliver long-term savings across the justice budget?

91. Preventative investment delivers savings by reducing the downstream demand on expensive acute services. [56] For example, investing in early youth diversion, housing support, and mental health crisis response reduces police call-outs, court appearances, and short prison stays. [57] However, because the savings often show up in a different budget, such as courts or prisons, from where the initial investment was made, cross-portfolio agreements between the Justice, Health and Social Care, and Housing Ministerial portfolios are essential to unlock these benefits. [58]

What capital investment is needed to build shared digital platforms and eliminate cross-agency IT friction?

92. Justice bodies require targeted, spend-to-save capital funding to replace 20-to-25-year-old legacy IT systems with modern, interoperable digital platforms. [59] Building a shared digital trail across Police Scotland, COPFS, and SCTS that has the potential to eliminate paper-based witness citations, enable direct electronic disclosure of evidence, and significantly reduce court delays caused by administrative errors. [60]

Recommendations - Prevention and rehabilitation of offenders

93. The Committee recommends that the Scottish Government allocate dedicated spend-to-save capital funding in the 2027–28 budget to modernise and integrate digital systems across Police Scotland, COPFS and SCTS. The investment should prioritise, for example, the elimination of paper-based processes, consider electronic citations, improved evidence disclosure, more effective case

v Justice Digital Front Door is a centralised online portal/entry point designed to help users navigate the justice system, report issues, and connect with police, courts, or local services on a single platform.

management and the reduction of unnecessary police court attendance. Ministers should publish a detailed implementation programme, including costs, milestones, expected efficiency savings and arrangements for measuring the resulting reduction in administrative demands and court delays.

94. The Committee recommends that the Scottish Government provide dedicated capital funding in the 2027–28 budget for Police Scotland to address critical estate backlogs, specifically the modernisation of custody suites to ensure statutory compliance and officer safety, alongside sustained capital investment for fleet replacement and the full rollout of body-worn video and digital evidence tools.[vi]

95. The Committee recommends that the Scottish Government explore the creation of a joint funding mechanism between the Justice, Health and Housing portfolios to support early intervention, youth diversion, and addiction support schemes that reduce downstream justice costs.

96. The Committee recommends that any development of shared digital infrastructure across justice agencies is subject to robust safeguards on privacy, data protection, human rights and appropriate access to information, with clear accountability for the accuracy and use of shared data.

97. The Committee recommends that the Scottish Government prioritise sustained investment in early intervention and youth diversion, including community-based support for children and young people experiencing adversity, exploitation or other vulnerabilities. This should be developed in partnership with local authorities, education, health and specialist third-sector organisations, with a focus on prevention, children's rights and avoiding unnecessary criminalisation.

98. The Committee recommends that justice agencies establish a joint working group to track and resolve cross-agency administrative errors and failure demand, ensuring process fixes are implemented across organisational boundaries.

---

vi Maggie Chapman MSP dissented from this paragraph to the extent it refers to the roll-out of body-worn video.

Strategic Theme 4: Victims, survivors, safety and access to justice

Court backlogs, solemn business expansion, and impact on victims

99. The Committee received evidence regarding the deployment of digital case management systems across the court estate. While the Summary Case Management pilot has demonstrated efficiency gains, evidence indicated that the roll-out of an equivalent system for High Court solemn business remains subject to capital funding availability. The Committee considered the potential impact of trial scheduling timelines on court participants and the role of targeted capital investment in supporting court throughput. [61]

100. Court backlogs and extended trial scheduling continue to place severe strain on victims, witnesses, and accused persons. [62] High Court trial scheduling currently stretches well into future years, forcing victims of serious crimes to live in uncertainty for extended periods. [63]

101. This delay causes significant secondary trauma for victims and witnesses, often leading to witness attrition, where individuals withdraw from the process entirely due to the stress of repeated court adjournments. [64] While the Scottish Courts and Tribunals Service (SCTS) and the Crown Office and Procurator Fiscal Service (COPFS) have taken steps to expand High Court capacity and prepare for the specialised Sexual Offences Court, operational delivery remains constrained by workforce shortages across the legal sector. [65]

102. During evidence, the Convener, SNP MSP David Linden, highlighted evidence from the Faculty of Advocates that increasing judicial capacity could be one of the most effective short-term measures available to reduce High Court backlogs. In response, the Cabinet Secretary for Justice noted that the Maximum Number of Judges (Scotland) Order 2026 provides flexibility to increase the number of High Court judges without the need for further legislation. The Convener emphasised, however, that the availability of additional judicial capacity will depend not only on the legislative framework but on sufficient funding being available to support additional appointments and the associated increase in court capacity. [66]

Legal aid rates and contraction of the criminal defence bar

103. A major structural risk to access to justice is the steady contraction of the criminal defence bar. [67] Decades of real-terms reductions in legal aid rates, which have fallen by roughly 37% in real terms since 2005, have made criminal defence work increasingly unsustainable for many solicitors and advocates. [68]

104. This pay disparity, combined with gruelling working hours and high workload stress, has created a severe recruitment deficit. [69] Young legal professionals are increasingly choosing roles within COPFS or the wider public sector rather than entering private criminal defence practice. [70] The Committee also notes evidence from COPFS, SCTS and victim support organisations regarding rising demand and

workforce pressures within their own services. [71] Addressing capacity challenges across the justice system will require a balanced approach that recognises pressures across prosecution, defence, courts and victim support services.

