



HM Inspectorate
of Prosecution in Scotland

Annual Report

2025 - 2026

To The Right Honourable Ruth Charteris KC
The Lord Advocate

The Twenty First Annual Report to the Scottish Parliament

September 2026

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HM Chief Inspector
HM Inspectorate of Prosecution in Scotland

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Foreword

This report sets out the work of HM Inspectorate of Prosecution in Scotland (IPS) between 1 April 2025 and 31 March 2026.¹ I have greatly enjoyed adapting to my role as HM Chief Inspector of Prosecution (Chief Inspector) since taking up post in July 2025; it has been a busy and productive year at IPS. We have published our holistic, large-scale joint inspection with His Majesty's Inspectorate of Constabulary in Scotland (HMICS) on citing witnesses in the sheriff court,² a strategic plan for 2026-29³ and a terms of reference for a new focused follow-up inspection⁴ on communication with victims of domestic abuse in summary cases. We have also continued to oversee implementation of inspections.⁵

In March 2026 I was delighted to be invited to give evidence to the Criminal Justice Committee about the state of the criminal justice system and challenges for the new parliament. This was an opportunity for IPS to put on record our reflections, achievements and concerns.⁶ It also increased awareness, accountability and transparency about our role, purpose and value of our work in inspecting the operation of the Crown Office and Procurator Fiscal Service (COPFS).

Value of inspection work

As Chief Inspector, I am committed to making a practical difference and contributing to the improvement of COPFS through our evidence-based inspection.⁷

COPFS continues to undergo a period of significant change which is discussed further below. That, along with public sector reform, financial austerity and limited IPS resources can make our role challenging. We identify inspection topics which will benefit most from independent scrutiny – aspects of COPFS work which are not currently being reviewed or changed by COPFS or being considered in other reviews or audits – and which would add the greatest value and improvement to the prosecution authority, its service users and the wider criminal justice system.

We bring an extensive, collective operational knowledge of the prosecution service and ensure the necessary expertise to produce thorough, evidence-based inspections and make outcome-focused recommendations. As discussed in the 'our inspection activity'

¹ As our annual report is, traditionally, not published until later in the year some of the narrative and supporting evidence relates to developments during 2026-27.

² [Citing witnesses in the sheriff court](#)

³ [IPS Strategic Plan 2026-29](#)

⁴ [ToR – focused follow-up inspection](#)

⁵ [Inspection of the management of criminal allegations against the police by COPFS](#); [Joint review of diversion from prosecution](#); [The prosecution of domestic abuse cases at sheriff summary level](#); [Responding to enquiries: service delivery through National Enquiry Point](#). This will all be discussed in greater detail in the 'our inspection activity section' part of this report.

⁶ [Criminal Justice Committee | Scottish Parliament TV](#)

⁷ As reflected in [The 10 principles of public sector inspection – Criminal Justice Joint Inspectorates](#)

section of this report and shown in our detailed implementation tables,⁸ when achieved, our outcome-based recommendations bring about real, positive change for victims, witnesses, accused, the wider public, other criminal justice stakeholders and COPFS.

Change across COPFS and impact on IPS work

A wide-ranging, change programme called ‘Designed for Success’ (DFS) is ongoing across COPFS. We understand that DFS aims to modernise the prosecution service to ensure it remains resilient, efficient and supports and gets the most from its staff, while meeting long-term public expectations, during a period of significant change across the justice system. DFS has involved an organisational and governance restructure, review of management structures and roles and responsibilities, while embedding a new leadership and management framework and creating improved training. This is consistent with the aims in the current COPFS Strategic Plan.⁹

DFS was scheduled to conclude by the end of 2025 however, it has involved the creation of a number of new Directorates including a Performance and Service Improvement Directorate and a Transformation and Change Directorate for which recruitment remains ongoing. These changes have impacted the implementation of some of our recommendations as new senior leaders have considered the appropriate approach afresh, in particular *Responding to enquiries: service delivery through National Enquiry Point* (Enquiry Point) discussed further at paragraph 95. Similarly, a change in the governance of our inspection reports, explained below, has also contributed to an initial delay to implementation of our inspection on *Citing witnesses in the sheriff court*.

Over the course of the last year COPFS has continued to focus on digital projects including Witness Gateway,¹⁰ Defence Agent Service (DAS),¹¹ Digital Evidence Sharing Capability (DESC),¹² and Body-Worn Video Integration.¹³

From our inspection activity, we are aware that the current COPFS case management system still causes widespread difficulties and inefficiencies. We understand that the intention is to replace this but there are no firm timescales. Despite COPFS advising that changes to oversight brought about by DFS are now in place it remains unclear to us whether there is sufficient prioritisation or oversight of COPFS digital projects led by COPFS Information Services Division (ISD).

⁸ See Appendix 2.

⁹ [COPFS Strategic Plan 2023-27](#)

¹⁰ The COPFS Witness Gateway is a digital portal which aims to enhance trauma-informed services for victims and witnesses. It can enable witnesses to securely access case-related information online.

¹¹ Defence Agent Service (DAS) this portal provides solicitors with secure online access to case information and digital services, supporting more efficient engagement with prosecutors.

¹² Digital Evidence Sharing Capability (DESC): an electronic system whereby digital evidence is shared and managed in collaboration with justice partners in summary cases.

¹³ The national roll out of body-worn video footage by Police Scotland concluded in April 2026 – this enables Police Scotland to share body-worn video footage with COPFS via DESC.

Going forward, we will aim to consider whether the changes in the COPFS governance structure and leadership including training for COPFS staff, along with technological advances are realising the intended benefits.

Further COPFS initiatives and changes are discussed further below in the context of IPS priorities.

Budget, spending and workload across COPFS

The COPFS budget for 2025-26 was £264.7 million.¹⁴ COPFS is wholly funded by the Scottish Government and is subject to annual budget allocations via Resource and Capital Spending Reviews.

The IPS budget is 0.17%¹⁵ that of COPFS.

The COPFS budget allocation was provided to COPFS to enable it to:

- ensure criminal cases are effectively and independently investigated and prosecuted or have other proportionate action taken in the public interest.
- ensure financial gain achieved by criminal means is removed from criminals using proceeds of crime laws.
- ensure that victims, nearest relatives and witnesses and those accused of an offence are treated with dignity and respect.
- ensure deaths which need further explanation are appropriately and promptly investigated. .¹⁶

COPFS had a staff of 2600 FTE in 2025-26.¹⁷

IPS has a staff of 4.57 FTE – just under 0.2% that of COPFS.

This year, the impact of Covid-19 timebar removals and an increase in reported cases have combined to create significant pressures in the COPFS High Court Sexual Offences and Major Crime teams. COPFS implemented a ‘national casework stabilisation plan’¹⁸ to address this but we understand that this is now a COPFS-wide stabilisation plan. Since February 2026, this has involved movement of staff from other functions to those teams and the movement of work across national casework teams.

We will consider the nature, volume and impact of COPFS workloads throughout our inspection activity.

¹⁴ [COPFS Annual Report 2025-26](#)

¹⁵ IPS budget for 2025-26 is £463,000.

¹⁶ [COPFS Annual Report 2025-26](#)

¹⁷ This excludes non-executive directors of which there were 6 and Advocates Depute of which there were 74.

¹⁸ COPFS National Casework Function is a new function responsible for the investigation, management and prosecution of a broad spectrum of cases across 9 units which include High Court Sexual Offences and the Major Crime Team.

Inspection aims and values

In our 2024-25 annual report¹⁹ I set out my priorities for IPS and they remain as follows;

1. People
2. Practical
3. Process
4. Primary
5. Progress
6. Public

People

Prosecution and death investigation involve people – those who require to engage in the criminal justice system, criminal justice stakeholders and COPFS staff.

Mindful that many victims, witnesses and bereaved next of kin will have no experience of the criminal justice system and their involvement with the prosecution authority will often come without choice, we have continued to focus on improving the experiences and service provision for victims and witnesses through our inspection activity.

We are aware that COPFS continues to encourage a trauma-informed approach across all its work, including establishment of a Trauma-Informed Focus Group and introduction of trauma-informed rooms across the COPFS estate. There is also associated mandatory trauma-informed e-learning. The take up rate of this e-learning by staff across COPFS has improved since last year which is encouraging though there is still progress to be made.²⁰ In order for COPFS to become a trauma informed organisation it is vital that as a minimum all staff undertake the necessary mandatory training. COPFS also aim to improve much needed vicarious trauma support for staff.

A VIA²¹ Modernisation Programme (VMP) was commissioned by the previous Lord Advocate in late 2022. In 2024-25, VMP was to consider the fundamental elements of the VIA service and devise changes to ensure it continues to meet the needs of victims, witnesses and next of kin.

I commented last year that we had seen little evidence of the impact of VMP particularly in the context of implementing the recommendations from our inspection report on *The prosecution of domestic abuse cases at sheriff summary level*. While a number of those recommendations have now been progressed and are discussed in further detail

¹⁹ [IPS Annual Report 2024-25](#)

²⁰ There are two trauma-informed e-learning modules, a trauma-informed module (module 1) which is mandatory for all staff and trauma-informed and skills modules (module 2) which are mandatory for staff who interact with victims and witnesses. As at August 2026, 73% of COPFS staff had completed module 1 and 56% of eligible staff had completed module 2. Legal staff are to complete both modules and there is KPI for 90% compliance. This compares to figures as at August 2025 Module 1 had been completed by 17.73% of COPFS staff and Module 2 had been completed by 20.3%.

²¹ Victim Information and Advice – VIA staff are part of COPFS and provide information on the criminal justice system, updates on court cases, support at court and referrals to other services.

later in this report, the pace of VMP has remained regrettably slow and we have recently been advised that it has been paused in light of ongoing COPFS structural change.

In April 2026, COPFS introduced ‘all staff’ calls. These are monthly Teams meetings hosted by the COPFS Corporate Communications Team and the Crown Agent to which all COPFS staff are invited. The Crown Agent and other leaders provide updates about what is happening across COPFS and there is an opportunity for staff to ask questions and express thanks to colleagues. The meetings are well attended and appear to be a positive way in which to share messaging and news across a large organisation.

Practical

We continue to work with COPFS throughout our inspection activities and to support implementation of the recommendations made in our inspection reports.

COPFS is committed to supporting the work of IPS, accepting and implementing our recommendations, often using our inspection reports as a platform for change and improvement. A number of our recommendations have progressed this year albeit pace of delivery can be an issue. With that in mind, we have introduced some recommendations with timescales for implementation.²²

Unfortunately, as commented upon elsewhere in this report, the practical impact of COPFS reviewing its inspection oversight and implementation model, has meant that work did not start immediately to progress these recommendations which has contributed to the recommendations not being achieved within the stated timescales. Now that there appears to be a settled governance model to oversee our recommendations, going forward I would expect COPFS officials with oversight responsibility for our work²³ to discuss with IPS any delay in implementing time sensitive recommendations and request a formal extension where appropriate.

We will also continue to ensure that thorough follow-up work across our inspections is carried out where necessary. My strong desire to determine what practical difference has been brought about by COPFS in response to our inspection on *The prosecution of domestic abuse cases at sheriff summary level* was one of the main factors which prompted IPS to undertake our first *Focused follow-up inspection on communication with victims of domestic abuse in sheriff summary cases*.²⁴

The COPFS operating model for inspection implementation to date has been to appoint a senior COPFS official with sufficient knowledge and experience of the inspection topic to achieve the recommendations as an implementation lead. For some inspection topics there is also an associated working group, made up of relevant practitioners and senior leaders to support and assist with implementation. With the exception of the Enquiry Point implementation lead who had been ringfenced to work on that

²² [Citing witnesses in the sheriff court](#) – Recommendations 16, 37 (b) and 40 (b).

²³ We understand that oversight of our work will sit with the Audit, Risk & Assurance Team which is part of the Performance and Service Improvement Directorate.

²⁴ [ToR – focused follow-up inspection](#)

inspection report, this tends to be in addition to busy ‘day jobs’ which can be onerous, not least as some of our inspection recommendations can be wide-ranging and require culture change and collaboration from a number of different teams across COPFS and partner organisations. Other factors such as legislative change or future investment can also make this task difficult.

We understand that going forward the Performance and Service Improvement Directorate will have corporate oversight of all inspections, audits and reviews which COPFS require to implement simultaneously, including our inspection reports. We are also advised that the COPFS Transformation and Change Directorate will have the remit of overseeing all projects across a number of different strategic portfolios within COPFS. We understand that digital activity will be considered within this wider change and transformation environment, rather than operating only as an ISD-led programme of work. This may be useful for IPS as our recommendations often straddle several COPFS functions. We will provide a further update about how these changes in oversight operate in practice in our 2026-27 annual report.

Over the course of the last year, we have noticed some changes in the COPFS approach to IPS work. We are pleased to see how our inspections have been adopted into the COPFS Business Plan 2026-27 and the Local Court Business Plan 2026-27.

There has also been reference to our recommendations and what COPFS is doing to achieve them in process and policy changes. We are also aware that our inspection aims²⁵ are widely referenced in domestic abuse training, demonstrating its clear relevance and value for the prosecution service, which is encouraging.

Process

There is a great deal of process change across COPFS. Summary Case Management (SCM) is now embedded across the criminal justice system.²⁶

We are aware from an evaluation report published by the Scottish Courts and Tribunals Service (SCTS) in May 2026²⁷ that SCM has brought about transformative change to summary justice.²⁸

²⁵ [The prosecution of domestic abuse cases at sheriff summary level](#)

²⁶ SCM is a judicially-led initiative designed to create a more effective system for handling summary cases through early disclosure, engagement between parties, and proactive judicial management. SCM aims to resolve cases earlier, reduce witness citations, and ensures trials proceed when scheduled, delivering better outcomes for all involved, including victims and witnesses. SCM was initially piloted in Dundee, Hamilton and Paisley sheriff courts and then rolled out nationwide.

²⁷ [SCTS final SCM national rollout report](#)

²⁸ SCTS data shows significant reductions in the amount of witnesses cited and re-cited, more trials going ahead on the date they are scheduled and scheduled summary trials falling over all to 9,000 from over 30,000 during the pandemic. Over 100,000 fewer police officers were cited to give evidence during the period of the national rollout of SCM, approximately 3,000 fewer child witnesses were cited, representing a reduction of 40% in the same period and more trials now proceed on the scheduled day, with fewer adjournments to new trial diets. The percentage of adjourned trials has fallen from 40% to 27%.

While the overall number of scheduled criminal trials has reduced from over 43,000 in January 2022 to just over 13,000, the number of scheduled High Court trials has continued to rise. The number of indictments registered at the High Court is projected to be over 2000 in 2026-27 compared to 935 in 2023-24.²⁹ We understand that there will be a similar review of solemn case management which will, amongst other things, take account of the current backlogs in solemn courts across Scotland.³⁰ We note that successful work on this area was undertaken previously by the Bowen Review³¹ and resulted in legislative change. As we observed in our most recent inspection many of the benefits from this review had fallen away during the Covid pandemic. The way forward may be in ensuring these valuable principles and processes are adhered to rather than starting completely afresh.

To complement SCM, COPFS aims to introduce Standard Operating Procedures (SOPs) and develop steps involved in SCM processes, setting out who should do what and when. This will be linked to casework standards. We understand that work is due to commence on SOPs in Autumn 2026.

In June 2026, COPFS introduced a new prosecution test and code.³²

We will consider if these processes would benefit from IPS inspection in due course.

Primary

Failure demand is when an organisation's failure to deal with an issue effectively the first time – primary – prompts additional and unnecessary work, time and resource whilst damaging confidence in the organisation. Failure demand is a recurrent problem identified across our inspection activity which has been highlighted in our three most recent inspections – *The prosecution of domestic abuse cases at sheriff summary level*, *Responding to enquiries: service delivery through National Enquiry Point* and *Citing witnesses in the sheriff court*. In those inspections failure demand related to inefficient processes and lack of staff resources, training and experience.

In an effort to address failure demand in casework, COPFS has very recently established a Quality Assurance Team. COPFS acknowledge that the organisation does not have a consistent internal framework for assessing compliance and evidencing the quality of their casework. This programme aims to address that gap by creating the standards,

²⁹ Source, SCTS.

³⁰ [Criminal courts backlog follow-up | Audit Scotland](#)

³¹ [\[ARCHIVED CONTENT\] The Independent Review of Sheriff and Jury Procedure](#) (2010)

³² This replaces the first prosecution code issued in 2001. The old two stage test for prosecution was -1. Evidential Test, 2. Public Interest test.

The new test is – 1. Evidential Test

(a) Legal sufficiency of evidence

(b) The prospects of a conviction being recorded

2. Public Interest test

The new test means that prosecutors will require to record more information about their decision making.

processes and governance arrangements needed to provide meaningful assurance across the organisation with a view to establishing a Quality Assurance Framework.

