

Justice Committee

Inquiry into the role and purpose of the Crown Office and Procurator Fiscal Service

Written submission from British Transport Police

1. Please outline your views on the overall efficiency and effectiveness of the COPFS in its core role of considering reports about crime from the police and bringing prosecutions. Are there ways in which the services provided by the COPFS could be improved – for instance, through increased use of technology, further reforms to criminal procedure, or better case management? If so, do those changes also bring risks, in terms of the overall interests of justice or of access to justice (bearing in mind the differing needs of people across Scotland; urban and rural communities, economically disadvantaged people, vulnerable groups, etc)?

Overall the COPFS is efficient and effective in its core role of considering reports about crime from the police and bringing prosecutions. However, the service could be improved by providing greater accessibility for officers speaking with the Procurator Fiscal about routine matters requiring clarification, in particular with regards cases. For example, a dedicated phone line would improve this accessibility, particularly for partner agencies that have jurisdiction throughout Scotland.

2. Please outline how well you consider the COPFS works with other stakeholders in the criminal justice system, so as to provide a joined up and complementary service that helps meet the ends of justice. Other stakeholders might, for instance, include the police, defence lawyers, the courts, the prison service, criminal justice social work, and third party organisations working with victims or offenders.

The COPFS works well with other stakeholders. However, more consultation and accountability is needed when the Procurator Fiscal changes a charge. This would ensure crime recording standards are accurate and consistent.

All cases should be resulted to the reporting Force/ Officer In Case. This is especially important for cases that do not go ahead to allow the police to review best practice.

3. Does the COPFS as presently constituted have the resources and skillsets it needs to carry out its core role effectively? And is it appropriately —future-proofed— for instance to deal with new technologies available to criminals, changes in the overall profile of crime in 21st century Scotland, or withdrawal from the European Union? If not, what additional capacities does the COPFS need?

The COPFS presently has the resources and skillsets it needs to carry out its role effectively. However, in order that the COPFS is future proofed, it would be helpful for the police to receive regular electronic updates regarding changes in legislation and COPFS processes.

4. How well does the COPFS respond to the needs of victims of crimes and to witnesses (especially vulnerable witnesses) in criminal cases and meet its legal obligations towards them?

The COPFS responds well to victims and witnesses; however a more joined up collaboration between the police and the Procurator Fiscal would further increase its ability to meet its legal obligations to them.

It should be noted that witnesses are often cited multiple times for court at short notice. This could be considered an unnecessary disruption for the witness and has implications on witness perception of the efficiency of COPFS.

5. The Inspectorate of Prosecution in Scotland is the independent, statutory inspectorate for the COPFS. What is your awareness of the existence and role of the IPS and of its effectiveness in carrying out that role? How effective has it been in carrying out its role? Does it appear to have the resources it needs?

No response provided.

British Transport Police
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