Resource constraints on victim support infrastructure

105. Voluntary organisations providing frontline victim support services face persistent financial pressure. [72] Flat funding allocations under the Victim Centred Approach Fund (VCAF) have resulted in real-terms budget cuts, limiting the ability of organisations like Victim Support Scotland (VSS) to maintain staffing levels and meet rising demand for trauma-informed support. [73]

106. Furthermore, written evidence highlights a concerning 19% drop in court referrals to Victim Information and Advice (VIA) services. [74] This fall in automated or direct referrals means that fewer victims are being connected with independent advice and practical support early in the court process, compounding feelings of isolation and confusion as their cases progress. [75]

107. Evidence from Victim Support Scotland (VSS) emphasised that flat funding allocations under the Victim Centred Approach Fund (VCAF) restrict capacity during extended trial proceedings. VSS advocated for an automated opt-out referral mechanism to ensure every victim of crime is connected with independent support at the earliest point of police or court contact. [76] Furthermore, the Committee stresses that funding for specialist sexual violence services remains overly fragmented; short-term project grants fail to cover baseline running costs, forcing frontline providers into perpetual survival mode while waiting lists grow to unacceptable levels.

108. On judicial capacity and High Court backlog recovery, the Cabinet Secretary for Justice noted that the Scottish Government recently introduced the Maximum Number of Judges (Scotland) Order 2026, [77] which immediately increased the number of High Court judges by one and built in statutory flexibility to appoint up to six additional judges to cover judge-led public inquiries and support expanded High Court sittings.

109. Regarding support for victims and survivors of serious crime, Neil Gray acknowledged that waiting times for advocacy and therapeutic support provided by third-sector organisations (such as Rape Crisis Scotland, Victim Support Scotland, and Scottish Women's Aid) had reached "clearly unacceptable" levels in parts of the country, leading to closed waitlists over the summer. [78] Mr Gray confirmed that the Scottish Government is actively reviewing financial requirements alongside these key victim support organisations to deliver additional financial support in short order. [79]

110. During the 4 November evidence session, Green MSP and Committee Member Maggie Chapman challenged Cabinet Secretary Neil Gray over the Scottish Government's approach to funding victim support services, arguing that key advocacy and therapeutic organisations are not receiving the core infrastructure investment they need. Chapman, drawing on her background in rape crisis services, pressed the Cabinet Secretary on what the Scottish Government considers an "acceptable waiting time" for victims of sexual crime seeking advocacy

and support. She criticised the current funding model for forcing third-sector providers into a cycle of constantly creating new short-term projects rather than securing long-term, full-cost recovery funding for essential frontline services. [80]

111. In response, Neil Gray conceded that existing waiting lists and closed intake registers for survivor support in parts of the country are "clearly unacceptable," which is why the Scottish Government is actively reviewing financial packages to provide short-order relief. However, when pressed directly by Chapman to name a concrete target or threshold for acceptable waiting times, Gray declined to provide a figure, acknowledging it as a "very difficult question to answer". He reiterated that the Government's primary objective ahead of the 2027–28 budget is to work with sector partners. [81]

112. The Committee stresses that funding for specialised sexual violence and rape crisis organisations remains overly fragmented. Short-term project grants fail to cover baseline running costs, forcing essential frontline providers into perpetual survival mode while waiting lists for advocacy and therapeutic support grow to unacceptable levels.

How are court delays affecting victims, witnesses, and accused persons, and what measures are needed to mitigate these impacts?

113. Extended trial delays prolong trauma for victims and witnesses, undermine memory recall, and increase the likelihood of witnesses failing to attend court. [82] For accused persons, lengthy pre-trial delays contribute to high remand populations and extended periods of personal disruption. [83] Mitigating these delays requires expanding summary case management, deploying digital evidence-sharing platforms, and ensuring adequate funding for both prosecution and defence legal teams. [84]

How sustainable is the current legal aid framework, and what changes are required to protect access to justice?

114. The current legal aid framework is widely regarded as financially unsustainable. [85] To protect access to justice and maintain a balanced legal system, the fee structure requires systematic reform. [86] Index-linking legal aid rates and addressing fee disparities between prosecution and defence roles are essential steps to encourage new entrants into the defence profession and prevent court gridlock. [87]

Recommendations - Victims, survivors, safety and access to justice

115. The Committee emphasises that a genuinely victim- and survivor-centred justice system must be trauma-informed throughout, from the first point of contact with police and support services through investigation, prosecution and court proceedings. This requires investment in specialist support, workforce training, timely communication and processes that minimise unnecessary repetition and re-traumatisation.

116. The Committee recommends that the Scottish Government urgently address the sustainability of criminal legal aid by introducing regular inflation-linked adjustments to remuneration and reviewing the fee structures that currently undermine recruitment and retention within the criminal defence profession. This work should be undertaken in consultation with practitioners and should recognise that a properly resourced defence profession is fundamental to the right to a fair trial and the effective functioning of the criminal justice system. Ministers should introduce a predictable mechanism for reviewing fees in line with cost pressures and demonstrate that sufficient funding is available to prevent further contraction of criminal defence capacity. The Committee considers that effective access to justice requires a properly resourced defence profession as well as adequate prosecution and court services.

117. The Committee recommends that the Scottish Government provide the capital funding necessary to enable SCTS to develop and implement a dedicated digital case management system for solemn proceedings, including High Court business. Ministers should publish the estimated full cost, an implementation timetable and the expected benefits for court capacity, case preparation, trial scheduling and the reduction of avoidable delays. The Committee considers that further consideration of funding options is insufficient where the need for court modernisation has already been established.

118. The Committee recommends that the Scottish Government provide sufficient core revenue funding for COPFS and SCTS to manage increasing solemn business, rising High Court petition volumes and existing case backlogs without further undermining workforce resilience. Funding decisions should be informed by a comprehensive assessment of the staffing and professional resources required across the prosecution service, courts, defence profession and advocacy services. Ministers must demonstrate that proposed reforms can be delivered without transferring additional, unfunded pressures to other parts of the justice system.