We also understand that the COPFS Chief Operating Officer intends to address failure demand at a corporate level. The 2026-27 Corporate Services business plan states that COPFS aims to improve the failure demand rate on whether enquiries reach the right organisation the first time by 20% by February 2027.³³

One cause of failure demand is a lack of centralised record of witness contact within COPFS systems. This has been a recurring theme since 2023 and has arisen across our four most recent inspections.³⁴ Despite making repeated recommendations to address the obvious risks of key witness information not being shared with prosecutors or other relevant staff and the requirement to meet disclosure obligations we have not seen any evidence of practical change.³⁵

We will continue to monitor and identify failure demand across our inspection activities.

Progress

There has been significant change, challenges and progress across the wider criminal justice system this year which may influence our future inspection activity.

The Victims, Witnesses and Justice Reform (Scotland) Act 2025 which received royal assent in October 2025 and will be implemented in phases, contains historic reforms to transform victims' and witnesses' experience of the justice system and ensure they are treated with compassion, while continuing to safeguard the rights of the accused. These include abolishment of the 'not proven' verdict in all criminal trials³⁶ and a change from the jury majority required for a conviction from a simple majority to at least two-thirds of the jury.

The Act also requires trauma-informed practice to become embedded across the criminal justice system to avoid victims being re-traumatised by the legal process.

There are also significant new measures to meet the needs of victims of sexual offences including by establishing a specialist Sexual Offences Court to enable victims to give their best evidence while minimising the potential for re-traumatisation.

³³ [Responding to enquiries: service delivery through National Enquiry Point](#) – Recommendation 4.

³⁴ *The prosecution of domestic abuse cases at sheriff summary level* (April 2024) – paragraph 451 and Recommendation 22; *Responding to enquiries: service delivery through National Enquiry Point* (January 2025) – paragraph 250 and Recommendation 12; *Citing Witnesses in the Sheriff Court* (March 2026) – paragraph 340 and in our current *Focused follow-up inspection on communication with victims of domestic abuse in summary cases*.

³⁵ We were advised, for the purposes of our 2024-25 annual report that a Working Group had been established to consider this, however we understand that it only met once. From evidence submitted in relation to our inspection on the prosecution of domestic abuse cases at sheriff summary level an updated VIA minute sheet to capture this information now appears to be proposed.

³⁶ The Not Proven verdict was abolished on 1st January 2026.

Scotland's prison population is an ongoing issue; in March 2026, 8452 people were in prisons across Scotland. As a temporary and exceptional measure seeking to reduce the Scottish prison population prosecutors have previously been instructed to have regard to the current pressure on prison population as a relevant public interest factor in their decision making until the issue is alleviated. As part of this, prosecutors were asked to take the use of direct measures into consideration. We undertook a *Joint review of diversion from prosecution* with HM Inspectorate of Constabulary in Scotland, the Care Inspectorate and HM Inspectorate of Prisons for Scotland in 2023.³⁷ Despite these current pressures, this inspection has taken a not insignificant time to implement which will be discussed later in this report.

There has also been a significant legal development in the prosecution of domestic homicide. In the case of *HMA v Lee Milne*, after many months of domestic abuse, Kimberley Milne completed death by suicide and though the accused did not physically kill her, was charged and convicted of culpable homicide and abusive behaviour. This is the first such conviction in the United Kingdom and it has drawn interest worldwide.³⁸

There is an increased focus on digitisation and modernisation across the criminal justice system, which will require Scottish Government investment to deliver accessible, efficient and digitally enabled services, which chimes well with many of the recommendations we made in our inspection on *Citing witnesses in the sheriff court*.

Public

As the public prosecutor and investigator of all sudden and unexpected deaths in Scotland, COPFS requires to be transparent and accessible to the public. As the COPFS inspectorate, the requirement for public accountability falls equally upon IPS.

With this in mind, in our inspection on *Citing witnesses in the sheriff court* we recommended that COPFS should put more information on their website.³⁹ Similarly, as set out in the 'other inspection activity' section of this report, we have continued to raise awareness of and engagement and confidence in our role.

Finally

I am extremely grateful to the inspectorate team for all of their hard work, kindness and support throughout the year, as I have continued to adjust to my role.

Our most recent published inspection, *Citing witnesses in the sheriff court*, a full-scale review of the entire citation process and witness experience, was a very large joint piece of work with HMICS. I am grateful to HM Chief Inspector of Constabulary, Craig Naylor and his team along with all of those who have shared their experiences of the citation process to help bring about much needed change and modernisation.

³⁷ [Joint review of diversion from prosecution](#)

³⁸ [HMA v Lee Milne](#)

³⁹ Recommendation 9.

I would also like to thank the Law Officers, Crown Agent and all of the COPFS staff who have given so willingly of their time, knowledge and experience across our inspection activity.

It remains my privilege and pleasure to lead IPS as Chief Inspector. I look forward to working productively with the newly appointed Law Officers, Crown Agent and COPFS to continue to drive improvements and to make positive, practical changes for victims, witnesses, next of kin, accused, the public, COPFS stakeholders and staff through our independent scrutiny.

Deborah O'Brien Demick
HM Chief Inspector of Prosecution in Scotland
September 2026

About us

1. HM Inspectorate of Prosecution in Scotland (IPS) is led by HM Chief Inspector of Prosecution who is appointed by the Lord Advocate to inspect the operation of the COPFS. It is the sole prosecuting authority in Scotland and is also responsible for investigating sudden, unexplained or suspicious deaths and criminal allegations against the police.
2. IPS was first established in 2003, following an independent inquiry by Dr Raj Jandoo into the liaison arrangements between the police, COPFS and the family of Surjit Singh Chhokar, following the murder of Mr Chhokar and related prosecutions. One of the recommendations of the inquiry was that an inspectorate of COPFS be established, 'to introduce a measure of accountability, which is essential for public confidence'. After initially operating as a non-statutory body, IPS was placed on a statutory footing in 2007.

Mandate

3. The functions and powers of HM Chief Inspector are set out in the Criminal Proceedings etc. (Reform) (Scotland) Act 2007. The role of the Chief Inspector is to:
 - secure the inspection of the operation of COPFS
 - submit a report to the Lord Advocate on any particular matter connected with the operation of COPFS which is referred by the Lord Advocate
 - submit to the Lord Advocate an annual report on the exercise of her functions, which the Lord Advocate must lay before the Scottish Parliament.
4. The 2007 Act makes clear that in the exercise of any of the functions conferred by the Act, the Chief Inspector acts independently of any other person. When inspecting COPFS, the Chief Inspector may require any person directly involved in the operation of the service to provide her with information.
5. As well as the 2007 Act, there are a range of other duties to which IPS is subject, including duties of user-focus and co-operation with other scrutiny bodies under the Public Services Reform (Scotland) Act 2010, and duties derived from the Human Rights Act 1998 and Equality Act 2010.

Our purpose

6. Our statutory purpose is to inspect the operation of COPFS.

Our vision

7. Our vision is to promote excellence and confidence in Scotland's prosecution service through independent, evidence-based scrutiny.

Our values

8. Our values underpin our approach to scrutiny. We always seek to demonstrate our values in the way that we work.



Independence – We act independently in all we do, providing impartial and objective scrutiny of the service provided by COPFS.

Credibility – We deliver high quality, evidence-based scrutiny and report publicly on our findings. Our approach is rigorous but fair and proportionate.

User-focus – The views and experiences of those individuals and organisations who are affected by the work of COPFS are central to our scrutiny activity. This includes victims, witnesses and next of kin as well as those who advocate on their behalf. We are also mindful of the experience of accused persons and those who represent them.

Respect – Respect for human rights is at the heart of what we do, and we support equal access to justice. We engage constructively with those we inspect, and we value the contribution they make.

Partnership – We work in partnership with others. We support continuous improvement in COPFS, and we work with our scrutiny partners to support improvement across the criminal justice system.

What we do

9. Our focus is on the quality of the prosecution service being delivered to the public in Scotland. Our inspection reports highlight what is working well, as well as areas for development and improvement. In all of our work, a key objective is to understand the experience of those for whom the service is provided. We make recommendations that, if implemented, will enhance the effectiveness and efficiency of the service.
10. We seek to engage constructively with those inspected and to support them to deliver continuous improvement. We are mindful of the burden that scrutiny can impose on COPFS and seek to take a proportionate approach, minimising our demand on COPFS staff and resources. We provide assurance to the Lord Advocate about the service being delivered by COPFS and our published reports help reassure the public that COPFS is independently scrutinised and held accountable, thereby enhancing public confidence in the justice system.

11. Issues for inspection are selected on the basis of risk and intelligence, and following consultation with the Law Officers, COPFS and stakeholders. The Lord Advocate also has the authority to refer matters to IPS for inspection, meaning that a certain degree of flexibility in the programme is required to incorporate issues that emerge throughout the year.
12. We carry out different types of inspection activity, including thematic, follow-up and joint inspections.

Thematic inspections

13. Thematic inspections look holistically at an issue or a service end-to-end. These inspections can focus on specific types of case work or business approaches. In the early years of IPS, area-based inspections were carried out which reflected the structures and service delivery mechanisms within COPFS at that time. More recently, we have used thematic inspections to a far greater extent, reflecting the increased specialisation in COPFS and the functional nature of its current work.

Follow-up inspections

14. Follow-up inspections assess progress made by COPFS in implementing our recommendations. They can provide information and reassurance to the Lord Advocate and the wider public that action is being taken in response to our inspections and that improvements in service delivery are being achieved. Due to our limited resources however, it is not possible to carry out follow-up inspections of all previous work. We have an agreed recommendation implementation process with COPFS which results in a more proportionate, risk-based and intelligence-led approach to following up previous inspections. COPFS provides us with action plans in response to our recommendations. We assess those plans and, alongside supporting evidence about implementation, use them to inform decisions as to whether a follow-up inspection is merited.
15. Where IPS is satisfied that recommendations have been implemented, they are closed. Progress is reported in our annual reports to maintain transparency. Since 2022-23 we have published detailed implementation tables, produced at Appendix 2. We currently assess recommendations as achieved, substantial progress, in progress and not achieved/not yet started. This year, for the first time, to take account of changes in process and the law, we have marked some recommendations as superseded. Where there is insufficient evidence of progress, where intelligence or an assessment of risk suggests that it is necessary, or where it is in the public interest, IPS will continue to carry out follow-up inspections. A follow-up inspection may also be carried out at the request of the Lord Advocate.
16. As part of our commitment to our own continuous improvement, we intend over the course of next year to review the process for assessing and reporting on the

implementation of our recommendations. This will include consideration of our assessment categories.

17. Previous follow-up inspections conducted by IPS have revisited the entirety of the original inspection, however there is no impediment to a limited follow-up inspection focusing on particular aspects of the work of COPFS if deemed necessary by HM Chief Inspector of Prosecution in Scotland. As discussed further in the 'Our inspection activity' section of this report we are currently undertaking our first focused follow-up inspection which is on *Communication with victims of domestic abuse in summary cases*.⁴⁰ While this follow-up inspection is limited in scope it does not preclude a wider follow-up inspection to the 2024 report if deemed appropriate in the future.

Joint inspections

18. We actively seek opportunities to carry out our inspection activity in partnership with other scrutiny bodies. The effective operation of the justice system cannot be achieved by any one agency – it is dependent on a range of organisations working together at a strategic and operational level. When appropriate, a similarly collaborative approach should therefore be taken to independent scrutiny, to ensure that shared outcomes are being achieved.
19. To support this collaborative approach, we regularly engage with other criminal justice scrutiny bodies, including HM Inspectorates of Constabulary and Prisons. These meetings provide an opportunity to discuss and share information about developments across the justice sector and to consider an appropriate scrutiny response. We also participate in the Strategic Public Sector Scrutiny Network. This network is made up of Scotland's main public sector scrutiny bodies. It aims to deliver efficient and effective, coordinated scrutiny that supports improvement across Scotland's public services. The network facilitates collaboration between scrutiny bodies as well as the sharing of information and learning.
20. Our collaborative approach is also in keeping with the Christie principles of public sector reform – that public service organisations work together effectively to achieve outcomes – specifically, by delivering integrated services which help to secure improvements in the quality of life, and the social and economic wellbeing, of the people and communities of Scotland.⁴¹

Inspection Framework

21. Our inspection activity is supported by an Inspection Framework, which helps ensure we take a consistent, professional and transparent approach to our work.⁴² Based on the globally recognised European Foundation for Quality

⁴⁰ [ToR – focused follow-up inspection](#)

⁴¹ [Christie Commission on the future delivery of public services](#)

⁴² [IPS Inspection Framework](#)

Management (EFQM) Model, our framework has three key themes – direction, delivery and outcomes. The framework informs all of our scrutiny activity but is also sufficiently flexible so that bespoke key lines of enquiry can be developed for each inspection. Individual inspections may draw on all or part of the framework, depending on the issue being reviewed.

User involvement

22. Under section 112 of the Public Services Reform (Scotland) Act 2010, IPS has a duty to secure continuous improvement in user focus in the exercise of our scrutiny functions and to demonstrate that improvement. We consider how to include service users, and those who represent them, in all our scrutiny activity. Their views and experiences are sought when scoping and planning inspections and in the evidence gathering stages. This is most commonly done through interviews, focus groups and surveys.

Our inspection activity

23. In 2025-26, we published one inspection report. This was a large joint inspection with His Majesty's Inspectorate of Constabulary in Scotland (HMICS) – [Citing witnesses in the sheriff court](#) in March 2026. We are currently working on our first *Focused follow-up inspection on communication with victims of domestic abuse in summary cases*. We have also monitored progress made by COPFS in implementing recommendations arising from four previous inspections.

Focused follow-up inspection – communication with victims of domestic abuse in summary cases

24. Work is ongoing in relation to our current inspection which we hope to publish by the end of 2026. The [terms of reference](#) were published in May 2026.
25. In 2024, we published a thematic inspection report on the prosecution of domestic abuse cases at sheriff summary level by COPFS. We made 27 recommendations, all of which were accepted by COPFS. The implementation of that inspection report will be discussed further at paragraph 69 below.
26. In our 2024 report we found that communication from, and support by COPFS to victims of domestic abuse was inadequate. We reviewed communication for 61 victims and found the overall quality of communication to be unsatisfactory for 80% of those victims.
27. In our [2024-25 annual report](#) we reported on action taken by COPFS in response to the 2024 report and noted that while there had been a number of positive developments across COPFS there was no evidence of immediate steps to ensure that victims of domestic abuse are receiving basic information about their case, including its outcome, timeously.
28. Summary Case Management (SCM) and enhanced victim engagement (EVE)⁴³ in summary domestic abuse cases is now the model of work across all COPFS offices. IPS was advised by COPFS that in August 2025 74% of SCM domestic abuse cases had recorded prosecutor contact made with victims. This focused follow-up inspection affords IPS an opportunity to assess and report on a key element of communication with victims of domestic abuse that is now the national model.
29. We will consider whether COPFS is providing basic information to victims of domestic abuse about their case after the following key stages of a case:

⁴³ EVE requires prosecutors to telephone victims in summary domestic abuse cases in the early stages of proceedings and offer an in person meeting to victims in summary cases where the complaint contains a charge of contravening section 1 of the Domestic Abuse (Scotland) Act 2018.

- first appearance of an accused in court
- case management hearing or intermediate diet
- trial diet
- sentencing
- when a case is concluded

30. In respect of enhanced victim engagement (EVE) we will consider:

- whether EVE has taken place
- whether EVE has been recorded
- the quality of the EVE record

31. We will also consider the COPFS response to part (b) of recommendation 12⁴⁴ and part (a) of recommendation 19⁴⁵ of our 2024 report to determine what practical changes have been brought about since April 2024.

Citing witnesses in the sheriff court

32. Along with HMICS, we considered the citation process holistically – from the moment a witness statement is taken to the day the witness attends court to give evidence. The inspection was wide-ranging and despite being such a fundamental part of the criminal justice process, citation of witnesses has never been fully scrutinised across the criminal justice system.

33. There are 50 recommendations in the report that would, if implemented, allow for a more efficient witness-centred approach to citation. The recommendations are for COPFS and Police Scotland, but many will require collaboration with other justice partners including Police Scotland, the Scottish Courts and Tribunals Service and Scottish Police Authority Forensic Services.

34. We reported that during 2024-25, 398,714 witness citations were issued across Scotland for trials in the sheriff court. While witnesses in other parts of the UK are commonly notified of trial dates initially by email, in Scotland most civilian witnesses still receive formal legal citations by second class post. We recommended that COPFS should use email or another electronic method as the principal means of citing all witnesses.

35. A large number of citations are also hand delivered to prosecution witnesses by police officers. Police Scotland estimated that in the year 2023-24 it had 154,000

⁴⁴ **Recommendation 12** - with regard to bail in domestic abuse cases, COPFS should: (b) work with justice partners, particularly the police and the Scottish Courts and Tribunals Service, to ensure that victims are informed of the outcome of the accused's first appearance on the same day, and update all guidance and protocols accordingly.

