



INSPECTORATE OF PROSECUTION IN SCOTLAND

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Inspectorate of Prosecution in Scotland Annual Report for 2004-2005

Laid before the Scottish Parliament by the Lord Advocate

To the Lord Advocate

I have the honour to submit my first Annual Report to the Scottish Parliament.

JOSEPH T O'DONNELL

Chief Inspector

Inspectorate of Prosecution in Scotland

21 June 2005

INSPECTORATE OF PROSECUTION IN SCOTLAND

ANNUAL REPORT 2004-05

1. CREATION OF INSPECTORATE

The creation of an Inspectorate of the Crown Office and Procurator Fiscal Service (COPFS) was the first recommendation of the Jandoo report into the handling of the murder of Surjit Singh Chhokar. This and Dr Jandoo's other recommendations were accepted by the Lord Advocate and a project team was set up to make proposals for implementation.

Following a public consultation exercise the Inspectorate was established in December 2003 and a team of three staff recruited to commence the first work of the Inspectorate under an interim Chief Inspector.

2. APPOINTMENT OF CHIEF INSPECTOR

A public recruitment exercise took place in early 2004 and following interviews the first Chief Inspector was appointed in August 2004.

3. FINANCIAL PROVISION FOR THE INSPECTORATE

To maintain the independence of the Inspectorate from COPFS, following a transitional period, the budget was transferred to the Finance and Central Services Division of the Scottish Executive in April 2004. A budget for the first three years of the Inspectorate's life was determined. A Memorandum of Understanding was agreed among the Lord Advocate, the Chief Inspector and the head of Finance and Central Services of the Scottish Executive (the Inspectorate's sponsor department). This dealt with the aims, functions and status of the Inspectorate and defined responsibilities.

4. INITIAL WORK OF THE INSPECTORATE

The Jandoo report had recommended that the first work of the new Inspectorate should be a thematic report on the handling of race issues by COPFS and a target delivery date was set for this of November 2004. This report was delivered to the Lord Advocate in November 2004 and subsequently published (<http://www.scotland.gov.uk/library5/justice/ipis-00.asp>). The Lord Advocate accepted all 12 recommendations.

Dr Jandoo had also recommended that the Inspectorate should conduct a thematic inspection of the response of COPFS on victim and witness issues including the operation of the internal Victim Liaison Office (now Victim Information and Advice – VIA). Work on this will commence in May 2005.

Additionally Dr Jandoo had recommended regular audits by the Inspectorate of the then Regional (now Area) and District Offices in order to ensure uniform

compliance with the Department's race relations policies and strategies. To date five of these have been completed.

It was intended wherever possible to conduct cross cutting joint thematic reports with Criminal Justice Partners. A joint thematic is planned in partnership with HM Inspectorate of Constabulary on case management to commence in late summer 2005.

5. RECRUITMENT OF STAFF

An initial team of three persons was recruited by the interim Chief Inspector in April 2004 including two persons on secondment from the Crown Office and Procurator Fiscal Service and a statistician from the Scottish Executive.

To deliver the future work programme two further members of staff are being recruited to strengthen the team and to include expertise on audit and the administrative work of the Crown Office and Procurator Fiscal Service.

6. ACCOMMODATION AND IT

The Inspectorate continued to occupy office premises in Glasgow previously used by the internal Crown Office Quality and Practice Review Unit. This had the advantage of being centrally located and close to but separate from a Crown Office and Procurator Fiscal Service office. The current lease is due to expire in April 2006 and alternative accommodation sites are currently being examined.

A protocol was agreed with Crown Office on the provision of IT services so far as affecting the Crown Office IT systems. This allows unfettered access. Separate provision of IT from the Scottish Executive (onto their SCOTS and SEAS system) has now been achieved.

7. CORPORATE AND BUSINESS PLANS

The Memorandum of Understanding provides for the creation of a Corporate Plan to set out the main objectives, tasks and priorities of the Inspectorate over a three-year period. This will be published separately.

Joseph T O'Donnell
Chief Inspector