119. The Committee recommends that the Scottish Government work with Police Scotland, COPFS, SCTS and victim support organisations to establish consistent, automatic opt-out referral pathways to independent support services at the earliest appropriate point of contact. These arrangements should be trauma-informed, accessible and sensitive to individual circumstances, ensuring that victims and survivors are offered meaningful choice about whether and how they receive support, without having to repeatedly disclose their experiences. [88]

120. The Committee recommends that the Scottish Government provide sustained operational funding to SCTS and COPFS to maintain and embed Summary Case Management principles across all Sheriff Courts, ensuring continued reductions in trial adjournments, court backlogs, and unnecessary witness attendances. This

must include investment in case preparation, digital evidence sharing, improved trial scheduling and the reduction of unnecessary witness attendance. Ministers should establish measurable targets for reducing adjournments, court backlogs, police witness waiting times and the time taken to conclude criminal proceedings, with progress reported regularly to Parliament.

121. The Committee recommends that the Scottish Government move away from fragmented, short-term project funding for specialist victim and survivor support services and establish sustainable, multi-year, inflation-indexed core funding arrangements. These arrangements should provide full-cost recovery for essential frontline services, including independent advocacy, therapeutic support, specialist sexual violence and domestic abuse services, services such as, but not limited to, Rape Crisis Scotland, and services supporting children and other affected family members. Funding decisions should be informed by an assessment of unmet need, waiting times, geographical availability and the capacity required to provide timely, trauma-informed support. A plan to tackle closed waiting lists is also required.

122. The Committee recommends that the Scottish Government establish a consistent national approach to monitoring and reporting waiting times and unmet demand for victim and survivor support services, including the number of people unable to access services because waiting lists are closed. This information should be disaggregated by service type and geographical area and used to inform funding decisions and assess progress in improving access to support.

123. The Committee notes that the Maximum Number of Judges (Scotland) Order 2026 provides flexibility to increase the number of High Court judges by up to six additional appointments. Given continued growth in solemn business and concerns regarding High Court backlog recovery, the Committee recommends that the Scottish Government, working with the Lord President and the Scottish Courts and Tribunals Service, ensure that sufficient budget provision is available to support additional judicial appointments where required to increase High Court capacity and reduce waiting times for victims, witnesses and accused persons.

124. The Committee notes that the Maximum Number of Judges (Scotland) Order 2026 provides flexibility for additional judicial appointments. It recommends that the Scottish Government, working with the Lord President and SCTS, provide the funding required to increase judicial and supporting court capacity where the evidence demonstrates that this will reduce High Court delays. This should include the associated costs of court staff, facilities, prosecution, defence and advocacy capacity. The Committee further recommends that Ministers publish a fully costed assessment of the additional demands arising from the establishment and operation of the Sexual Offences Court, ensuring that its implementation does not undermine existing court capacity or delay progress in reducing

backlogs.

Strategic Theme 5: Policing

Revenue funding deficit and potential workforce loss

125. Police Scotland and the Scottish Police Authority (SPA) face an immediate £80 million revenue deficit for 2027–28 under a flat-cash funding scenario. Operating under static funding in an inflationary environment would force Police Scotland to institute a total recruitment freeze. This would result in the loss of over 1,200 officer and civilian staff posts in a single financial year. [89]

126. UNISON Police Staff Scotland stressed that civilian police staff roles must be protected from budget cuts to prevent warranted police officers from being pulled off the street to perform back-office administrative functions. [90]

127. The Committee notes the specific baseline revenue and capital requirements set out by Police Scotland, including an initial £65 million requirement to stabilise officer numbers alongside targeted capital allocations needed to modernise failing custody suites. Members are concerned that failure to address these severe estate backlogs directly impairs officer safety, processing efficiency, and statutory compliance. Beyond estate repairs, the Committee highlights that priority capital investment is urgently required to replace an ageing vehicle fleet with low-emission alternatives and expand digital tools, such as body-worn video and mobile digital devices, to reduce administrative burdens and return officers to frontline duties. [91]

128. Evidence submitted to the Committee highlighted the ongoing financial constraints resulting from the transition from legacy regional forces to a single national police service. While Police Scotland has delivered cumulative efficiency savings since reform, central government accounting frameworks, specifically HM Treasury's Green Book rules, prevent the Scottish Police Authority (SPA) from carrying forward operational reserves or borrowing to fund multi-year capital projects. In evidence to the Committee, the Cabinet Secretary for Public Service Reform, Ivan McKee MSP, confirmed that holding reserves is no longer an option under these rules. However, the SPA noted that central government financial frameworks are poorly suited to the long-term planning required for major frontline capital investment. [92]

129. Evidence submitted by Police Scotland and the Scottish Police Authority (SPA) detailed severe financial and operational pressures across the service. Submissions warned that flat-cash budget settlements risk force reductions of up to 1,200 posts, following a decade-long decline of over 800 full-time equivalent (FTE) officers. Furthermore, over 2,900 officers are currently on modified or restricted duties, with more than 1,600 non-deployable due to physical injury or psychological ill-health. [93]

130. Witnesses warned that further workforce reductions would force Police Scotland into an emergency-only response model, dismantling visible community policing, slowing online child abuse investigations, and reducing local crime prevention capacity. Consequently, the SPA and Police Scotland called for a baseline revenue uplift and a formal operational demand assessment against the historical 17,234 FTE figure. Evidence also highlighted specific operational requirements, including dedicated capital funding for estate repairs and a 24-month frontline Taser rollout, mechanisms to transfer court-attendance overtime costs to COPFS, and formal

inter-portfolio frameworks with health partners under "Right Care, Right Person" principles to relieve the burden of non-criminal mental health call-outs. [94]