⁴⁵ **Recommendation 19** - in relation to communicating with victims in summary domestic abuse cases, COPFS should:

(a) take immediate steps to ensure that victims are receiving basic information about their case, including its outcome, timeously.

witness citations to serve. Despite this volume of work, we found lack of oversight, leadership, governance, strategy and monitoring of the citation process across both Police Scotland and COPFS. This includes an inability to accurately identify the costs of the citation process.

36. While the summary case management approach, now rolled out across Scotland, has significantly reduced the number of citations issued, it does not address the problems in the citation process itself. A failure by COPFS to effectively deal with witness excusal requests was found to be extremely impactful on all witnesses including police officers who may be cited to give evidence in court when on rest days, nightshift or annual leave.
37. The recurring theme of ‘churn’ in the system, with trials being repeatedly adjourned, was again evident. Our case review found evidence of witnesses receiving as many as six citations to appear at court on different dates in the same case.
38. We undertook benchmarking with other jurisdictions and found that there was much to be learnt from how other jurisdictions cite witnesses. This included the use of a ‘notice of trial’ letter (usually emailed) to inform witnesses of the trial date and secure the attendance of engaged witnesses, leaving personal service of the heavier handed formal legal citation for more challenging witnesses. This would provide a more trauma-informed approach.
39. We considered whether the experience of being cited to attend court as a witness can be improved. Our report focuses on modernisation and achieving greater efficiency and effectiveness in the citation process, in particular through the use of digital technology across the entire process.
40. Two key recommendations are that COPFS should use email or other electronic methods to cite witnesses and that the Scottish Government work with COPFS and other justice partners to provide an integrated digital trial scheduling solution or algorithm that would take account of all witness availability in fixing trials. We acknowledge that budgets are restricted across all public sector funding, however if this investment is made it will in turn reduce excusals, adjournments and churn in the justice system, the significant attendant costs, and improve the witness experience.
41. COPFS and Police Scotland have accepted all of our recommendations and are working together to implement them. Given the number and nature of some of the recommendations we understand that they will take some time to implement. We have recently had sight of the COPFS action plan in response to this inspection and are advised that COPFS has decided to prioritise development of a national strategy. This is based on a set of key principles which will underpin all COPFS processes and communications in relation to the citation of witnesses. We understand that the strategy addresses points raised in

our report, including witness feedback, with the objective of improving the experience of witnesses and maintaining public confidence. COPFS advises that the strategy also focuses on modernising and streamlining processes to ensure they are as efficient as possible, supported by effective governance arrangements. COPFS plan to share the draft strategy with Police Scotland and other key partners for feedback prior to it being finalised and published.

42. Following publication of the national strategy, further information will be made available to support its implementation. This will include COPFS commitments to witnesses, and clear guidance about what witnesses can expect at each stage of the citation process, to ensure transparency and promote engagement.⁴⁶
43. As already discussed, there was an unfortunate initial delay to implementation of this inspection while COPFS considered its governance model. However, we are heartened to see that joint work is now underway with Police Scotland, including establishment of a Governance Board chaired by the COPFS lead, which meets monthly. The Board is attended by Police Scotland, SCTS and other relevant COPFS staff. It is intended that the Scottish Police Authority (SPA) and the Scottish Government will also be represented in due course.
44. As I have commented on in the Foreword to this report, for the first time, we made a limited number of recommendations (3) which had time limits for implementation. Two recommendations related to process change, one of which was to be implemented with three months⁴⁷ (by 3rd June 2026) and the other within six months of publication (by 3rd September)⁴⁸ and another related to training which required to be carried out within six months.⁴⁹
45. We have recently been advised that the recommendation that COPFS should implement a consistent national process on responding to sheriff court excusals and monitor compliance has not been achievable within six months. We understand that COPFS is developing a national process for responding to excusal requests from all categories of witnesses that is not only restricted to local court cases. Initial discussions between COPFS and Police Scotland have identified that system enhancements may be required to ensure excusal requests are submitted to COPFS in a way that clearly differentiates them from other correspondence, to enable them to be effectively tracked and managed.

⁴⁶ Recommendation 3.

⁴⁷ Recommendation 40 (b) – COPFS should issue guidance and train staff to ensure that Police Scotland is advised when witnesses are countermanded.

⁴⁸ Recommendation 37 (b) – that COPFS should implement a consistent national process on responding to sheriff court excusals and monitor compliance.

⁴⁹ Recommendation 16 – COPFS should ensure all prosecutors engaged in the conduct of sheriff and jury business are aware of the content of the Sheriff Court Solemn Procedure Criminal Courts Practice No 1 of 2024 and are adequately trained on the contents to ensure compliance. Existing sheriff and jury prosecutors should undertake this training within six months of the publication of this inspection report, and prosecutors transferring to sheriff and jury teams should undertake relevant training within a month of their transfer.

This will impact on timescales for delivery of the new process, but COPFS advise that this work remains a strategic priority and will be progressed as quickly as possible. We also understand that the Joint Protocol for the Excusal of Police Witnesses is also currently being reviewed by COPFS and Police Scotland.

46. Once finalised, COPFS intend to publish the process on the COPFS website. It will be incorporated into training for legal and administrative staff, and measures will be put in place to monitor compliance.
47. In relation to our recommendation that within three months COPFS should issue guidance and train staff to ensure that Police Scotland is advised when witnesses are countermanded, we understand that a manual process has been developed and shared with staff. The updated process has also been shared with Police Scotland. We also understand that training is being devised and COPFS recognise the need to raise staff awareness about the requirement to advise Police Scotland when witnesses are countermanded and subsequently put in place quality assurance and compliance monitoring arrangements.
48. COPFS is also carrying out scoping work to explore options for automation of this countermand process. Discussions are ongoing between COPFS and Police Scotland to assess the feasibility of delivering an automated solution through the Legal Documents Database (LDD).⁵⁰
49. Finally, in relation to the recommendation that sheriff and jury prosecutors are adequately trained on the Sheriff Court Solemn Procedure Criminal Courts Practice No 1 of 2024 within six months, e-learning has been devised by the Scottish Prosecution College (SPC) to complement an existing Policy guidance note. The e-learning was launched on 2nd September 2026 via SPC Online and we understand that line managers will be asked to support the training locally. We will report next year on the level of success COPFS has achieved in ensuring that sheriff and jury prosecutors have undertaken the training in respect of this time limited recommendation.
50. These recommendations are therefore not yet achieved but are in progress.
51. We will provide a full update on the implementation of this inspection in our 2026-27 annual report.

Following up on previous recommendations

(these are listed in date order from publication)

Inspection of the management of criminal allegations against the police by COPFS

⁵⁰ An electronic system used by Police Scotland to track legal documents to be served, including citations. COPFS can access data on citations and attempts to serve citations on an interface called the Legal Document Exchange (LDX).

52. In 2021 we published a report on how COPFS manages criminal allegations against the police. We concluded that the quality of decision making by COPFS in such cases was good, and that the public should be reassured by the robust scrutiny which is applied to on duty criminal allegations against the police. This had been assisted by the creation of the Criminal Allegations Against the Police Division (CAAP-D), a unit staffed by specialist prosecutors who had developed effective relationships with stakeholders. To improve how criminal allegations against the police were managed we made 18 recommendations.
53. By the time of our last annual report all but two of the recommendations had been achieved. One of the outstanding recommendations related to COPFS monitoring and publishing information about the protected characteristics of those who make criminal allegations against the police. We are pleased to note that, for the first time, COPFS published information on the protected characteristics of complainers who had responded to questionnaires issued by CAAP-D in July 2026. Continued monitoring and publishing of this information will hopefully go some way to improving the confidence of the most vulnerable groups in Scotland through a more transparent process.
54. The final outstanding recommendation relates to COPFS, in conjunction with criminal justice partners, introducing an electronic reporting system for criminal allegations against the police. There has been no substantive change in the position of this recommendation in this reporting year, and such a system will only be implemented as part of the development of wider case management systems by COPFS. Notwithstanding this, it is our intention to report on this recommendation each year in the hope that COPFS takes account of the needs of specialist units such as CAAP-D when the design stage of the next generation of case management systems is reached.
55. Further detail on the action taken to implement the recommendations is available at Appendix 2.

Joint review of diversion from prosecution

56. The joint review⁵¹ of diversion from prosecution was published in February 2023. The aim was to assess the operation and impact of diversion from prosecution in Scotland and sought to provide an overview of diversion practice from policing, prosecution and social work perspectives to highlight what worked well and any barriers to effective use of diversion.
57. The report highlighted that diversion from prosecution, which is designed to address underlying causes of offending, was well established and an effective

⁵¹ Carried out jointly by HM Inspectorate of Prosecution in Scotland, HM Inspectorate of Constabulary in Scotland, the Care Inspectorate and HM Inspectorate of Prisons for Scotland.

intervention for young people⁵² but more could be done to promote confidence in their use for adults.

58. The report made 34 recommendations, 14 of which related to COPFS, to assist in ensuring efficient and effective processes in decision making and management of diversion cases. These included improved and focused collaboration between agencies; standardisation of reports; enhanced record keeping; provision of adequate guidance and training; and communication with victims and the accused person.
59. A cornerstone recommendation of the joint review was that Community Justice Scotland should ensure the National Guidelines on Diversion took account of the joint review and were re-launched. The revised National Guidelines describe the aims and benefits of diversion, the diversion process and the role played by the police, prosecutors and local authorities and is an essential joint reference and guidance document for bodies involved in the diversion process. The revised National Guidelines were published on 10th June 2026 ahead of a launch date of 10th August 2026.
60. Community Justice Scotland, on launching the new guidelines described them as ‘providing greater consistency and transparency’ for those involved in the diversion process.⁵³ Key elements of the new guidelines include structured pathways for managing cases with differing levels of oversight depending on the complexity of each referral and defined timescales for assessment, reporting and intervention.
61. The creation of two different diversion pathways, that will largely be differentiated by the seriousness of the offending, is an important step in addressing important issues found in the joint review. If successfully implemented this has the potential to allow local authorities to commence diversion work more swiftly and with less bureaucracy once COPFS has referred someone for diversion from prosecution. The new pathways should also ensure appropriate focus and oversight by prosecutors of accused diverted in more serious or complex cases.
62. While work has been ongoing within COPFS to address the recommendations of the joint review, progress towards implementing many of the recommendations could not be achieved until publication of revised National Guidelines and, importantly, associated internal COPFS guidance. Had internal guidance been finalised and provided before we came to publish this report then it is likely many of the 13 outstanding recommendations could have been assessed as achieved in this reporting period.

⁵² Those under the age of 18.

⁵³ [Updated national guidance on diversion from prosecution published - Community Justice Scotland](#)

63. As of the 10th of August 2026, COPFS internal guidance for its staff on the processes to be followed in the diversion process had not been finalised. Against this background we are unable to conclusively assess many of the recommendations that are contingent on finalised COPFS internal policies and procedures, which is disappointing. We are also unable to assess the current position of many recommendations that require evidence of a change in procedure having a practical result due to the launch of the National Guidelines and new processes being beyond our reporting period.
64. Notwithstanding the finalised internal guidance not being available to coincide with the launch of the National Guidelines which was anticipated and would have made practical sense, it is evident that much work has been done by COPFS to progress the recommendations of our 2023 inspection in the last reporting year. Of the 13 recommendations⁵⁴ that relate to COPFS two have now been assessed as achieved, eight have moved from in progress to substantial progress and three that were in progress remain at that level.

Status	2024-25	2025-26
Achieved	0	2
Substantial Progress	0	8
In Progress	13	3
No longer accepted	1	1

65. We consider the implementation of what is now a longstanding and well embedded Community Justice Group within COPFS to be a useful forum to allow issues that arise in the many Community Justice Partnership meetings to be filtered back through COPFS. This has helped overcome the practical difficulty of aligning the work of over 30 separate justice social work areas and six different sheriffdoms. We have learned that there will be increased attendance by staff from COPFS National Initial Case Processing unit⁵⁵ (NICP) at Community Justice Partnership meetings and direct communication between those instructing diversion and those delivering diversion processes is to be welcomed.
66. We have been advised that the management of diversion cases within COPFS for all cases other than High Court cases will be by NICP staff. This should help provide consistency of approach across all casework and it is to be hoped that in our next reporting period we will have seen internal COPFS guidance that is unambiguous about how the process should be managed within COPFS and by whom. We remain concerned whether NICP staffing levels are sufficient to

⁵⁴ In the reporting period 2024-25 COPFS indicated that it no longer accepted recommendation 28 that it should inform justice social work.

⁵⁵ The national unit within COPFS where initial decisions are made about alternatives to prosecutions and prosecutions in the justice of the peace courts or sheriff courts before a judge without a jury.

ensure adequate tracking and management of the procedural steps of the diversion process.

67. A recommendation that COPFS should ensure training for staff involved in the diversion process has been achieved with awareness raising sessions at the time of the launch of the National Guidelines and mandatory e-learning created for relevant staff to complete.
68. Several of the recommendations made in the joint review were to ‘ensure’ certain processes or procedures had been carried out. We have started to see dip sampling evidence undertaken by COPFS in some of our other inspection implementation. We consider that dip sampling may also be helpful in relation to this inspection, however COPFS do not currently plan to do this. It is hoped that ahead of our next annual report COPFS is in a position to provide other evidence that guidance is being followed in practice.⁵⁶
69. Communication with victims, accused and victims’ right to review⁵⁷ were all the subject of recommendations in the joint review. It is hoped that finalised COPFS guidance and internal policies along with evidence that such policies and guidance are being followed will allow IPS to fully assess these recommendations in our next annual report. If achieved these recommendations will make important and practical differences for members of the public involved in cases that are diverted from prosecution. It may also be of longer-term value in reducing the numbers of accused persons that would otherwise appear in court.
70. We have repeatedly touched upon the lack of internal COPFS guidance being an impediment to our assessment of COPFS progress and have concerns that a lack of alignment between outdated COPFS internal guidance and processes and the revised National Guidelines has the potential for delay in cases or confusion between COPFS and local authority staff. It is to be hoped that COPFS prioritise the completion of internal guidance and associated processes and templates as soon as possible to prevent such issues arising.
71. IPS will provide a full update on the implementation of this inspection in our 2026-27 annual report.
72. For further details see the associated table in Appendix 2.

The prosecution of domestic abuse cases at sheriff summary level

73. This inspection assessed how well COPFS prepared, managed and prosecuted domestic abuse cases at sheriff summary level, as well as how efficiently such

⁵⁶ Recommendations 12, 15, 17, 29, 30 and 33 are examples in which evidence of new processes being followed in practice is of particular importance.

⁵⁷ In certain circumstances victims have a statutory right to ask for a review of a decision not to prosecute or to stop or discontinue a case once proceedings have started in court.

cases are progressed. We made 27 recommendations which COPFS accepted. These standalone recommendations are sub-divided, which result in 47 assessments overall from the 27 recommendations.

74. Our current assessment of the overall 47 recommendations compared to our 2024-25 assessment is as follows -

	2024-25	2025-26
Achieved	2	9
Substantial progress	8	10
In progress	27	22
Not achieved	10	1
Superseded	N/A	5

75. Further detail can be found in the associated table at Appendix 2.

76. Over the course of the last year we have focused on the extent to which implementation of this inspection has brought about change for victims and those prosecuting these challenging and sensitive cases on a daily basis. We are pleased to see some changes and improvements which are reflected in the updated assessment of our recommendations.

77. Following publication of our 2024-25 annual report, COPFS appointed an additional implementation lead for this inspection, a Sheriffdom Procurator Fiscal and Chair of the COPFS National Domestic Abuse Forum, to work alongside the COPFS National Lead on Domestic Abuse. It has been helpful for IPS to engage with an operational Local Court procurator fiscal in addition to Policy practitioners.

78. COPFS commitment to improving the experiences of women and children in the justice system⁵⁸ and a desire to bring about cultural change across the prosecution service remains clear. There is a strong focus on ensuring training, guidance and policies are current⁵⁹ albeit it is not possible for COPFS to provide accurate data about how many staff are attending the training.⁶⁰

79. We were invited by the COPFS National Lead on Domestic Abuse to attend the Domestic Abuse Case Marking Training last September at the SPC. There, the then Solicitor General spoke about the priority which the Law Officers place on domestic violence and highlighted that COPFS were appealing sentences in sheriff court domestic abuse cases which they considered to be unduly lenient.

⁵⁸ [COPFS Strategic Plan 2023-27](#)

⁵⁹ Though not considered during our inspection, COPFS have recently issued guidance in relation to non-fatal strangulation and suffocation in domestic abuse cases.

⁶⁰ Recommendations 1 (b) and (c).

80. The Domestic Abuse Manual⁶¹ has been updated over the year including to take account of some of our recommendations. It now provides instructions to case markers in relation to advising victims about postponed undertaking dates, recognising that victims need to know urgently if an undertaking is cancelled.⁶² From a practical perspective, we would note that the Domestic Abuse Manual does not make it entirely clear whether case markers or VIA staff require to contact the police or the victim directly to provide this information. This could lead to no such contact being made. There is also an increased focus on considering domestic abuse cases through a ‘risk lens’⁶³ and ‘intersectionality’,⁶⁵ with corresponding updates to the relevant domestic abuse training.
81. The Lord Advocate’s Guidelines to Police Scotland on domestic abuse were finalised in July 2026. The guidelines are confidential for internal police and prosecution and will not be published meantime. They instruct police to approach domestic abuse as a course of conduct offence and shift away from incident-focused policing. Mirroring prosecution policy, they invite policing through a risk lens. The guidelines are relevant to implementation of the recommendations which require COPFS to work with Police Scotland.⁶⁶
82. We have been encouraged to see increased recognition and specific reference to our domestic abuse inspection recommendations in COPFS guidance, communications with staff on the COPFS intranet and within the Local Court Business Plan for 2026/27. COPFS updated their Victim and Witness Manual to provide guidance to staff on Non-Harassment Orders in April 2026. The associated guidance published on the COPFS intranet made specific reference to our recommendation⁶⁷ and the importance of placing victims’ views before the court and the requirement to consciously balance this against the need to prioritise victim safety.
83. Further, as part of wider improvements to the COPFS digital case management system there is now a mandatory step in the online case checklist for case markers to consider statutory aggravations in domestic abuse cases.⁶⁸ It is also

⁶¹ The Domestic Abuse Manual is internal COPFS guidance on how practitioners should deal with cases that involve domestic abuse.

⁶² Recommendation 14.

⁶³ Recommendations 2 (a), (b) and 12 (a).

⁶⁴ In applying a ‘risk lens’ prosecutors have a European Court of Human Rights (ECHR) duty to consider risk of harm to the victim and mitigate against it. In domestic abuse cases, this means recognising the totality of risk, separate to the offending reported, to make holistic decision. It will inform decisions on whether to prosecute; bail; and Non-Harassment Orders (NHOs).

⁶⁵ COPFS state ‘intersectionality’ means recognising difference, acknowledging that individual experiences of abuse will be different.

⁶⁶ Recommendations 2 (a), (b), (c), (d), (e) and 12 (c).

⁶⁷ Recommendation 13.

⁶⁸ Recommendation 3.

now possible for case markers to refer cases to VIA before making a final marking decision.⁶⁹

84. It has also been beneficial for COPFS to start to submit dip sampling to IPS in relation to implementation of some recommendations.⁷⁰ We will continue to work with COPFS to consider further dip sampling evidence over the next year. This data is required to confirm if changes made by COPFS in response to our recommendations are working in practice and address the issues identified in the inspection. This is valuable along with how the impact of SCM, training and other initiatives are being monitored across COPFS.
85. We previously noted in our last annual report disappointment that some of the most urgent, practical recommendations at the heart of the inspection report had not yet been implemented, or some even commenced, particularly given the implications on service delivery for victims of domestic abuse. It is encouraging that some of these recommendations are now being progressed including our recommendation that COPFS should review whether summary VIA is fit for purpose⁷¹ which has prompted an overdue evaluation of VIA's remit.
86. We reported that COPFS had not taken immediate steps to ensure that victims are receiving basic information about their case, including its outcome, timeously. While we have now seen some evidence of this taking place, owing to the dip sampling mentioned above, we remain concerned about to what extent this is happening. This prompted our *Focused follow-up inspection – communication with victims of domestic abuse in summary cases*. We are also still advised that almost two and a half years after publication of our inspection report many of the VIA related recommendations require the VMP to progress, which has now been paused owing to ongoing wider COPFS structural change.
87. An evaluation of SCM published in May 2026⁷² contains positive comments from prosecutors and 3rd sector agencies about the difference SCM has made in domestic abuse cases. SCM has brought about seismic change across the criminal justice system and is now embedded across COPFS.
88. Data shows that, as at January 2026, scheduled domestic abuse trials were reduced to 30% below the pre-pandemic baseline, first witness citations in domestic abuse cases have fallen by 36% since May 2023; witness citations in domestic abuse cases have reduced by 41% since May 2023 and the percentage of trials adjourned in domestic abuse cases fell from 40% to 30%.

⁶⁹ Recommendation 14.

⁷⁰ COPFS provided dip sampling across all 6 sheriffdoms for 10% of all summary domestic abuse cases from October to December 2025 in relation to recommendations 2 (d), 3, 4, 12 (a) – (e), 13 (a) and (b), 14, 15 (a), 15 (d), 17, 19 (a) and 24.

⁷¹ Recommendation 20.

⁷² [SCTS final SCM national rollout report](#)

89. The application of SCM principles, including Early Victim Engagement (EVE), has led to a significant reduction in the volume of domestic abuse complaints called for trial, from 1544 in August 2022 to an average of 901 in the last year, a 42% reduction. There has also been a decrease in Crown adjournments. The volume of Crown motions to adjourn summary domestic abuse trials due to absent witnesses has also fallen consistently since the start of the pilot courts, but at a much higher rate, from 187 per month (August 2022) to an average of 74 per month in the last year, a 61% reduction.
90. Taking account of the changes which SCM has made to COPFS processes we now consider 5 of our recommendations to be superseded.⁷³
91. Last year, COPFS provided data about ‘prosecutor contact’ with domestic victims which we included in our annual report.⁷⁴ We had hoped to compare this with current data, but COPFS advise that no such data has been available since the beginning of 2026 owing to issues in recording it. It is therefore difficult to properly assess whether prosecutors are contacting victims and whether they have the capacity to do so.⁷⁵ It is important for COPFS to remedy this and track this data to ensure that victims are receiving this contact.
92. There is no doubt that SCM has brought about incredible change to summary justice and the published statistics are compelling. We will consider the impact of SCM and EVE in our *Focused follow-up inspection – communication with victims of domestic abuse in summary cases*. It may, however, be useful for COPFS to consider their own wider assessment of SCM to determine the full impact of SCM for their organisation and its service users. It may also identify any risks to the efficient progression of domestic cases.⁷⁶ Meantime, we remain concerned about prosecutors’ capacity to carry out all of the work which SCM requires of them in domestic abuse cases.⁷⁷
93. In the domestic abuse inspection report we recommended that in the short term, COPFS should take immediate action to ensure that all staff are aware where victim and witness contact with Enquiry Point is recorded, and that staff use this information when preparing and managing cases.⁷⁸ We are aware from subsequent inspection work in relation to the Enquiry Point, Citing Witnesses in

⁷³ Recommendations 6(d), 8, 11, 21 and 24.

⁷⁴ In August 2025 74% of SCM of domestic abuse cases had recorded prosecutor contact being made with victims, this COPFS advised that ‘prosecutor contact’ means a record made of making or attempting to make a call by a legal member of staff in the early stages of the case. This contact is distinct from VIA contact or from any additional/at court contact by prosecutors. The 74% figure relates to SCM data COPFS wide with the exception of the sheriffdom of Tayside, Central and Fife where SCM is considered to be ‘embedded’.

⁷⁵ Recommendation 17.

⁷⁶ Recommendation 6 (d).

⁷⁷ Recommendations 6 (e) ,17 and 18.

⁷⁸ Recommendation 22.

the Sheriff Court and our current focused follow-up inspection that this is still not happening in practice.

94. Over the year ahead we will continue to concentrate on what practical change implementation of this inspection has brought about for victims and COPFS staff dealing with these difficult cases. Our focused follow-up inspection will also shine a light on communication with victims of domestic abuse in summary cases.

Responding to enquiries: service delivery through National Enquiry Point

95. This inspection assessed how COPFS responds to enquiries received by National Enquiry Point (Enquiry Point), its customer contact centre. Enquiry Point deals with call and email enquiries from victims, witnesses, next of kin and accused, as well as professionals working in the justice system. We made 21⁷⁹ recommendations which focused on customer service, improved governance, awareness raising about the role of Enquiry Point and training for COPFS staff.
96. COPFS committed to implementing all our recommendations by the end of March 2026. Unfortunately, this has not happened.
97. We reported in our 2024-25 annual report that we were heartened by the enthusiasm of COPFS staff leading on implementation of the report and the implementation lead had been ringfenced, away from their day job, to focus solely on our recommendations. An associated working group was also established to provide support and governance. With this structure we expected progress at pace. This approach was not sustained and work on the majority of the recommendations was placed on hold while COPFS undertake the 'Designed for Success' restructure.
98. Enquiry Point now sits under a new Director of Performance and Service Improvement, which is part of Corporate Services in the new governance structure. Much of the initial implementation work that was commenced by senior Enquiry Point staff was paused until the Director of Performance and Service Improvement took post in late 2025. The implementation action plan and timeline were revisited and revised by the new Director with a focus on wider strategic delivery plans for the Directorate. As a result, a different approach to implementing many recommendations and a great deal of the original work and progress was discontinued, which has caused delay. We have reassessed progress of the recommendations, taking account of the new approach.

⁷⁹ There were 18 recommendations in the report but three have two parts namely recommendations 6, 10 and 11 which total 21 recommendations.

99. We further understand that work on many of the recommendations will not commence until a Head of Customer Care takes post later this year and considers issues and maps a way forward. Disappointingly, we expect it to be into 2027 before much of the work commences.
100. One of the advantages of Enquiry Point being governed by the new Directorate is the recommendations that require a COPFS wider corporate approach to implementation, rather than those internal to Enquiry Point, can be driven forward with authority at a strategic level.
101. We assessed the implementation progress of the 21 recommendations as follows:

Achieved	3
Substantial progress	4
In progress	6
Not yet started	8

Further information can be found in the table at Appendix 2.

102. We were pleased to find that three of the recommendations were achieved.⁸⁰ There is improved information for those who contact Enquiry Point through an amended recorded welcome message and updated information on the corporate COPFS website. The staff retention and the high staff turnover issues identified have been addressed with an improved recruitment process involving role-play to identify candidates more suitable to the operator position. A retention allowance has also been introduced from January 2026 which will be reviewed on annual basis. This recognises the broad knowledge of COPFS and the justice system required by Enquiry Point operators, to encourage staff to remain in Enquiry Point rather than moving to another role within COPFS at the same grade and to improve the attractiveness of working within Enquiry Point for other COPFS staff.
103. Drafts of corporate guidance documents have been produced, namely:
- a Customer Care Charter
 - an updated Chapter 8 of the Victim and Witness Manual
 - an Identity and Verification Policy
- IPS looks forward to these drafts being finalised and published to provide additional guidance to COPFS staff, to ensure consistency and an enhanced service level to the public.
104. Enquiry Point training has been advanced with managers appointed to dedicated training roles and focused refresher training undertaken. The intention is to work with the SPC to develop an Enquiry Point learning package. We would reiterate

⁸⁰ Recommendations 10 (a), 10 (b) and 16.

the necessity of consistent baseline training for Enquiry Point operators and the use of legal trainers to develop and deliver modules on the justice system, court process and key legal topics for operators.

105. As we have already noted, COPFS has not yet advanced some of our key recommendations although we understand that this responsibility will sit with the new Head of Customer Care. One key recommendation is the important work required to understand the demand for the Enquiry Point service from its users. In our report we found there was a substantial, unmet demand as in the year to September 2024, 19% of callers were turned away because call queues were full and a further 50% of callers abandoned their call before it was answered. This analysis will enable a workforce plan to be developed to ensure there are sufficient resources within Enquiry Point to provide the desired level of service. It is accepted this will have to be realistic given current budgetary restraints.
106. Another key recommendation addressed the support Enquiry Point provides to COPFS more widely and the problems caused by staff across the organisation being unwilling or unable to answer calls from Enquiry Point. It is important that, if they are unable to deal with the query themselves Enquiry Point staff can pass calls onto the correct team who can assist and provide the caller with the information they require. If Enquiry Point are unable to transfer these calls this impacts on the service to the user who may already have waited for some time to have their call answered by Enquiry Point, together with an increased delay for other callers waiting for an operator. Despite initial strong messaging from a Deputy Crown Agent on the COPFS intranet about the requirement for COPFS staff to answer calls from Enquiry Point colleagues, work to understand why this happens and to address the issue has not yet commenced in COPFS. It is planned to use business mapping and standard operating procedures, and we hope to observe initial progress on this later in the year.
107. As commented on elsewhere in this report, we remain concerned that contact with victim and witnesses is not recorded in one centralised place on COPFS case management systems and accessible by all staff. Enquiry Point staff continue to record information in the witness contact record despite the wider COPFS staff being generally unaware this record exists.
108. In response to this issue identified in recommendation 12 of the Enquiry Point inspection report, we were informed by COPFS last year that a working group had been established to explore interim options of capturing the information in one document in the COPFS case management system. We reported on this in our 2024-25 annual report published in November 2025. We have subsequently been advised that there was an initial discussion but thereafter the working group has not been established. We remain concerned about the lack of any progress on this or indeed any real consistent plan within COPFS to address this with the urgency it requires.

109. The ultimate aim of COPFS is for the Enquiry Point contact centre system to be integrated as part of their new case management system. There is no timescale for a new case management system at present. In the interim senior Enquiry Point staff and COPFS ISD are exploring maximising the features of the current system to improve the Enquiry Point service.

Inspection programme 2026-27

110. Our focused follow-up inspection in relation to communication with victims of domestic abuse in summary cases is ongoing. We continue to keep our future inspection programme under continuous review and will consult with the new Law Officers, COPFS and other stakeholders on other issues that would benefit from independent scrutiny. There remain a number of areas across COPFS which I consider would benefit from inspection by IPS and I anticipate publishing terms of reference for a new inspection topic in early 2027.
111. In 2026-27 we will also continue to review progress made by COPFS in implementing recommendations from our *Joint review on diversion from prosecution*, *The prosecution of domestic abuse cases at sheriff summary level* inspection, *Responding to enquiries: service delivery through National Enquiry Point*, *Citing witnesses in the sheriff court* and, in due course, as necessary, *Communication with victims of domestic abuse in summary cases*.

Other inspectorate activity

Strategic Plan 2026-29

112. In June 2026, we published our [strategic plan](#) which focuses on five strategic objectives:

- We will inspect the operation of COPFS and report publicly
- We will increase awareness of and engagement and confidence in our inspection activity
- We will enhance our organisational resilience and invest in our people
- We will invest in our continuous improvement
- We will work with our partners to maximise the impact of our work

113. We considered our existing vision and values and concluded that they should remain unchanged from those published in our first strategic plan as they continue to reflect our purpose and approach. Again, the five current strategic objectives listed above, which underpin our actions, remain largely unchanged though it is important to acknowledge the need to take a trauma-informed approach across our work, not least within user-focus, and the need to take account of improved technology, in particular AI, and how it can support our work.

114. We have considered what the inspectorate does well and where we can develop and improve. It is important for us to ensure we deliver an independent, credible and meaningful inspection programme that adds value and can bring about tangible change for COPFS, its stakeholders and the wider criminal justice system as promptly as possible. Our strategic plan also continues to reflect the inspectorate's commitment to our own continuous improvement. We require to fulfil our statutory purpose at a time of reduced fiscal spending and to build on our achievements, particularly raising awareness about our work and role.

115. We also publicise our inspection framework which helps those we inspect, stakeholders and the public know what to expect from us. Similarly, publication of a terms of reference for each individual inspection highlights how the framework is being tailored to the issue or service area subject to review.

116. We have continued to raise awareness of and engagement and confidence in our inspection activity by:

- Engaging with the Criminal Justice Committee to increase understanding about IPS statutory function, our successes, aims and challenges and this included the

Chief Inspector giving evidence to the Committee about the state of the criminal justice system and challenges for Session 7.⁸¹

- Presentation by the Chief Inspector along with HM Chief Inspector of Constabulary in Scotland to the Policing Performance Committee, on the 'Citing of witnesses in the sheriff court' inspection.⁸²
 - Attendance by the Chief Inspector at the Session 7 Induction Programme – Members' Reception at Holyrood. The reception brought together key organisations involved in supporting Scotland's justice and legal sectors and provided an opportunity to meet newly returned MSPs, to build their awareness of key issues and develop cross-party relationships at the outset of the new parliamentary session.
 - Involvement in Public Sector Reform including the Chief Inspector engaging with the Cabinet Secretary for Public Reform along with other criminal justice Chief Inspectors.
 - Increasing our use of social media including videos to highlight publication of our reports and creation of a LinkedIn account.
 - Increasing our use of media, including publishing a proactive press release to highlight publication of the terms of reference of our focused follow-up inspection and participating in media interviews on the topic.
 - Maintenance of our website including ensuring that the 'News' section is up to date to advise of our publications and using it as a tool to engage the public in our inspections by using the 'Get involved' page to contribute to our inspection activity.
 - Promoting awareness of the inspectorate's work among COPFS staff including posting articles about recent and upcoming inspections on the COPFS intranet (Connect). In addition, publishing an article featuring an interview with the Chief Inspector explaining her reasons for taking up post as part of the series of 'A coffee with....' articles on Connect.
117. We have also adopted new and innovative working practices over the last year – to make the best use of our available resources and technology. We have taken steps to change our approach to inspection activity. For the first time we are undertaking a focused follow-up inspection, considering a specific area of COPFS work in which there is public interest and insufficient progress in implementing previous recommendations. It will take less time to complete than a full follow-up inspection but will be equally impactful, practical and outcome focused.