131. The Cabinet Secretary for Justice confirmed that Police Scotland's budget ask, including its £110 million request, is under active consideration, acknowledging that a flat-cash settlement would directly threaten officer numbers and operational capacity. The Scottish Government reiterated its commitment to protecting frontline policing and maintaining officer numbers around the 16,500 target, with final funding allocations and workforce protection strategies to be set out in the upcoming Scottish Budget. [95]

132. Committee Member and Labour MSP Pauline McNeill strongly challenged the Cabinet Secretary on passing accountability to the Chief Constable. She noted: "If you cannot give the chief constable the £110 million that she has asked for just to stop the outflow of police officers and keep the service as it is, how can you say that it is a matter for the chief constable to worry about (...) If you do not give her the £110 million, why are you not accountable? Why is she accountable?". McNeill also accused Ministers of "staggering complacency" regarding the real-world operational impacts. [96]

133. SNP MSP and Committee Convener David Linden pointed out that officer numbers have dropped by roughly 1,000 FTEs since 2013 (from 17,496 down to 16,500) and pressed Gray on how reducing officers is compatible with prioritising tackling violence against women and girls, a point Gray admitted was "extremely challenging". [97]

Non-crime demand and mental health triage

134. Frontline policing capacity continues to be heavily absorbed by non-criminal incidents. Over a 13-month period, Police Scotland logged more than 576,000 non-crime calls, representing the majority of all operational contact. These incidents largely involve individuals in mental health distress, missing person searches, and social care welfare checks. [98]

135. Officers routinely spend thousands of operational hours waiting in emergency departments during psychiatric handovers or performing safe-and-well checks due to shortages in community health and social care provision. This heavy reliance on police officers as default responders of last resort diverts resources away from proactive investigation and exacerbates staff burnout and psychological sick leave. [99]

136. Private evidence to the Committee showed that only approximately 13% of police court attendances result in officers actually giving evidence, representing a significant inefficiency and diversion of frontline resources.

137. In subsequent correspondence, the Cabinet Secretary highlighted progress in reducing court abstractions, noting that 61% of High Court police witness evidence is now delivered remotely and that the national roll-out of Summary Case Management has reduced police witness citations in summary cases by 47% (over 100,000 fewer citations) and re-citations by 62%. [100]

138. Addressing warnings of potential workforce reductions under flat-cash funding

scenarios, the Cabinet Secretary for Justice confirmed that he has received Police Scotland's formal budget request (which includes baseline funding alongside growth enhancements for prevention) and is considering it carefully. [101] Neil Gray noted that quarterly figures released in November 2026 show strong officer recruitment, with headcount rising above 16,500 FTEs. [102] While Mr Gray acknowledged that flat-cash allocations would create severe operational challenges for a workforce-driven service, he stressed that final budget allocations across Government have not yet been finalised. [103]

139. On non-crime operational demand, both Ministers acknowledged the severe drain caused by officers responding to non-criminal mental health distress, which currently accounts for roughly 750,000 policing hours per year (costing the service nearly £40 million, or the equivalent of ~480 full-time officers). Neil Gray stated that it is "inappropriate for uniformed officers to respond to mental health call-outs" where there is no criminal requirement. [104] He highlighted ongoing work with health partners and the Scottish Association for Mental Health (SAMH) to roll out community-based "nook" crisis support facilities across Scotland. [105] Additionally, the Cabinet Secretary confirmed that Police Scotland is working to establish concrete operational benchmarks to track and measure reductions in lost police hours as these alternative health and community triage pathways expand. [106]

140. In follow-up correspondence to the Committee, the Cabinet Secretary noted provisional Police Scotland data indicating that only around 16% of mental health-related deployments between April and November 2026 involved criminality, though he cautioned that non-criminal incidents may still involve immediate safety risks or statutory duties. [107]

141. Conservative MSP and Committee Member Stephen Kerr MSP pressed Ministers on strategic action, asserting that 90% of mental health calls involve no criminality whatsoever, and challenged Public Service Reform Minister Ivan McKee on why recommendations from HMICS reports on police efficiencies (such as citation delivery) remain un-actioned. [108]

Oversight body resourcing and expanding statutory duties

142. Independent policing oversight bodies face severe budget pressures while handling expanding statutory caseloads. The Police Investigations and Review Commissioner (PIRC) has experienced a 128% increase in Crown-directed death investigations, pushing key performance indicators and investigation turnaround times beyond target limits. [109]

143. Similarly, HMICS highlighted critical operational risks across policing, including the management of a UK-wide online child abuse interest pool exceeding 840,000 individuals. Without proportionate budget increases, oversight and inspection bodies will struggle to fulfill their statutory duties under expanded police ethics and accountability legislation. [110]

How sustainable are current police workforce numbers, and how can non-deployable levels be mitigated?

144. Current police workforce levels are unsustainable under flat-cash budget models.

High sickness absence and non-deployable rates (over 2,900 officers on modified duties) are directly linked to high workload stress and constant exposure to trauma. Mitigating these levels requires protecting core staffing numbers to prevent excessive individual workloads, improving internal occupational health support, and diverting non-crime mental health calls to health professionals. [111]

What capital investment is required to support digital policing, fleet modernisation, and estate rationalisation?

145. Police Scotland requires sustained capital investment to execute its 2030 Vision. Priority capital demands include upgrading outdated station infrastructure, replacing aging police vehicles with low-emission alternatives, and expanding digital evidence tools, such as body-worn video and mobile digital devices, to reduce officer administrative time in stations. [112]

Recommendations - Policing

146. The Committee recommends that the Scottish Government provide a revenue funding uplift for 2027-28 sufficient to address unavoidable cost pressures and avoid significant unplanned workforce reductions.

147. The Committee recommends that Police Scotland's workforce and resource planning explicitly recognise the importance of visible, accessible community policing, neighbourhood engagement and preventative activity. The Scottish Government should ensure that budget decisions do not disproportionately erode community policing, neighbourhood engagement and preventative activity when faced with other pressures. It should also assess the impact of budget decisions on local policing capacity, rather than simply aggregate officer numbers.