⁸¹ [Criminal Justice Committee | Scottish Parliament TV](#)

⁸² [Policing Performance Committee - 10 June 2026](#) (agenda item 5.3)

118. In our focused follow-up inspection, we have conducted personnel interviews with standardised questions using Teams and the Teams transcription tool. This requires only one member of staff to attend rather than two. We are also increasing our use of AI to assist in quickly identifying recurring key themes across our work.
119. We will continue to explore different ways to carry out inspection work and use AI to improve efficiency not least in light of public sector reform.
120. As set out in the 'Inspectorate in 2025-26' section of this report we are a small team of 4.57 FTE staff. Of our 5 team members 3 are permanent IPS staff which provides a degree of stability, boosts our resilience and allows for a longer-term return on the investment we make in the training and development of staff. The Legal Inspector is a secondee from COPFS which ensures fresh prosecutorial knowledge during their 2–3 year term at IPS. This is invaluable to our inspection activity and of great help to the wider team. The size of our team can, however, present challenges to effective fulfilment of our statutory function.
121. The year ahead will bring about significant changes to IPS staffing with two longstanding members of staff retiring in December 2026 (the Business Inspector) and March 2027 respectively (the Personal Assistant). The March retirement coincides with the return of our current Legal Inspector secondee to COPFS after three years at IPS.
122. This affords an opportunity to reconsider the current IPS staffing structure while ensuring timely recruitment and organisational modernisation, thereby enhancing our resilience, independence and capacity.

The inspectorate in 2025-26

Finance

123. The inspectorate is funded by the Scottish Government. Our budget for 2025-26 was £463,000.

124. In 2025-26, our expenditure was as follows:

Staff costs	438,208
Subsistence and motor mileage	0
Printing and binding	1,032
Travel and accommodation (UK and overseas)	1,102
Hospitality	0
Conference fees	479
Other running costs	5,939
Total	£446,760

125. Between March and July 2025 there was no Chief Inspector in post which accounts for the overall £16,240 underspend in 2025-26.

126. Under sections 31 and 32 of the Public Services Reform (Scotland) Act 2010, IPS is required to publish certain information, including on expenditure. This information is published at Appendix 1.

Staff

127. As at 31 March 2026, the staff of IPS was 4.57 full-time equivalents and consisted of the Chief Inspector, Assistant Inspector of Prosecution, Legal Inspector, Business Inspector and Personal Assistant.

Freedom of Information requests

128. IPS is subject to the Freedom of Information (Scotland) Act 2002. We publish information about our work, including our inspection reports, on our website. In 2025-26 we received 13 freedom of information requests, all of which were responded to within the required timescale.

Appendix 1 – Duty to publish information

129. Sections 31 and 32 of the Public Services Reform (Scotland) Act 2010 impose duties on public bodies to publish information on expenditure and certain other matters.

Section 31

130. Sections 31(1) and (2) require IPS to publish expenditure incurred in relation to:

Public relations	4,212.86
Overseas travel	0.00
Hospitality and entertainment	0.00
External consultancy	0.00

131. The above amounts form part of, and are not additional to, those set out at paragraph 124. Public relations relates to the production of our inspection reports and other published documents, together with the maintenance of our website.
132. Section 31(3) requires IPS to publish details of any payment made in excess of £25,000. No such payments were made in 2025-26.
133. Section 31(4) requires IPS to publish the number of individuals who received remuneration in excess of £150,000. No member of staff earned in excess of £150,000 during 2025-26.

Section 32

134. Section 32 requires public bodies to publish a statement of the steps they have taken during the financial year to (a) promote and increase sustainable growth through the exercise of its functions; and (b) improve efficiency, effectiveness and economy in the exercise of its functions.
135. The function of IPS is to inspect the operation of COPFS. We consider that section 32 applies in respect of (i) how efficiently and effectively IPS itself delivers its function; and (ii) how we support COPFS in the delivery of its functions.
136. In delivering its function, IPS continues to seek opportunities to achieve savings and ensure value for money. In this regard, we also keep our fieldwork costs to a minimum by making effective use of digital meetings, including during our inspection work, which in turn reduces our carbon footprint.
137. Given our comparatively small budget the most significant contributions we can make to improving efficiency, effectiveness and economy are (i) the choices about what we inspect and how we make best use of IPS resource and technology, and (ii) how we encourage and support COPFS to improve the delivery of its service.

The need to deliver high quality, evidence-based scrutiny and report publicly on our findings and to deliver a more effective and efficient prosecution and death investigation service are key themes in our scrutiny activity.

Appendix 2 – Status of recommendations

Inspection of the management of criminal allegations against the police by COPFS

No	Recommendation	Status	Rationale
4	COPFS should make more information publicly available about its role in investigating and prosecuting criminal allegations against the police. COPFS should also publish data regarding its handling of such allegations, and work towards gathering and publishing data that is disaggregated by race and other characteristics.	Achieved	In our last annual report, we noted that while COPFS had published statistical information on the work of CAAP-D a new policy and procedure to track outcomes in respect of victims with protected characteristics had not had time to gather a full data set. In July 2026 COPFS included, for the first time, in the annual statistical reporting ⁸³ on the performance of CAAP-D, equality and diversity statistics of those complainers who responded to questionnaires issued by CAAP-D.
14	COPFS should work with its partners to introduce an electronic reporting system for criminal allegations against the police.	Not achieved	For this recommendation to be achieved, an electronic reporting system requires to be implemented. It is hoped that this will be included as part of the development of wider next generation case marking systems and this recommendation will not be closed until this wider piece of work is concluded although there is no suggestion from COPFS that this will be in the short-term.

Joint review of diversion from prosecution

No	Recommendation	Status	Rationale
4	Through robust governance, community justice partnerships should improve collaboration and communication between	Achieved	The Criminal Justice Group appears to be a well-structured and attended meeting. The standing item on feedback from Community Justice Partnerships (CJP's) is useful to highlight

⁸³ [Criminal Allegations Against the Police \(CAAPs\), 2021-22 to 2025-26 | COPFS](#)

	statutory partners regarding people subject to diversion. In particular, the Crown Office and Procurator Fiscal Service (COPFS) should consider what more it can do to improve communication with partners at a local level.		relevant information from CJP's or Sheriffdom Procurator Fiscal led meetings with statutory partners in the sphere of diversion. Minutes of these meetings have been considered which reveal meaningful interaction between Sheriffdom Procurators Fiscal and CJP's across Scotland. We are aware that there are different approaches to engagement with CJP's in the local court sheriffdoms. Communication at a local level remains a challenge given the number of CJP's and their misalignment with sheriffdoms but there is evidence of good practice in some sheriffdoms. IPS has been provided with information from four of the six of the current processes for engagement. COPFS have considered adopting a standardised approach, but this may not be practical given the variation of local authorities and sheriffdom practices. We are aware of a recent commitment by NICP staff to attend more CJP meetings, given how integral NICP is in delivering diversion this is to be welcomed. We have also been advised that a quarterly bulletin is prepared by COPFS with diversion statistics and information that is provided for CJP meetings which is considered useful and will continue. Evidence of COPFS Policy staff presenting to Local Authority senior managers and Social Work Scotland also demonstrate improved communication and fostering accessibility of COPFS.
12	COPFS should ensure that prosecutors record the reason an accused person is	Substantial progress	The revised National Guidelines make it clear that when COPFS makes a referral to a Local Authority that COPFS will use the

	being referred to justice social work for an assessment of their suitability for diversion. The identifiable need in relation to which the accused person is being considered for diversion by COPFS should be noted in the referral to justice social work.	appropriate form and tell the Local Authority the reason for the referral including any identifiable need. The evidence supplied includes a pro forma to be completed when COPFS refer a case to local authority social work for assessment of suitability that now makes reference to an 'identifiable need'. At the time of reporting, it is our understanding that this form has been added to COPFS systems for use when referring cases and will be completed by all staff and NICP will manage the diversion process for all COPFS staff other than High Court level. Rather than dip sampling COPFS intends to use NICP administrative staff to identify occasions when the identifiable need is not being recorded on the referral form – i.e. to monitor non-compliance, which COPFS consider will allow for effective management of this issue. We have been supplied with a pro-forma spreadsheet for administrative staff to complete when a diversion referral is returned to a Procurator Fiscal Depute but there is no guidance on when this should be completed. We have been provided with a copy of the new e-learning that has been rolled out and specifically states that the identifiable need should be communicated at the time of referral. This was also repeatedly referred to in awareness raising training for staff. IPS require the finalised guidance for staff on the process and that it is available for staff beyond NICP. It is hoped that the finalised guidance will advise administrative staff that referral forms must not be submitted if the identifiable need/reason for referral has not been provided by the marking depute.
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			IPS will also require evidence of how non-compliance of the completion of referral forms is managed to assess this recommendation.
13	COPFS should review its internal guidance on diversion to ensure it is compatible with the national guidelines on diversion, reflects current practice and provides consolidated, comprehensive guidance for staff.	Substantial progress	IPS has been supplied with revised draft case marking instructions that take account of specific points raised in the inspection. These have not yet been published on the COPFS intranet. As NICP will be managing the diversion process for almost all diversion referrals this guidance and associated NICP guidance will be key for those marking and managing diversion cases. We have also been provided with draft process guidance for those marking and managing cases for diversion in NICP (and now understand that this guidance is intended to be used by non-NICP deputes also and will communicated as such) however, until the final guidance is provided it will not be possible to assess this recommendation against the new case marking instructions and National Guidelines. We understand that COPFS does not intend to update each individual case marking instruction to include diversion as an option. We note that the draft CMI's provided may require to be updated to clarify that NICP will be managing almost all diversion cases (with the exception of High Court cases) as the current version states that there will be detailed business process guidance available for different teams and that NICP can assist.

			To fully assess this recommendation in our next reporting year it would be beneficial for IPS to be supplied diversion guidance used by High Court practitioners (if there is to be separate guidance).
14	COPFS should provide training to its staff on diversion from prosecution. This should be available to all staff involved in marking and managing cases for diversion.	Achieved	We have been provided access to e-learning training which is a useful awareness raising tool that was made available for staff on 13 August 2026 and is to be mandatory for legal and VIA staff involved in the diversion process. Separate awareness raising sessions took place for NICP staff and wider COPFS staff to coincide with the launch of the National Guidelines. We have also been advised that it is intended to have multi-agency training on diversion when the National Guidelines are launched which is welcome particularly given the diversion inspection involved several agencies. A SACRO⁸⁴ webinar and video have been added to the diversion page on the COPFS intranet since the publication of our inspection report.
15	COPFS should identify the most appropriate process for referring an accused person for diversion and ensure:	Substantial progress	New draft case marking instructions have been developed that create two pathways that depend on the level of oversight COPFS requires to have when a case is to be marked for diversion. These align with national guidelines. Ambiguity about the management of this process for non NICP staff has been clarified but IPS

⁸⁴ Scottish Association for the Care and Resettlement of Offenders.

	• the process is reflected in clear, accessible instructions for staff and communicated to justice social work • the guidance includes direction on whether and in what circumstances justice social work should await an instruction to proceed with diversion following a positive suitability assessment • the revised process is followed in practice		observes that this may require an update of the draft CMI's we have been provided to ensure consistency of approach for the referral process whether the case is marked by NICP or any other team. The draft CMI's and new National Guidelines are clear on the timescales and processes between COPFS and justice social work. COPFS does not intend to carry out a dip sampling exercise to ensure that the new practices are being followed and will rely on monitoring by administrative staff within NICP and feedback through mechanisms such as CJP's. IPS has been advised that an IT dashboard that would follow performance of the process is desired, but delivery of such a system is not likely in the short-term. We will require to see evidence of how the revised process is followed in practice to assess this recommendation and we understand that this will be achieved by non-compliance checks. Given that the revised process has not been launched in the reporting year COPFS is not in position to ensure that new processes are being followed.
17	COPFS and justice social work should work together to ensure that all referrals, assessments and completion reports are tracked and submitted timeously. A more robust system for following up overdue reports or responses should be put in place.	In progress	The revised National Guidelines provide timescales for COPFS and local authority social work to act at key stages of the diversion process. We have been provided with draft guidance for NICP staff on how to pursue late suitability or completion reports. IPS is aware that NICP Diversion Team current staffing does not allow for effective tracking of the diversion process. Consideration of

			resource allocation for NICP is ongoing. We understand that NICP focus on dealing with initial referrals and mailboxes. There are clear timescales for the process in the national guidelines for each pathway, but our inspection found that there were some instances of protracted delays. We are also aware that NICP staff have undertaken a review of cases previously marked for diversion. We understand that COPFS is looking for a solution but that it is not achievable this reporting year. To prevent these issues from occurring and to achieve this recommendation COPFS requires to further consider allocation of additional resources to the NICP Diversion team or an IT solution.
23	COPFS and justice social work should improve communication between them in support of the diversion from prosecution process. Communication is particularly important in more complex or serious cases.	Substantial progress	There is a section on communication in the revised National Guidelines which places obligations on COPFS to provide certain information when making referrals and to provide relevant COPFS contact details. The revised template referral form has a list of the COPFS email addresses that Local Authorities should respond to. However, until finalised NICP process guidance is provided, improvement in communication cannot be fully assessed. Despite being an internal body within COPFS the CJG is useful for consolidating communication from the CJP's. COPFS has agreed to provide information on how contact emails for local authority social work teams are accessed and kept current but as at the end of the reporting year this information has not been provided. New pathways that focus communication on more complex cases are positive. The draft guidance provided for NICP staff lacks information about oversight by prosecutors on complex cases and in

			particular that positive suitability reports in the more serious pathway cases require to be reviewed by a prosecutor. We have been advised that COPFS will consider how to address this prior to internal publication of the guidance. Moving management of the diversion process to NICP even if the substantive case is being dealt with outwith NICP seems likely to improve consistency of communication as local authority contacts will require to contact NICP rather than individual prosecutors in most instances. We look forward to receiving and considering the final COPFS guidance.
25	COPFS and justice social work should review their processes for managing diversion from prosecution to ensure they are suitable for all types of cases. In particular, the process for managing cases involving more serious offending should be sufficiently robust. The agreed processes should be reflected in guidance and training for all relevant staff.	Substantial progress	The National Guidelines create a system that provides for an efficient pathway model for cases considered more straightforward and require less communication steps between COPFS and local authorities. The other pathway will tend to cover more serious offending and there are clear processes and timescales for each body on this. NICP oversight of the diversion process even if cases are marked by prosecutors elsewhere in the organisation go some way to increase the robustness of the new processes. The draft guidance for NICP staff provided states that deputies will require to see the more serious pathway assessments, but there is an absence of practical information on how this should be done, timescales for responses and chasing up, and who should manage replies. This is apparent weakness in the most complex of cases. We are aware that this guidance will be updated ahead of publication.

27	The diversion partner agencies should agree how further offending by the accused person during the diversion period affects their diversion from prosecution. Where the person has been diverted in relation to more serious charges, protocols should be developed to gather and share information about further offending which should be used to inform decisions about the final prosecutorial action or whether to continue diversion.	Substantial progress	A review of National Guidelines and draft COPFS staff instructions show that this has been included and if any agency involved in the diversion process becomes aware of further offending behaviour this should be raised urgently with the Procurator Fiscal and where further offending behaviour impacts upon the decision to offer diversion the Procurator Fiscal will alert the relevant Local Authority within 2 working days of such a decision being made. As with other recommendations final COPFS internal guidance is not available to fully assess this recommendation.
29	COPFS should review when and how it communicates with the accused person in cases that have been diverted from prosecution. In particular, COPFS should: • revise its template letters to accused persons who are being diverted from prosecution • ensure letters are in plain English and tailored to the individual needs of the accused person • ensure letters are sent promptly at key stages of the diversion process • ensure this improved approach is clearly set out in the national guidelines and in COPFS policy and instructions to staff	Substantial progress	Key points when the accused should be contacted have been identified and are referred to in the revised National Guidelines. IPS has not yet received the final internal guidance for COPFS staff i.e. case marking instructions and process guidance. IPS has been advised that letters for child accused have been reviewed for accessibility by a third sector organisation but there is an outstanding review of letters by an organisation for accessibility for those accused who may have learning difficulties. IPS noted there were no target timescales in sending letters to accused persons in the draft COPFS guidance. This will be considered by COPFS. A key failure that led to this recommendation was multiple examples of cases where letters were not sent to accused as they ought to have been. COPFS has not advised how it plans to

			address this given the previous iteration of the guidance to COPFS staff also still contained an instruction to send similar letters. We have not been provided with copies of letters that are to be sent to accused during the diversion process to consider against the recommendation.
30	COPFS should revise its approach to complainers in cases where the accused person is diverted from prosecution. The new approach should be reflected in policy and in guidance and training for staff. Complainers meeting specified criteria should be referred to Victim Information and Advice and kept informed of developments in their case.	Substantial progress	COPFS has revised its approach to complainers in cases where the accused person has been diverted from prosecution and this is now included in draft policy and guidance. It is anticipated that there will be proactive communication with victims referred to COPFS VIA and specifically in domestic abuse, stalking and sexual offences. COPFS has introduced a mandatory step in the case marking process for such cases to refer them to VIA. It is envisaged that particularly for victims of domestic abuse, stalking and sexual offence cases if information has not been provided in the SPR then prosecutors should make efforts to obtain their views before an offer of diversion is made. For other victims, reactive communication will be provided, and draft guidance is available to staff on what information can and cannot be shared. The revised National Guidelines on Diversion state that the Procurator Fiscal requires to communicate with any victim of crime; in some cases, proactively and in other cases on request.