148. The Committee recognises the constraints placed on the Scottish Police Authority by UK Treasury rules regarding reserve retention and borrowing for national bodies. However, given the scale of Police Scotland’s capital backlog and the need for medium-term financial stability, the Committee recommends that the Scottish Government provide an update on its engagement with HM Treasury on this issue, and explore what alternative mechanisms exist within current devolution and public finance frameworks to give the SPA greater multi-year capital flexibility.

149. The Committee recommends that the Scottish Government establish a binding, adequately resourced agreement between Justice and Health to ensure that non-criminal mental health and welfare incidents are responded to by appropriately qualified health and social care professionals wherever possible. This should include clear responsibilities for out-of-hours and emergency provision, appropriate access to crisis support and safe spaces, and arrangements for joint working where there is a genuine policing requirement. The agreement should be

accompanied by a clear implementation timetable, funding commitments from the relevant portfolios and measurable reporting on reductions in police time spent responding to non-criminal incidents.

150. The Committee recognises that policing is increasingly required to respond to situations arising from unmet health, social care and community support needs. The Committee considers that these pressures cannot be resolved through police funding alone and calls for a coordinated cross-government approach to ensuring that people receive appropriate support from the services best equipped to meet their needs.

151. The Committee recommends that the Scottish Government prioritise capital allocations for Police Scotland to support body-worn video rollout, digital forensics capability and estate modernisation.[vii]

152. The Committee further recommends an urgent, system-wide review of the management and scheduling of police witnesses at court. The Committee heard privately that only approximately 13% of police court attendances result in officers giving evidence raises serious questions about the effective use of police resources. The Scottish Government, Police Scotland, COPFS and SCTS should agree and publish a funded programme to reduce unnecessary attendance, improve witness scheduling, expand remote evidence facilities and minimise the time officers spend waiting at court. The programme should include measurable targets for reducing wasted police hours, with progress reported to the Parliament.

153. The Committee is particularly concerned that approximately 750,000 police officer hours are being consumed annually by mental health-related demand, representing a significant diversion of resources from crime prevention, investigation and community policing. The Cabinet Secretary was unable to provide a specific target for reducing this burden. The Committee recommends that Ministers publish, within six months, a fully costed national implementation plan with measurable targets for reducing police hours spent responding to non-criminal mental health incidents. The plan must provide for effective 24-hour alternative provision, identify the responsibilities and resources of participating NHS boards, and establish quarterly reporting of progress to the Committee.

154. The Committee recommends that the Scottish Government ensure that HMICS and the PIRC have sufficient, sustainable and independent resources to fulfil their

---

vii Maggie Chapman MSP dissented from this paragraph to the extent it refers to the roll-out of body-worn video.

statutory responsibilities effectively. This should include an assessment of the impact of increased caseloads, the resources required to investigate deaths and serious incidents, and the capacity needed to scrutinise police conduct, standards, performance and public complaints.

Strategic Theme 6: Fire and rescue services, community safety and resilience

Capital infrastructure backlog and station conditions

155. The Scottish Fire and Rescue Service (SFRS) faces a severe, long-standing capital infrastructure backlog that now exceeds £800 million. [113] Years of static capital allocations have left a significant portion of the estate in poor operational condition, with multiple stations suffering from structural defects, including Reinforced Autoclaved Aerated Concrete (RAAC) issues. [114]

156. Crucially, many fire stations across Scotland lack modern decontamination facilities necessary to clean protective gear and equipment after operational incidents. [115] This infrastructure deficit directly exposes firefighters to harmful carcinogenic effluents and toxic fire contaminants, presenting an urgent health and safety risk to the workforce. [116]

157. Submissions from the SFRS outlined severe capital resource constraints across the fire estate. Evidence highlighted a maintenance backlog exceeding £800 million, alongside urgent capital requirements for station decontamination facilities, Reinforced Autoclaved Aerated Concrete (RAAC) remediation, modern personal protective equipment (PPE), and appliance replacement schedules. Furthermore, evidence noted that unlocking the firefighter “Developed Role” agreement, expanding operational capabilities for emergency medical response and climate-related incidents, requires annual revenue certainty. [117]

158. SNP MSP and Deputy Convener Ben Macpherson pressed Ministers to acknowledge that SFRS (and Police Scotland) have “more than done their bit” to deliver savings and modernise, and asked for reassurance that Ministers will look elsewhere for public service reform rather than squeezing police and fire baseline resources further. [118]

Workforce shortages and retained duty system deficits

159. The resource budget for SFRS has absorbed an 18% real-terms reduction since the creation of the single national service in 2013, leading to a 15% fall in uniformed headcount. [119] The operational impact of this reduction is most acute within the Retained Duty System (RDS), which provides vital cover across rural and island communities. [120]

160. The RDS currently experiences a 31% vacancy rate. [121] Due to these recruitment and retention challenges, up to 200 of Scotland’s 345 on-call fire appliances are off-the-run or unavailable on any given day. [122] To maintain basic cover, whole-time appliances are routinely removed from their primary stations to plug geographical gaps, forcing fire engines to travel extreme distances to time-critical emergencies and increasing attendance times. [123]

Climate resilience and the stalled "developed role"

161. Operational demands on the fire service are shifting rapidly due to severe weather events, flooding, and major wildfires driven by climate change. [124] In response, the SFRS and the Fire Brigades Union (FBU) established an in-principle agreement in 2022 to expand the statutory role of firefighters, the “Developed Role", allowing personnel to routinely deploy for emergency medical co-responding, severe flooding, and major disaster response. [125]