			COPFS awareness sessions on the revised National Guidelines have taken place and e-learning is available for staff. The COPFS updated guidance for staff remains in draft form and as advised in relation to other recommendations, we require sight of finalised guidance and template letters to victims before assessing this recommendation.
31	COPFS should clarify whether the Victims' Right to Review applies in cases where the accused person has been diverted from prosecution and this information should be shared with staff and made public	In progress	We are aware that COPFS has actively been working on this issue. There is no detail of VRR (or complaints) in the revised National Guidelines. IPS will require to see the updated internal guidance and relevant information published on the COPFS website, as well as any letters that will be sent to victims on the topic of VRR to assess progress of this recommendation in the period 2026-27.
33	COPFS and justice social work should ensure assessment, diversion and outcomes are recorded accurately and consistently in line with national guidelines	In progress	As with all other recommendations we note that COPFS has still to publish its revised internal diversion guidance. The older guidance states that records should be kept, and we have been advised that COPFS are seeking to create charge codes⁸⁵ that reflect diversion outcomes. A project to track diversion outcomes was referred by COPFS to justice social work for views and remains outstanding. We note that the updated National Guidelines on Diversion from Prosecution in Scotland guidance states that where there is non-compliance the evidence for this must be fully recorded.

⁸⁵ In this regard charge codes are classification records on COPFS systems for outcomes that will allow COPFS to record the different potential outcomes of diversion more accurately.

			We require an update on how COPFS plan to track diversion outcomes to properly assess this recommendation.
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The prosecution of domestic abuse cases at sheriff summary level

No	Recommendation	Status	Rationale
1	(b) review the take-up of mandatory and other training, and identify and address the reasons for low take-up	Substantial progress	Due to the lack of effective record keeping in the past by the COPFS Scottish Prosecution College (SPC) statistics showing attendance at courses are not currently available. IPS understands that there is a new SPC online system which enables direct access, completion and tracking of training in one place and will allow more accurate recording of course attendance across staff in individual grades including legal and VIA in future. IPS has been provided with ‘sign in sheets’ for attendance at most domestic abuse training courses at the SPC in 2025/26 but they do not provide reliable data on which to make a proper assessment of course take up rates. COPFS advise that SPC now offers training more flexibly, including hybrid training and course delivery at different locations which it advises has led to an increase in attendance despite operational pressures. IPS will require statistical evidence to satisfy this recommendation.

1	(c) ensure that all staff managing and prosecuting domestic abuse cases and engaging with domestic abuse victims have appropriate training (including prosecutors, VIA officers and National Enquiry Point operators)	Achieved	COPFS advise that to meet this recommendation, it has revised and updated existing training and developed discrete, role-specific inputs to ensure domestic abuse training is relevant and current. This means that training content will change. COPFS advise that it is not always possible to accurately quantify how many members of staff should attend each course due to movement of staff. IPS notes that specialist domestic abuse marking training has also been developed which is aimed at NICP deutes. This training was planned for July to September 2026 which is beyond our reporting period. We will consider this along with new hour-long training on “prosecuting through a risk lens” which was also to be rolled out in Summer 2026 in our 2026-27 annual report. The recommendation is to ‘ensure’ that all staff have had appropriate training. The COPFS commitment to updating and providing quality domestic abuse training is clear and, on that basis, IPS has assessed this recommendation as achieved. The issue is the take up of training by staff and COPFS ensuring all relevant staff attend the appropriate training. This be monitored by recommendation 1(b). This appears to be made possible by the new SPC online system.
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1	(d) review the domestic abuse e-learning module for VIA officers and make it mandatory.	Substantial progress	Domestic abuse e-learning for VIA has been re-structured into three modules – ‘introduction to domestic abuse’, ‘law and evidence’ and ‘communication with victims and witnesses’ with a bespoke VIA module launched in May 2025. It remains unclear to us if this training is mandatory as recommended as it is classed as both 'mandatory' and 'required' on the COPFS intranet. We are advised that VIA managers decide which VIA grades complete which e-learning training packages. Evidence of the number of VIA staff who have completed the e-learning training identified for VIA staff has been provided to IPS. We have been advised that as at May 2026 there were 112 VIA staff and of those 5 had completed the introduction to domestic abuse e-learning, 1 the law and evidence domestic abuse e-learning and 7 the communication with victims and witnesses e-learning. This extremely poor level of completion of the e-learning by VIA staff does not satisfy our recommendation.
2	In relation to the reporting of domestic abuse cases, COPFS should work with Police Scotland to: (a) ensure that prosecutors have sufficiently detailed information on the	COPFS has classed recommendation 2 as a ‘year 2’ recommendation, to be implemented by April 2026	COPFS advise that they have been working closely with Police Scotland on this recommendation. We are aware that Police Scotland changed the format of SPRs from January 2025 to ensure completion of fields specifically related to domestic abuse which includes a risk assessment. COPFS wish to ensure that accurate risk information is

	risk to victims which can be passed on to the court when required	Substantial progress	sensitively obtained, and that prosecutors challenge police when it is not available or has gaps. The Lord Advocate issued revised Guidelines on Domestic Abuse in June 2026. These set out the role of police officers in assessing risk. The Domestic Abuse Manual was updated in July 2026 to provide guidance on prosecuting through a risk lens. There will also be a training module incorporated into the specialist marking training for delivery to prosecutors as discussed in relation to rec 1 (c) above. COPFS propose to conduct a dip-sample in late summer/early autumn 2026 which is beyond our reporting period. We will consider the results of any dip sampling in our 2026-27 annual report to determine if the police are providing sufficient information in SPRs about risk and if/how deposes are using this information at court.
2	(b) ensure that Standard Prosecution Reports fully address the victim's views on court proceedings, bail conditions and non-harassment orders. Reasons for victims' views should be fully explored and should be described, by both COPFS and Police Scotland, in appropriate and accurate language	In progress	We are aware that a guidance template which Police Scotland provides to officers to complete SPRs in domestic abuse cases has a specific section on victim's views including on remand, bail and a Non-Harassment Order (NHO). The need for Police Scotland to provide this information is also covered in the Lord Advocate's Guidelines on Domestic Abuse. COPFS updated the Domestic Abuse Manual (July 2026) and the guidance on non-harassment orders (May 2026) to alert

			prosecutors to the need to consider domestic abuse cases through a 'risk lens' – the ECHR duty to consider the risk of harm to the victim and mitigate against it. This may include the prosecutor not sharing the victim's views on bail or an NHO at court. The aim of this recommendation is to ensure that SPRs provide this information. A dip sample of SPRs will be required to be carried out by COPFS so that IPS can fully assess it.
2	(c) ensure that the approach to counter allegations set out in the joint protocol on challenging domestic abuse is followed in practice by both reporting officers and marking deposes. Managing counter allegations should form part of training	Substantial progress	As we commented in our 2024-25 annual report it is encouraging that the internal guidance and training on counter allegations is positive and advanced and covered as part of domestic abuse marking training. The Lord Advocate's Guidelines on Domestic Abuse address the approach Police Scotland officers should take to counter allegations and set out more detailed guidance to police officers than the over-arching principles in the Joint Protocol. IPS is aware that owing to other operational commitments it is estimated that 145 deposes need to attend this marking training which was planned for July to September 2026. We will consider the attendance rate at this training in our 2026-27 annual report. Dip sampling should also be carried out to monitor compliance with this training to enable IPS to fully assess this recommendation.

2	(d) ensure that calls to 999 and 101 are assessed for their evidential value by both reporting officers and marking deputes	Substantial progress	COPFS carried out national dip sampling of 10% of all summary domestic cases that concluded in the October to December 2025 period. We considered the dip sampling for this recommendation and noted that there was inconsistency in recording language across the dip sampling which made analysis challenging. The dip sampling showed that Police Scotland were not routinely submitting 999/101 calls on DESC to COPFS when required. COPFS have taken a number of actions to address this – - Raising this with Police Scotland nationally. - The Lord Advocate’s Guidelines on Domestic Abuse include instructions to officers to provide this evidence. - The Domestic Abuse Case Marking Instructions aide memoire reminds prosecutors to look for this evidence. - Police Scotland now attend the COPFS Domestic Abuse Governance Board where we are advised this issue will be monitored. A further dip sample will be required for our 2026-27 annual report to assess this recommendation.
2	(e) address the premature reporting of cases and delays in carrying out further enquiries. Consideration should be given to increasing the use of investigative liberation, while ensuring that the risk to	In progress	IPS accept that meeting this recommendation relies on cooperation from Police Scotland. The Lord Advocate’s Guidelines on Domestic Abuse give direction to Police Scotland on policing a course of conduct.

	victims is assessed and managed through the use of protective conditions.		IPS understand that there are ongoing discussions to raise awareness of this issue at sheriffdom local police forums and the COPFS Domestic Abuse Governance Board. We are also aware that a case related instruction protocol and guidance between COPFS and Police Scotland has recently (August 2026) been agreed to streamline communications between COPFS and Police Scotland including the need for Police Scotland to comply timeously with case related instructions. We will require comparative data to demonstrate the differences that these changes may bring to Police Scotland reporting domestic abuse cases, which we will take account of in our 2026-27 annual report.
3	COPFS should ensure that statutory aggravations are applied where appropriate. This could be done via additional training and guidance, as well as quality assurance and feedback to staff.	COPFS has classed recommendation 3 as a 'year 2' recommendation, to be implemented by April 2026 Achieved	COPFS submitted dip sampling of cases selected from a list of all domestic abuse cases marked by NICP legal staff w/c 27 April 2026. The data (from 3 sheriffdoms) showed that statutory aggravations were applied appropriately in 76.6% of relevant cases. An additional step has now been added to the case marking checklist (which went live on 8th August 2026) which requires marking deputies to ensure that statutory aggravations are appropriately applied. The associated guidance on the COPFS intranet refers to this recommendation and there were a number of awareness sessions facilitated by COPFS which IPS also attended.

			IPS now considers this recommendation to be achieved.
4	In domestic abuse cases, COPFS should require that marking instructions specify whether there is a sufficiency of evidence without the victim giving evidence.	COPFS has classed recommendation 4 as a 'year 2' recommendation, to be implemented by April 2026 Substantial progress	IPS notes that the Domestic Abuse Manual has been updated on this topic and that proceeding without the victim is included in the domestic abuse marking training and in a CMI aide memoire. The most recent evidence which COPFS has provided (May 2026) shows that in dip sampling across 3 sheriffdoms (Grampian, Highlands and Islands, Tayside, Central & Fife and Lothian & Borders markers specified whether there was a sufficiency of evidence to prove the case without the victim in 34.4% of cases. This does not satisfy the recommendation. Further dip sampling across the whole of COPFS will be required for IPS to further assess this recommendation.
5	COPFS should ensure there is a shared, service-wide understanding of Advance Notice Trials (ANT) and Advance Preparation Trials (APT). There should be a clear, efficient process for identifying cases that require advance notice or preparation and for ensuring that they receive the additional attention they require.	In progress	This is now covered in the Domestic Abuse Manual and the CMIs. We have also received copies of rotas from October to December 2025 for all six sheriffdoms to consider. These were provided as evidence of a COPFS corporate commitment to provide <i>some</i> preparation time for domestic abuse. The recommendation is in three parts - <i>(a) shared, service-wide understanding of Advance Notice Trials and Advance Preparation Trials.</i> This is achieved through the clarity in the amended manual and guidance. However, sheriffdoms should ensure marking

			deputes/deputes (in NICP and local offices) are applying the guidance. <i>(b) a clear, efficient process for identifying cases that require advance notice or preparation.</i> It is evident from the dip sampling provided that individual offices are adopting local practices. There requires to be a national process that identifies best practice. IPS recently heard of one office which was utilising the Microsoft Planner function and its associated features for organising ANT/APTs rather than the more traditional spreadsheet. <i>(c) ensuring that they receive the additional attention they require.</i> IPS has received evidence from at least one sheriffdom which highlights that there are concerns about having the staffing levels and experiences to put ANT/APT into practice and the intention of giving prosecutors dedicated time not always being achievable has been recognised and discussed at the COPFS Domestic Abuse Forum. Further evidence is required to fully assess this recommendation.
6	COPFS should ensure that domestic abuse cases at summary level are prepared effectively. This will require that:	COPFS has classed recommendation 6 as a 'year 2'	COPFS advise that there has been considerable focus on how correspondence is being handled and processed by Local Court Teams. There is a KPI that in 75% of cases

	(a) new information is brought to the attention of deposes and acted on promptly	recommendation, to be implemented by April 2026 Substantial progress	witness/victim correspondence requiring a response should be responded to within 10 working days. As at March 2026 81.5% of such correspondence receive a response within 10 working days.⁸⁶ We understand that statistics show that there has been a significant improvement in compliance with the COPFS 10-day KPI for replying to correspondence for victims and witnesses. Different approaches are being taken in different sheriffdoms to improve responsiveness. COPFS advise that it is a reality of local court practice that the Crown require to allocate legal resources to court duties in the first instance but recognise that the optimal service should enable prosecutors to have allocated and adequate preparation time. KPI compliance in relation to correspondence with victims and witnesses is encouraging, however this recommendation also applies to other new information, including from Police Scotland. We require to see evidence of how this is brought to the attention of and acted on by prosecutors to fully assess this recommendation.
6	(b) deposes are available to deal with urgent and unexpected queries as they arise	In progress	This part of the recommendation was specific to deposes being available to deal with urgent enquiries. We accept that it is a resourcing challenge to ensure that there is always an office depute and again we note that individual sheriffdoms are taking steps to ensure resourcing and responsiveness.

⁸⁶ COPFS Local Court Business Plan 2026-27.

			IPS understands that the SCM approach has changed the emphasis to front loading of cases which has reduced the number of trials prosecutors ought to be handling in a trials court. We are also aware that SCM has reduced scheduled domestic abuse trials to 30% below the pre-pandemic baseline. COPFS advise that consequentially, prosecutors should have more time to dedicate to those cases that remain for trial and to consider the points in contention. However, queries will not be restricted to cases in which trials are fixed. There is a range of miscellaneous work including search warrants etc which would have traditionally fallen to an 'office depute'. This recommendation also addresses this work. We also understand that the COPFS stabilisation plan is likely to have an impact on Local Court resources going forward. COPFS may wish to consider how to quantify this hidden work for prosecutors and introduce a KPI to monitor how these queries are dealt with. Such evidence would assist IPS to assess this recommendation.
6	(c) the tasking of reporting officers is followed up timeously	Achieved	As set out in rec 2 (e) IPS understands that as part of wider changes and improvements to the COPFS case management system, a new Memorandum Of Understanding (MoU) between Police Scotland and COPFS went live on 8th August 2026. This is to establish an escalation policy within ISCJIS emails to improve efficiency, compliance and monitoring.

			To complement the MOU, COPFS together with Police Scotland, introduced through their case management system a digital escalation process for emails containing procurator fiscal instruction, that had been sent to Police Scotland by a prosecutor and had not been actioned. Due to the MoU and the digital escalation process, IPS now consider this recommendation to be achieved.
6	(d) action is taken to address any risks to the efficient progression of the case	Superseded	This recommendation has been superseded by the SCM process which has focused on efficiency and early preparation of cases. IPS is satisfied that the other parts of recommendation 6, if fully implemented, will further reduce overall risk to case progression.
6	(e) deutes have sufficient time to address issues during their case preparation.	In progress	We acknowledged in our 2024-25 annual report that SCM was anticipated to address this issue. We are aware that SCM is now embedded across COPFS. However, IPS require information/data to demonstrate that deutes across COPFS now have sufficient case preparation time for summary domestic abuse cases. As commented at recommendation 6 (b) we also understand that the COPFS stabilisation plan is likely to have an impact on Local Court resources going forward.
7	COPFS should ensure that an accurate record of discussions and decisions at pre-	Substantial progress	We are aware that intermediate diets should largely no longer exist in terms of the SCM process. There is now a requirement for COPFS to accurately record EVE calls and discussions in

	intermediate diet meetings is made in the electronic case file.		advance of Case Management Hearings where the agreement of evidence and outstanding points of contention are clarified ahead of trial. We would note however, that from the initial work on our focused follow-up inspection on communication with victims of domestic abuse in summary cases that we are aware that intermediate diets are still being fixed in some cases and Pre Intermediate Diet Minutes (PIDMs) are not always recorded by prosecutors as required. It may be that we consider this recommendation as superseded by the time we come to publish our 2026-27 annual report but would need to be satisfied that intermediate diets are no longer fixed. If they are, we will require evidence to demonstrate that PIDMs are being prepared and recorded in the electronic case file.
8	To avoid unnecessary adjournments, COPFS should ensure that, where it is clear during case marking or case preparation that the complexity of the case or the nature of the evidence required will mean early trial diets are not achievable, then more realistic trial diets should be sought.	COPFS has classed recommendation 8 as a 'year 2' recommendation, to be implemented by April 2026 Superseded	This recommendation has largely been superseded by the SCM process as trial diets should only be fixed if all parties are ready and effective case management has taken place which should have addressed complexities of cases.
9	COPFS should provide clear guidance to staff on when a domestic abuse victim should be informed of a decision to	In progress	Guidance has been updated in the Domestic Abuse Manual to advise that discontinuations should be communicated to the victim. Reference is made in this Manual to Chapter 9 of the Victim and Witness Manual which contains instruction on local

	discontinue a case and of their right to request a review of that decision.		court VIA liaison with the VRR manager at Enquiry Point. There is however information also in the Local Court Business Manual (4.12) which contains different instructions. When we wrote our 2024-25 annual report the VIA response and how they communicate this information to victims was still awaited as part of the Victim & Witness Engagement Strategy VMP phase II. We understand that VMP has now been paused. IPS still requires evidence of whether the guidance is being followed by staff.
10	Where cases are discontinued at court, COPFS should ensure that they are reviewed timeously by a Principal Depute. The Principal Depute should review whether the discontinuation decision was appropriate, identify if there is any learning arising from the case, and determine how the case should proceed.	In progress	No further evidence has been submitted in relation to this recommendation. IPS understands that the COPFS Domestic Abuse Forum will address COPFS wide learning. The Domestic Abuse Manual states that legal managers should approve any decision to discontinue domestic abuse cases. There are different approaches being taken across sheriffdoms to discontinuing these cases, reviewing these decisions and deciding if cases should be reraised. We understand that in some sheriffdoms they remain managed by deputies and not Principal Deputes. IPS require evidence that there is national consistency and that cases are reviewed at the appropriate governance level within sheriffdoms.

			COPFS is considering what evidence they could provide in order that IPS can assess the recommendation. This may include data about outstanding cases awaiting review by a senior legal manager and those considered 'in hand' and reviewed or case specific examples provided for COPFS Domestic Abuse Forum representatives.
11	As well as monitoring the domestic abuse waiting period, COPFS should work with its partners to monitor the overall journey time for domestic abuse cases. This monitoring should lead to action to address any barriers to progressing cases efficiently.	COPFS has classed recommendation 11 as a 'year 2' recommendation, to be implemented by April 2026 Superseded	IPS understands that SCM has changed the overall approach and journey time of summary cases. COPFS advise that the whole journey waiting time is more indicative of a process which is operating successfully and with the least disruption for victims in domestic abuse cases. IPS is aware that the overall success of SCM has increased early resolution of cases and there is a strong presumption that overall journey times have reduced, which is supported by data published in the SCTS SCM Evaluation report in May 2026.
12	With regard to bail in domestic abuse cases, COPFS should: (a) ensure that prosecutors provide sheriffs with information about whether victims want special bail conditions and, if so, what those conditions should be, tailored to each victim's needs	COPFS has classed recommendation 12 as a 'year 2' recommendation, to be implemented by April 2026 In progress	This recommendation is also relevant to recommendation 2(b). COPFS has recently updated the Domestic Abuse Manual (July 2026) and the guidance on NHOs (May 2026) to alert prosecutors to the need to consider domestic abuse cases through a 'risk lens' – the ECHR duty to consider the risk of harm to the victim and mitigate against it. This may include the prosecutor not sharing the victim's views on bail or an NHO at court.

			IPS understands the need for prosecutors to take a trauma-informed approach to providing this information to the court and that the COPFS National Lead for Domestic Abuse is a member of the Domestic Abuse Court Advocacy Steering Group where representations have been made on the need for National Advocacy. IPS will require dip sampling to monitor the impact of the updated guidance. It would also be helpful for COPFS to consider providing practical guidance to prosecutors in the event of sheriffs insisting that the victim's views are put before the court. We are aware that this issue has been discussed at the COPFS Domestic Abuse Forum.
12	(b) work with justice partners, particularly the police and the Scottish Courts and Tribunals Service, to ensure that victims are informed of the outcome of the accused's first appearance on the same day, and update all guidance and protocols accordingly	In progress	The Domestic Abuse Manual states that VIA should provide this information by phone the same day or a maximum of 24 hours after the accused has appeared at court (and if the accused is released from custody and VIA cannot make contact the police must do so). IPS also notes that the Domestic Abuse Manual states that by local agreement victims could be updated by an advocacy service. This recommendation is currently being further considered in our focused follow-up inspection on – <i>communication with victims of domestic abuse in summary cases</i>. COPFS carried out national dip sampling of 10% of all summary domestic cases that concluded in the October to December 2025 period and assessed compliance with this

			recommendation. We considered the dip sampling for this recommendation and found numerous ranges of responses. The lack of consistency in the options for recording made it difficult to analyse and rely on the results. Individual sheriffdoms also take different approaches to how and when to share this information which we commented on in our 2024-25 annual report. COPFS advise that a key barrier to meeting this recommendation is internet connectivity in court and sheriffs granting deutes time to sync their iPad. This is contingent on support from SCTS whom COPFS continue to engage with. A further barrier is that many custodies call after core office hours. We aim to report the findings from our focused follow-up inspection by the end of 2026.
12	(c) ensure that victims are informed of bail review applications, their views are sought and put before the court, and they are informed of the outcome timeously.	In progress	Guidance is provided in the Domestic Abuse Manual about the need to seek/provide this information to victims and by whom. COPFS advise that full compliance with this recommendation is contingent on collaboration from Police Scotland. The Lord Advocate's Guidelines and the Joint Protocol address police responsibilities.

			IPS understand that VIA should update victims about bail reviews and their outcome. Dip sampling has been carried out by COPFS but has not covered many examples of bail reviews. In the cases sampled, it was difficult to determine if victims' views were sought as they were not always recorded by the prosecutor. A more focused sample is required to look more closely at what occurs in these particular cases.
13	In domestic abuse cases, COPFS should ensure that: (a) throughout the case, the victim's views on the need for a non-harassment order and its contents should be sought, whether directly or through a support organisation	COPFS has classed recommendation 13 as a 'year 2' recommendation, to be implemented by April 2026 Achieved	COPFS updated its Victims and Witnesses Manual to provide guidance to staff on NHOs in April 2026. The associated guidance published on the COPFS intranet makes specific reference to this recommendation, highlighting the need for active consideration of NHOs throughout the life of any case. The guidance underlines the need to consider human rights, risk, safety and the protection of victims and children. It also advises staff to routinely check for the involvement of victim support and advocacy services. COPFS carried out dip sampling of 10% of all summary domestic cases that concluded in the October to December 2025 period nationally and looked at whether complainer's views on the granting of an NHO had been ingathered. Of the applicable cases, in 79.8% the complainer's views on an NHO had been ingathered which satisfies this recommendation.

13	(b) reports containing the views of the victim about non-harassment orders should be processed and brought to the attention of prosecutors timeously, and the victim's views put before the court.	Achieved	COPFS updated the Victims and Witnesses Manual to provide guidance to staff on NHOs in April 2026. The associated guidance published on the COPFS intranet makes specific reference to this recommendation and the importance of placing victims' views before the court and the requirement to consciously balance this against the need to prioritise victim safety. We note from COPFS dip sampling of summary domestic cases concluded in the October to December 2025 period that in the majority of the cases the victim's views were available to the depute in court when the case called. Where this was the case, the views were put before the court by the depute. Recording of this by prosecutors was an issue, although there is a presumption that the information about NHOs is put before the court if available.
14	COPFS should review its guidance to ensure there are clear, consistent instructions to staff about who is responsible for notifying victims of postponed undertaking dates. Guidance should be supported by appropriate processes, and staff should be made aware of the approach to be taken.	Substantial progress	The Domestic Abuse Manual has been updated, recognising that victims need to know urgently if an undertaking is cancelled. While there are instructions to case markers there is not absolute clarity about who is responsible for advising victims about postponed undertaking dates – VIA, prosecutor or police. As part of wider enhancements to the COPFS case management system, it is now possible for case markers to refer cases to VIA before finalising the case marking.

			The associated guidance on the COPFS intranet refers to this recommendation and states that this is particularly helpful for cases such as undertakings that have not yet been marked but still need a VIA referral, helping COPFS better support victims and work with advocacy services. There were a number of awareness sessions about these changes facilitated by COPFS which IPS also attended. COPFS also carried out dip sampling of this recommendation, but the majority of the cases considered did not feature a change in the undertaking date therefore this was not considered. There would be benefit from a more tailored selection of undertaking cases to dip sample. This could also take account of the impact of the process change.
15	With regard to special measures, COPFS should: (a) ensure that when victims make contact to discuss special measures, they are offered the full range of measures available. This will allow victims to choose the standard special measure or measures that will help them give their best evidence, or request non-standard measures	In progress	The Domestic Abuse Manual refers to the principal aims of VIA, depute communication with victims and witnesses, vulnerable and child witnesses and the full brace of special measures available but it does not clarify who is responsible for discussing these with victims. The VIA Toolkit advises that VIA staff should 'avoid influencing DA victims' decisions around special measures. It remains unclear whether victims are being offered the full brace of special measures across COPFS. COPFS advise that it has been challenging to obtain a full picture from SCTS as to what facilities are available and functional in each sheriffdom. COPFS plan to carry out more

			work to determine what facilities are available and ensure that victims are offered all the options. There were some difficulties with the dip sampling which COPFS provided to satisfy this recommendation. IPS will require to see further evidence or dip sampling to assess whether VIA staff are now offering the full range of measures to victims.
15	(b) work with its justice partners towards ensuring all victims in domestic abuse cases have the opportunity to give their evidence remotely, and that there is sufficient capacity to meet demand	In progress	COPFS advise that there has been significant work and liaison with SCTS to satisfy this recommendation. IPS is mindful that implementation of this recommendation involves questions of capacity and resources in the SCTS estate. As part of dip sampling provided by COPFS, IPS is aware that there remain situations in which witnesses cannot give evidence via remote link due to insufficient video facilities which is disappointing. We note that Part 2 of the Victims, Witnesses and Justice Reform (Scotland) Act which comes into force in October 2026 will require all justice sector agencies, including SCTS to take a trauma-informed approach which ought to include the opportunity to give evidence remotely.

15	(c) review the process for arranging remote TV links from other nations in the UK and consider whether this should be done by a centralised resource	In progress	COPFS advise that there has been significant work and liaison with SCTS to satisfy this recommendation. However, the recommendation was not made to involve external justice partners but to address an internal process within COPFS. We would suggest (as outlined in our report at paragraph 332) that COPFS consider if a centralised resource (such as COPFS ICU⁸⁷ division who have the established connections) in Crown Office should deal with all the requests to courts in the UK.
15	(d) inform victims about the special measures that have been granted. This information should be provided as early as possible.	Not achieved	To comply with this recommendation COPFS requires to implement a system in which victims are told of the grant of special measures. IPS is unaware of any change of guidance or creation of a new process to communicate this information to victims. COPFS dip sampling of all summary domestic cases that concluded in the October to December 2025 period considered whether victims were advised that special measures were granted. Proactive contact was difficult to assess due to 2 factors – (1) trials were not fixed in many of the cases in the dip sample and (2) there were different practices in VIA teams. IPS will require evidence of a new process to show how/by whom victims are advised of the special measures granted if

⁸⁷ COPFS International Co-operation Unit.

			COPFS continues to accept this recommendation and dip sampling of compliance with this.
16	COPFS should ensure that victims in summary domestic abuse cases are proactively made aware of the possibility of viewing their statement in advance of the trial.	COPFS has classed recommendation 16 as a 'year 2' recommendation, to be implemented by April 2026 Achieved	IPS is aware that adult victims are advised in the initial letter which they receive from VIA that in some cases they can view their witness statement. COPFS advise that some victims elect to come to an office to view their statement rather than do so online via the COPFS Witness Gateway. COPFS advise that they have refurbished some witness rooms to provide more trauma-informed spaces for witnesses to view their statements. COPFS is undertaking more work with 3rd sector organisations to ensure victims are aware that they can see their statement, however we now consider this recommendation to be achieved.
17	COPFS should ensure that in all summary domestic abuse cases, prosecutors seek to make contact with the victim as part of their early case preparation. Prosecutors should have sufficient capacity to carry out this task effectively.	In progress	We note the evidence of guidance for prosecutors on how to undertake enhanced engagement and emails from sheriffdoms highlighting benefits of EVE to prosecutors as SCM was rolled out. The evidence submitted also highlights that different practices exist in the six sheriffdoms across COPFS. We note that some of the information is not contained in the guidance but in training such as the introduction of a policy to sending a letter out to the witness from the prosecutor if an EVE call is unsuccessful. COPFS provided updated SCM data in May 2026.

			We were advised that until the start of 2026 the COPFS SCM Project Team assessed whether prosecutors were contacting victims and whether they have capacity to do so. This has now been replaced by a process where Local Court are responsible for this through a record in the case management systems to allow the Management Information Unit (MIU) to prepare a report monthly. To date, recording issues have been identified and feedback on this has been provided by the SCM team to Local Court leads. This has also been escalated and is being monitored through the Implementation Governance Board. We also now understand that a successful EVE call is effectively an answered call. An unsuccessful call is an unanswered call, a call that does not connect or a call that COPFS cannot make due to not having details. Some sheriffdoms submitted dip samples which IPS considered and note that due to the time period (10% of all summary domestic abuse cases from October to December 2025) SCM was not yet applicable across the whole of COPFS. IPS require further data about EVE calls being made and prosecutor capacity to carry them out now that SCM is embedded across the prosecution service. We are also advised that a revised summary VIA process should complement this work.
18	In summary domestic abuse cases, COPFS should address victims' desire to speak with the trial prosecutor in	In progress	This recommendation relates to - (i) prosecutors having capacity to speak to victims at court

	court. To alleviate the pressure on prosecutors at court, this could include requiring prosecutors to make contact with victims during trial preparation to introduce themselves and address any outstanding issues. Prosecutors should have sufficient capacity to carry out this task effectively.		(ii) prosecutors having capacity to make contact with victims during trial preparation Guidance encourages prosecutors to speak to the victim at court in advance of trial. COPFS advise that work is ongoing to revise advocacy courses to increase deputes' confidence to seek time at court to speak to victims. We understand this is supported by Sheriffdom Procurators Fiscal/judicial liaison so that sheriffs allow prosecutors time when needed. IPS requires data to demonstrate that prosecutors are meeting with victims of domestic abuse on the day of trial. COPFS advise that due to SCM victims ought to be contacted in advance of trial by prosecutors. This may not always be the trial prosecutor, but when a case is allocated as an APT that prosecutor ought to make contact with the victim, knowing that they will be undertaking the trial. We have been provided with duty rotas from all six sheriffdoms to evidence how SCM duties and ANT/APT preparation days are allocated. These varied across sheriffdoms. COPFS advise that the variation reflects local operational design of rotas rather than differences in practices and that the division of SCM-related duties is structured to reflect how individual sheriffdoms balance workload and court programming. IPS understands this rationale but would observe that we remained concerned about whether prosecutors have the
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			capacity to carry out all SCM related tasks based on the rotas provided to us and we require data to demonstrate that deputies are making contact with victims ahead of trial. This is an area we will be looking at further in our current focused follow-up inspection.
19	In relation to communicating with victims in summary domestic abuse cases, COPFS should: (a) take immediate steps to ensure that victims are receiving basic information about their case, including its outcome, timeously	COPFS has classed recommendation 19 as a 'year 2' recommendation, to be implemented by April 2026 In progress	This recommendation is currently being further considered in our <i>Focused follow-up inspection – communication with victims of domestic abuse in summary cases</i>. IPS considered some of the dip sampling carried out by COPFS (10% of all summary domestic abuse cases October to December 2025.) In the majority of cases COPFS assessed that victims had received basic information about their case timeously however, we noted failings in communication in some of these cases which means that victims still do not appear to be routinely receiving basic information about their cases timeously. We have been provided with evidence of a potential new COPFS Summary VIA process which COPFS hope will address some of these issues. We understand that the VIA workload app will also provide data on this in future. We aim to report the findings from our focused follow-up inspection by the end of 2026.