162. However, this modernisation effort remains completely stalled because the necessary annual resource funding (~£30 million) has not been provided by the Scottish Government. [126] As a result, Scotland is missing a major opportunity to enhance blue-light resilience and improve emergency medical response times across local communities. [127]

163. Regarding the Scottish Fire and Rescue Service (SFRS), the Cabinet Secretary for Justice recognised that while domestic fire incidents have fallen substantially due to successful preventative work, operational demands are changing rapidly. Neil Gray pointed to recent capital investments in specialist facilities, such as the £3 million training hub in Perth, designed to provide realistic training for wildfires and proper post-incident personal protective equipment (PPE) decontamination. [128]

164. On the firefighter “Developed Role” agreement (expanding operational duties into emergency medical co-responding and climate response), Cabinet Secretary Ivan McKee and Neil Gray confirmed full Scottish Government commitment to the framework, noting that workforce representatives and unions strongly support its implementation to generate wider health system efficiencies. However, Neil Gray noted that firefighter pay, terms, and conditions are negotiated at a UK-wide level, and stated his intention to engage directly with UK Government counterparts to align national negotiations and funding prioritisation to unlock role expansion. [129]

How are capital constraints affecting estate safety, vehicle replacement, and firefighter wellbeing?

165. Capital shortfalls directly compromise firefighter safety and operational readiness. [130] Outdated vehicle fleets lead to frequent appliance breakdowns, while neglected station repairs create unsafe working conditions. [131] Without dedicated capital to install proper wash-down and decontamination zones in every station, firefighters face heightened risks of occupational illness. [132]

What resources are needed to ensure emergency preparedness and workforce sustainability across rural and urban areas?

166. Ensuring long-term sustainability requires a two-part approach: a baseline resource uplift to stabilise crewing levels, and targeted reform of the RDS contract model to make on-call firefighting viable for local workers. [133] Innovative facility-sharing approaches, such as the modular "Hub and Spoke" station trial in Portree, demonstrate how joint capital investment with local partners can improve crewing and lower estate costs. [134]

Recommendations - Fire and rescue services,

community safety and resilience

167. The Committee recommends that the Scottish Government ensure that SFRS has the long-term revenue and capital resources, training and equipment required to respond to the increasing frequency and severity of climate-related emergencies, including flooding, wildfires and other extreme weather events. This should be informed by a long-term assessment of climate-related operational risks and developed in partnership with the workforce and affected communities.

168. The Committee recommends that the Scottish Government prioritise investment in the Scottish Fire and Rescue Service estate to ensure that all stations have safe, fit-for-purpose facilities, including appropriate decontamination provision to protect firefighters from exposure to carcinogenic and other harmful substances. The Committee is seriously concerned by evidence that firefighters continue to operate from stations without adequate facilities to remove potentially harmful contaminants following incidents. Ministers should require SFRS to publish a fully costed, risk-based improvement programme with firm deadlines for bringing facilities up to an acceptable standard. The Government should work with SFRS, the Fire Brigades Union and relevant health and safety bodies to establish a programme for addressing outstanding deficiencies and report on progress.

169. The Committee recommends that the 2027–28 budget allocate dedicated capital funding to address the SFRS estate repair backlog, prioritising station decontamination units, RAAC remediation, PPE, and fleet modernisation.

170. The Committee recommends that the Scottish Government set out within six months a funding plan for implementing the "Developed Role” agreement, working with SFRS, the Fire Brigades Union and relevant UK Government departments to resolve outstanding barriers and ensure that the necessary workforce, training, equipment and operational resources are in place.

171. The Committee recommends that the Scottish Government provide targeted revenue funding to stabilise and reform the Retained Duty System, addressing the reported 31% vacancy rate and the consequences for emergency cover, particularly in rural and remote communities. The Committee considers that the present level of vacancies represents a serious threat to operational resilience and public safety. SFRS should be required to publish a funded workforce recovery plan, including improvements to recruitment, retention, reward arrangements, training and employer partnerships. The plan should establish measurable targets for reducing vacancies, increasing appliance availability and improving emergency response resilience, with progress reported regularly to the Parliament.

172. The Committee recommends that the Scottish Government support SFRS, Police Scotland, and the Scottish Ambulance Service in expanding joint "Hub and Spoke" facilities in rural communities to lower capital backlogs and maintain local emergency cover.

173. The Committee recommends that any proposals for shared or alternative emergency service facilities are developed with local communities and workforce representatives, and are assessed against clear requirements for geographical coverage, response times, operational resilience and equitable access to emergency services in rural and island communities.

Annexe A: Extracts from Committee minutes

This annexe sets out relevant extracts from the minutes of the Criminal Justice Committee throughout the inquiry. Each main heading links to a web-page that gives access to:

- the agenda and public papers for the meeting
- the Official Report of the meeting (public business only), and
- minutes of the meeting.

4th Meeting, 2026 (Session 7), 9 September 2026

Pre-Budget Scrutiny - approach (in private): The Committee considered its approach to scrutiny preceding the Scottish Government's Budget 2027 to 2028. The Committee agreed to hold one evidence session with key stakeholders and one with the Scottish Government, and also to seek targeted written evidence with a view to reporting by mid-November.

9th Meeting, 2026 (Session 7), 28 October 2026

3. Pre-budget scrutiny 2027-28 – evidence: The Committee took evidence from—

David Kennedy, General Secretary, Scottish Police Federation;

Lynne Thornhill, Director of Justice at Sacro (representing UpSide Programme), UpSide;

Colin Brown, Executive Council Member, Fire Brigades Union;

Tracey Mulholland, President, Scottish Solicitors Bar Association;

Hamish Robertson, Director of Data and Insight, The Wise Group;

and then from—

Stephen Boyle, Auditor General for Scotland, Audit Scotland;

Karyn McCluskey, Chief Executive, Community Justice Scotland;

Craig Naylor, HM Chief Inspector of Constabulary, HM Inspectorate of Constabulary in Scotland.

Review of evidence (in private): The Committee reviewed the evidence heard under item 3.

10th Meeting, (Session 7), 4 November 2026

2. Pre-Budget scrutiny – evidence: The Committee took evidence as part of its scrutiny preceding the Scottish Government's Budget 2027-28, from—

Neil Gray, Cabinet Secretary for Justice, Ivan McKee, Cabinet Secretary for Public

Service Reform, supported by Gabrielle Cahen, Team Leader Fiscal Sustainability Strategy, Cat Dalrymple, Director of Justice and Don McGillivray, Director for Safer Communities, Scottish Government.

The Committee agreed to consider a draft report on its pre-budget scrutiny of the Scottish Budget 2027-28 and an approach paper on Police Scotland governance and local accountability, in private at its next meeting.

Maggie Chapman declared an interest as having worked for a rape crisis centre prior to her election in 2021.

Review of evidence (in private): The Committee reviewed the evidence heard under items 2 and 3.

11th Meeting, 2026 (Session 7), 11 November 2026

Minutes

Pre-Budget scrutiny – report (In Private): The Committee considered a draft report on its scrutiny preceding the Scottish Government's Budget 2027-28. Various changes were agreed to, and the Committee agreed to consider a revised draft via correspondence. The Committee also agreed to delegate authority to the Convener to finalise the report for publication.

Annexe B: Evidence and information gathered

This annexe provides links to:

- oral evidence taken (links to the Official Report of relevant meetings), together with associated written submissions and follow-up correspondence
- other written submissions
- SPICe briefings and blogs.

Oral evidence (and associated submissions and correspondence)

Audit Scotland

- oral evidence, 28 October 2026

Community Justice Scotland

- written submission
- oral evidence, 28 October 2026

Fire Brigades Union

- written submission
- oral evidence, 28 October 2026

HM Inspectorate of Constabulary in Scotland

- written submission
- oral evidence, 28 October 2026

Scottish Government

- oral evidence, 4 November 2026
- Letter from the Cabinet Secretary for Justice, follow up evidence following session on 4 November
- letter from the Cabinet Secretary for Public Service Reform, 22 October 2026

Scottish Police Federation

- written submission
- oral evidence, 28 October 2026

Scottish Solicitors Bar Association

- oral evidence, 28 October 2026

UpSide

- oral evidence, 28 October 2026

The Wise Group

- written submission
- oral evidence, 28 October 2026

Other written submissions

In addition to the submissions listed above, the following organisations also provided written submissions. Published submissions are available on Citizen Space.

- Apex Scotland
- Association of Scottish Police Superintendents
- COSLA
- Criminal Justice Voluntary Sector Forum
- Crown Office and Procurator Fiscal Service
- Faculty of Advocates
- HM Fire Service Inspectorate in Scotland
- HM Inspectorate of Prosecution in Scotland
- Police Investigations and Review Commissioner
- Police Scotland
- Procurators Fiscal Section of the First Division Association
- Royal College of Speech and Language Therapists
- Sacro
- Scottish Courts and Tribunals Service
- Scottish Fire and Rescue Service
- Scottish Police Authority
- Scottish Sentencing Council
- Social Work Scotland

- Simon Ernest Peers
- UNISON Police Staff Scotland
- Victim Support Scotland

SPICe briefings and blogs

A SPICe briefing was prepared for the Committee's meeting on 28 October 2026. It provides background and analysis on justice spending, budget trends and the key issues raised during the Committee's pre-budget scrutiny.

1 Scottish Courts and Tribunals Service, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

2 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, col. 15.

3 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, col. 3.

4 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 22–24 and 41–43.

5 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, col. 24; Scottish Police Authority, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

6 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 45–46.

7 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 13–14 and 29–32.

8 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols 28–31.

9 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols 8–9 and 18.

10 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols 20 and 45.

11 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 57–58.

12 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 15–16.

13 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 27–28.

14 Scottish Prison Service, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

15 Scottish Prison Service, Community Justice Scotland, and Social Work Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

16 Scottish Prison Service and HM Inspectorate of Constabulary in Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

17 Social Work Scotland, Scottish Prison Service, Sacro, and The Wise Group, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

18 Social Work Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

19 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, col. 10.

20 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, col. 14.

21 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 11–12.

22 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 43–44.

23 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, col. 12.

24 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, col. 39. See also: Scottish Government (2025), Sentencing Trends in Scottish Courts, 2013-14 to 2022-23

25 Scottish Sentencing Council, Social Work Scotland, and Apex Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

26 Scottish Prison Service, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

27 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 65–70.

28 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 13–14, 30–32, 52 and 66; Community Justice Scotland, Social Work Scotland, Sacro and Apex Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

29 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 37–38.

30 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 53–54.

31 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, col. 70.

32 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 53–54; The Wise Group, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

33 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 17–18 and 23–24; The Wise Group, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

34 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 53–54 and 69–70.

35 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 27–30; Apex Scotland, Sacro and Victim Support Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

36 Sacro, Apex Scotland and Victim Support Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

37 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, col. 28.

38 Sacro and Apex Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

39 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 29–30.

40 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 29–32.

41 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 28–29.

42 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 29–30.

43 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 31–32.

44 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 52 and 66; Official Report, Criminal Justice Committee, 4 November 2026, cols. 28–33; Criminal Justice Voluntary Sector Forum, Sacro, Victim Support Scotland and Apex Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

45 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 64–65.

46 Apex Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

47 Apex Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

48 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 17–18 and 23–26; The Wise Group, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

49 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 17–18 and 23–24; The Wise Group, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

50 The Wise Group and the Royal College of Speech and Language Therapists (RCSLT) Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget; Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026; Official Report, Criminal Justice Committee, 4 November 2026, col. 38.

51 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 53–54 and 73–76; HM Inspectorate of Constabulary in Scotland, Community Justice Scotland and Scottish Courts and Tribunals Service, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

52 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 53–54 and 75–76; Community Justice Scotland and Scottish Courts and Tribunals Service, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

53 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 7–8 and 35–36.

54 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 35–36.

55 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 35–38.

56 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 23–26 and 65–68; The Wise Group, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

57 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 23–26 and 71–72; Association of Scottish Police Superintendents and The Wise Group, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

58 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 17–18 and 47–48.

59 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 53–54 and 73–76; HM Inspectorate of Constabulary in Scotland and Scottish Courts and Tribunals Service, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

60 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 57–58, 61–62 and 75–76; Scottish Police Authority, Scottish Courts and Tribunals Service and HM Inspectorate of Prosecution in Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

61 Scottish Courts and Tribunals Service (SCTS), written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

62 Scottish Courts and Tribunals Service, Faculty of Advocates and FDA, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

63 Scottish Courts and Tribunals Service, Faculty of Advocates and FDA, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

64 Victim Support Scotland and FDA, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

65 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 11–12 and 31–34; Faculty of Advocates, FDA and Scottish Courts and Tribunals Service, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

66 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, col. 10.

67 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 31–32; Faculty of Advocates, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

68 Faculty of Advocates, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

69 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 31–32; Faculty of Advocates and FDA, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

70 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 31–32; Faculty of Advocates, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

71 FDA, Scottish Courts and Tribunals Service and Victim Support Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

72 Victim Support Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

73 Victim Support Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

74 Victim Support Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

75 Victim Support Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

76 Victim Support Scotland, written submission to the Criminal Justice Committee (Pre-Budget Scrutiny 2027-28).

77 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 9–10.

78 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 33–34.

79 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 31–34.

80 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 33–34.

81 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 33–34.

82 Scottish Parliament, Official Report, Criminal Justice Committee, 9 September 2026, cols. 13–14 and 39–44; Scottish Courts and Tribunals Service, Victim Support Scotland and FDA, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

83 Scottish Parliament, Official Report, Criminal Justice Committee, 9 September 2026, cols. 29–30; Scottish Courts and Tribunals Service and Scottish Prison Service, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

84 Scottish Parliament, Official Report, Criminal Justice Committee, 9 September 2026, cols. 7–10; 28 October 2026, cols. 33–34; Scottish Courts and Tribunals Service and Faculty of Advocates, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

85 Scottish Parliament, Official Report, Criminal Justice Committee, 9 September 2026, cols. 7–8 and 23–24; 28 October 2026, cols. 11–12 and 37–38; Faculty of Advocates, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

86 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 37–38; Faculty of Advocates, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

87 Scottish Parliament, Official Report, Criminal Justice Committee, 9 September 2026, cols. 19–20; 28 October 2026, cols. 33–34 and 37–38; Faculty of Advocates, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

88 Victim Support Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

89 Scottish Police Authority and Police Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

90 UNISON Police Staff Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

91 Scottish Police Authority and Police Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

92 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 23–24; Scottish Police Authority, Police Scotland and Association of Scottish Police Superintendents, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

93 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 15–16; Scottish Police Federation, Scottish Police Authority and Police Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

94 Scottish Police Authority, Police Scotland, Scottish Police Federation and Association of Scottish Police Superintendents, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

95 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 5–6 and 19–22.

96 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 21–24.

97 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 5–6.

98 Scottish Police Federation and Police Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

99 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 23–24; Scottish Police Federation, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

100 Cabinet Secretary for Justice, correspondence to the Criminal Justice Committee on pre-budget scrutiny of the 2027–28 Scottish Budget, 11 November 2026.

101 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 5–6 and 21–22.

102 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 5–6.

103 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 5–6 and 19–20.

104 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 9–10.

105 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 7–10.

106 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 9–10.

107 Cabinet Secretary for Justice, correspondence to the Criminal Justice Committee on pre-budget scrutiny of the 2027–28 Scottish Budget, 11 November 2026.

108 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 17–20.

109 Police Investigations and Review Commissioner, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

110 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 59–60 (evidence of Craig Naylor, HM Inspectorate of Constabulary in Scotland, citing the National Crime Agency).

111 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 15–16; Scottish Police Federation and Scottish Police Authority, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

112 Police Scotland and Scottish Police Authority, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

113 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 11–12 and 39–40; Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

114 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 39–42; HM Fire Service Inspectorate in Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

115 Fire Brigades Union Scotland and HM Fire Service Inspectorate in Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

116 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 11–12 and 27–28; Fire Brigades Union Scotland and HM Fire Service Inspectorate in Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

117 Scottish Fire and Rescue Service, Fire Brigades Union (Scotland), and His Majesty's Fire Service Inspectorate in Scotland, written submissions to the Criminal Justice Committee (Pre-Budget Scrutiny 2027-28).

118 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 45–46.

119 Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

120 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 9–10; Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

121 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 9–10; Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

122 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 9–10; Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

123 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 9–10 and 27–28; Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

124 Scottish Fire and Rescue Service and HM Fire Service Inspectorate in Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

125 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 11–12; Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

126 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 11–12; Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

127 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 11–12 and 41–42; Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

128 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 25–26.

129 Scottish Parliament, Official Report, Criminal Justice Committee, 4 November 2026, cols. 26–28.

130 Fire Brigades Union Scotland and HM Fire Service Inspectorate in Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

131 Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

132 Fire Brigades Union Scotland and HM Fire Service Inspectorate in Scotland, written submissions to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

133 Scottish Parliament, Official Report, Criminal Justice Committee, 28 October 2026, cols. 9–10; Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

134 Fire Brigades Union Scotland, written submission to the Criminal Justice Committee's pre-budget scrutiny of the 2027–28 Scottish Budget.