19	(b) work towards providing information to victims at additional key points in the progression of cases	In progress	Owing to the ongoing work in relation to a new summary VIA process IPS considers that this recommendation is now in progress. We understand that some sheriffdoms may have initiatives, but we have not been advised if these practices will be adopted service wide. As with all IPS recommendations we are looking for a national approach to avoid inconsistency which may be addressed by a new summary VIA process.
19	(c) develop guidance for all staff to ensure that there is consistent practice regarding what a victim is told about charges and accepted pleas	In progress	COPFS advise that guidance is being developed to meet this recommendation. The guidance is to be developed in collaboration with 3rd sector colleagues, NEP, Policy, SPC and VIA and is a current priority. We are advised that its progress will be complemented by improved training and is predicated on the foundation of improved victim communication and trauma-informed approach. We also note that COPFS is considering use of a 'checklist' which would be quick and easy for VIA staff to follow when determining what information to share with victims. In order to further assess this recommendation, we require to see data to evidence what happens in practice taking account of these planned changes.

19	(d) ensure that staff are able to identify and respond to the additional support needs of victims.	In progress	IPS is aware that COPFS is committed to trauma-informed practice. There is specific guidance in the Domestic Abuse Manual on prosecutor communication with victims and witnesses, including guidance on 'listening skills' and how to deal with matters such as requests from victims to discontinue proceedings at trial. There are trauma-informed rooms in some of COPFS offices which has attracted positive feedback from 3rd sector agencies. In order to assess this recommendation IPS require to see data to evidence what is happening in practice. This should include dip sampling or quality assurance to ensure communication is being tailored appropriately to meet victims' needs.
20	COPFS should review whether the current VIA service in summary cases is fit for purpose and whether, in its current form, it will be able to deliver a person-centred and trauma-informed service to victims. As part of its review, COPFS should consider the need for effective national leadership and oversight of the VIA service.	In progress	IPS is aware that COPFS is currently undergoing significant re-structure. COPFS accept that while this specific recommendation cannot be fully met at present, they aim to build the recommendation into planning under the new Transformation and Change Directorate and IPS understands that this work will now be progressed. We are aware that summary VIA processes are also currently being reviewed and draft details have been shared with us which is reassuring given our concerns about the standard of service provided to domestic abuse victims and the pressures felt by summary VIA staff.

			We will keep this recommendation under review in light of COPFS re-structure and consider evidence of any change once it becomes available.
21	COPFS should provide victims in domestic abuse cases with a dedicated VIA officer.	Superseded	COPFS advise that they will build this recommendation into planning under the new Transformation and Change Directorate where this work will now be progressed. IPS consider that SCM and the changes it has made to victim engagement including EVE and increased prosecutor contact means that this recommendation has now been superseded.
22	COPFS should ensure that all victim and witness contact is recorded in one centralised place accessible to all staff. In the short term, COPFS should take immediate action to ensure that all staff are aware where victim and witness contact with Enquiry Point is recorded, and that staff use this information when preparing and managing cases.	In progress	This is a longstanding significant concern for IPS, first raised with COPFS in December 2023. The only evidence that has been provided to IPS is a communication to COPFS staff which is almost 2 years old. We are also aware, owing to our other inspection activity, that the lack of a central record to capture all witness information remains a live issue for COPFS which causes/contributes to prosecutors being unaware of important information provided by witnesses. A lack of one central record for such information impacts the progress of prosecution cases and is a substantial disclosure risk for COPFS. Communication and instruction to staff about the witness contact record has therefore been unsuccessful. There is a proposed ISD solution which we understand is to be a user-friendly VIA minute sheet. There are no timescales for implementation of this process change.

			We were advised last year that a working group was established to address this issue. We reported on this in our 2024-25 annual report but have since been advised that there was only one, very limited, meeting. There is no evidence of practical progress provided to address this recommendation.
23	To improve the efficiency of its service, COPFS should identify and reduce failure demand.	In progress	This recommendation relates to summary case administrative backlogs. IPS has considered the empirical data set out in the evaluation of SCM, published by SCTS in May 2026 which shows a reduction in witness citations, reduced adjournments and less trials in domestic abuse cases. IPS will require evidence from COPFS to show that SCM has improved administrative and VIA backlogs in domestic abuse cases in order to fully assess this recommendation.
24	At an early stage in proceedings, COPFS should proactively advise child witnesses who provide statements to the police in domestic abuse cases (and/or their parents or guardians) whether or not they will be cited to give evidence.	Superseded	After careful consideration IPS considers that this recommendation has been superseded by the introduction of UNCRC which was incorporated into Scots law in July 2024. This means COPFS have a legislative duty to act in the best interests of the child in each case. This requires communication with child witnesses/their parents to be considered by COPFS on a case-by-case basis. We note that the Domestic Abuse Manual has a requirement that once a decision is taken about whether a child is needed as a witness that this requires to be communicated. It is,

			however, not clear from the manual who does this, when or how this should be communicated. This section of the manual ought to be amended by COPFS, with reference to UNCRC.
25	COPFS should review its use of quality assurance to support continuous improvement in the management of summary cases and in communication with victims and witnesses.	Achieved	It is clear that quality assurance issues are discussed at the COPFS National Domestic Abuse Forum including learning from what is happening across the six sheriffdoms and feedback from 3rd sector agencies. COPFS should consider adding 'Quality assurance' as a set agenda item at the National Domestic Abuse Forum to ensure it is routinely discussed and captured. IPS has received dip sampling of summary domestic abuse cases undertaken by sheriffdoms and NICP at various stages during the lifetime of the case. This is to demonstrate to what extent COPFS is progressing a number of the other recommendations in this inspection report aimed at improving the management of domestic abuse summary cases and victim communication. In July 2026 a Quality Assurance Team was established which aims to create the standards, processes and governance arrangements needed to provide meaningful assurance across COPFS.
26	COPFS should gather feedback from victims and witnesses about their experience in domestic abuse cases. This	COPFS has classed recommendation 26 as a 'year 2' recommendation, to	IPS has been provided with evidence that demonstrates examples of the good working relationship between some COPFS local offices and the third sector. However, a consistent national approach is required.

	feedback should be used to support improvements in its service.	be implemented by April 2026 Substantial progress	We are aware that the COPFS domestic abuse policy lead monitors and responds to weekly ASSIST bulletins as a source of lived experience feedback; we note that ASSIST has become more limited recently and it is not available throughout Scotland. COPFS is prioritising work to create feedback loops with key agencies. IPS will take account of evidence that demonstrates further progress in our 2026-27 annual report.
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Responding to enquiries: service delivery through National Enquiry Point

No	Recommendation	Status	Rationale
1	COPFS must ensure that there is a clearly defined and widely understood purpose, remit and vision for Enquiry Point, as well as a plan for how this will be delivered. COPFS should also publish commitments about the service the public can expect to receive.	Substantial progress	A 'Customer Care Charter' is being produced which will set out internal and external standards of service for COPFS. It is intended that this will be supported by a customer engagement strategy and revised key performance indicators (KPIs) which will be embedded into a new COPFS performance framework. This is currently at the draft stage. The first part of the recommendation which has an internal focus to ensure that COPFS staff are aware of the purpose of Enquiry Point and how the role it plays relates to their own work, is at risk of being lost. The work on the revised

			Chapter 8 of the Victim and Witness Manual at recommendation 6(a) may partially address this. In order for IPS to fully assess this recommendation the Customer Care Charter will require to be finalised and published. We require evidence that COPFS staff have been trained on the content and the requirements of the Charter. The part of the recommendation that deals with internal COPFS staff awareness of the role and remit of Enquiry Point will require to be addressed.
2	COPFS should ensure there is effective governance and oversight of Enquiry Point and its performance.	In progress	As part of the restructure through 'Designed for Success', Enquiry Point now comes under the governance of the Customer Care Team, reporting to the Head of Customer Care, who is yet to take up post. It is intended that a new COPFS-wide Performance Framework will be embedded by 2027/2028. This will include revised KPIs with learning from Enquiry Point calls. Issues and failure demand identified will be shared across the organisation and reported to the Leadership Board. IPS look forward to these plans being actioned and receiving evidence that they have been implemented.
3	COPFS should gather the data needed to inform the design and delivery of an improved enquiry handling service.	Not yet started	COPFS has not yet made progress with this recommendation. Options for gathering inbound call data from the current telephony and system technology continue to be explored by COPFS ISD. It is unclear

			currently whether a new system that supports data collation will be required or will be part of COPFS digital strategy. IPS has received no evidence of data collation commencing utilising any features of the current systems.
4	COPFS should explore opportunities to pre-empt, divert and reduce demand on Enquiry Point.	Not yet started	COPFS has advised that Enquiry Point continue to utilise one operator resource each day on agent case checks despite the introduction of DAS. No discussions have yet taken place with SCTS regarding enquiries that are more appropriately dealt with by them. No reviews of the information on the website and fiscal fine documentation have taken place to clarify and provide guidance for the public which organisation they should contact about fiscal fines. COPFS intend to await analysis of data in respect of recommendation three to inform this recommendation and the action it will take.
5	COPFS should seek feedback from service users about how well it responds to their enquiries and how best it can meet their needs. This feedback should be analysed and used to inform service improvements.	In progress	COPFS advise that a Head of Customer Care is to develop a customer care satisfaction survey. This will in turn feed into the performance management framework. Feedback loops will continue to be considered as part of the COPFS trauma-informed work.

			Current technology is being reviewed to inform whether feedback can be obtained digitally. IPS await more substantial progress to assess this recommendation.
6	In relation to guidance, COPFS should: (a) review Chapter 8 of its Victim and Witness Manual, ensuring it is up to date and clearly sets out COPFS's duties and expectations of staff, including those working in Enquiry Point. The review of Chapter 8 should take into account current working practices	Substantial progress	This review is being undertaken by COPFS Policy, and a draft has been produced. IPS await publication of this revised chapter.
6	(b) review the guidance used internally by Enquiry Point to ensure it is accurate, consistent with COPFS policy and procedures, and corporately approved. Consideration should be given to the process by which future changes will be made.	Not yet started	IPS understand that this review will be undertaken by Enquiry Point with oversight and approval by COPFS Policy. IPS has received no evidence that work on this has commenced.
7	To improve the efficiency of enquiry handling, COPFS should explore the feasibility of standardising how Enquiry Point contacts local offices and specialist teams. Where local offices and specialist teams restrict their availability to Enquiry	Not yet started	A business mapping process is proposed by COPFS to assist both Policy and Enquiry Point in agreeing standard communication methods and processes across all offices and teams.

	Point, there should be oversight at a senior level.		IPS has received no evidence to indicate that this work has begun.
8	COPFS should consider designating a prosecutor who can be readily available to support Enquiry Point with legal support and advice.	Not yet started/No longer accepted	COPFS is reviewing whether this recommendation remains accepted given budgetary restraints. One alternative being considered is a legal member of staff in the Policy team to be a single point of contact for Enquiry Point staff.
9	COPFS should review the training provided to Enquiry Point operators. The review should take account of all the training-related issues highlighted in this report.	Substantial progress	There have been some key advancements to progress this recommendation. There have been focused refresher training sessions based on request and managerial referral. Test cases have been advanced for operators to use, and consideration is now being given to system storage/access of these. The training includes the opportunity for Enquiry Point operators to visit court accompanied by a member of Dumbarton PF Office legal staff if available. The intention is to develop Enquiry Point learning packages within the COPFS SPC portfolio. Temporary training managers have been appointed in dedicated training roles. IPS reiterate the value of consistent baseline training for Enquiry Point operators and the use of legal trainers to develop modules on the justice system, court process and key legal topics for operators. IPS look forward to viewing the final developed training packages.

10	To ensure a more customer-focused and efficient enquiry handling service, COPFS should: (a) review the information it publishes about contacting Enquiry Point so those making enquiries can choose the method and timing of contact that best meet their needs and have information to hand that will help their enquiry be dealt with more quickly	Achieved	COPFS has updated the information on its corporate website about the various methods of contacting COPFS through Enquiry Point. It also provides service users with clear details of the case information they should provide operators with on the call.
10	(b) review Enquiry Point's recorded welcome message and provide information to callers about the expected wait or their position in the queue.	Achieved	The recorded welcome message has been amended to address the issues raised by IPS. The current system is unable to provide information to callers about the expected wait or their position in the queue. COPFS therefore has decided not to implement this part of the recommendation but may revisit it in the future should there be any new or repaired telephony system.
11	COPFS should ensure that: (a) prior to giving out information to those making case-related enquiries, all staff carry out appropriate identity checks	Substantial progress	A COPFS corporate policy is being prepared called 'Identity and Verification Policy'. This will be followed by the whole of COPFS. IPS has been provided with a draft of this policy. IPS will require a copy of the finalised published policy. Staff will require to be trained on this policy, and dip sampling of cases provided to IPS to confirm that Enquiry Point operators and wider COPFS staff are complying with the policy.

11	(b) appropriate arrangements are in place that allow advocacy workers providing support to victims and witnesses to easily access relevant information on their behalf.	In progress	Work initially started within Enquiry Point to address this in the short term while COPFS Policy, together with the Scottish Government worked to create a database of advocacy workers. COPFS has in the main pivoted away from this work to implement this recommendation. Business mapping and standardisation will support increased awareness of data protection issues. Data sharing agreements are being explored and reviewed to assist external organisations in accessing information. IPS look forward to seeing these plans come to fruition.
12	COPFS should ensure that Enquiry Point has appropriate systems and processes in place that support the recording of all types of enquiry and that this information is accessible to all those who may require it.	Not yet started	Ultimately COPFS intend to address the issue of all information on contact with victims and witnesses being recorded in one place which is accessible to all staff, with a new case management system. There is currently no firm timescale for delivery of this. IPS was informed by COPFS last year that a working group had been established to explore interim options of capturing the information in one document in the COPFS case management system. We reported on this in our 2024-25 annual report published in November 2025. We have subsequently been advised this year that the working group was not established.

			The issue of the wider COPFS staff being unaware of the information that Enquiry Point record in the witness contact record remains. As outlined elsewhere in this report, this remains a significant risk to COPFS with prosecutors being unaware of information from witnesses that could impact on the prosecution or raise disclosure issues. IPS is unaware of any ongoing actions or interim plans to address this recommendation.
13	COPFS should work to understand and address the reasons that staff across the organisation are unwilling or unable to answer calls from Enquiry Point.	Not yet started	COPFS has advised that they intend to address this recommendation by undertaking organisational wide business processing mapping, developing and implementing standard operating procedures and strengthening staff capability. Targeted learning and development packages are planned to ensure all staff clearly understand their roles and responsibilities. There is a further plan for regular reporting to Heads of Business Management about call transfer failure figures for review and discussion by the Leadership Team. The IPS recommendation is in two parts “understand” and then “address”. It is important that COPFS undertake work on this first part to inform the second part of the recommendation.

			IPS looks forward to receiving evidence of the intended plans being implemented and clear monitoring by COPFS to establish if there is an improvement in staff answering calls from Enquiry Point.
14	COPFS should review how Enquiry Point responds to emails, ensuring that those who make email enquiries receive a comparable level of service to those who make enquiries by phone.	In progress	Ultimately COPFS has advised IPS that it wishes to move to a new case management system which will fully integrate email enquiries into telephony and note recording to ensure one centralised record of contact with the public and stakeholders. This is a long-term aim. Management information is to be monitored to ensure that the email service is comparable to the phone service. In the interim, Enquiry Point have developed standardised responses to some common queries to ensure quality and consistency. Guidance has been produced for both operators and managers in processing email enquiries. Emails are dip sampled following a quality assurance process within Enquiry Point. As this is now a longer-term aim of COPFS to implement, IPS will receive regular updates.
15	COPFS should develop a workforce plan for Enquiry Point. It should ensure Enquiry Point is sufficiently staffed to meet demand and deliver the desired level of service.	Not yet started	Work on this recommendation is dependent on the Head of Customer Care taking post and giving direction on the service level Enquiry Point is to provide. The intention is that any workforce plan produced will reflect the requirements of the Customer Charter, within the limits of

			the COPFS budget and desired performance of Enquiry Point and be informed by business mapping of operational team structure within COPFS. COPFS must undertake work to understand the demand for its service from its range of users. This is a key recommendation, linked to several another recommendations, which together when implemented will ensure an effective and appropriately resourced service by Enquiry Point for all users. It is unfortunate that progress on this recommendation will not commence until almost two years after publication of the IPS report.
16	COPFS should explore the reasons for poor staff retention in Enquiry Point and take action to address them. It should consider what changes can be made to its recruitment process for operators to better identify the most appropriate candidates and to improve retention in the longer term.	Achieved	IPS is pleased to note that there has been a change in how Enquiry point staff are recruited. Work has been carried out with HR to introduce success profiles and a role-playing element to NEP recruitment to identify suitable candidates. To improve staff retention on a long-term basis, a retention allowance was granted for Enquiry Point operators from January 2026 and will be reviewed on an annual basis.
17	COPFS should ensure that the governance of digital projects is sufficiently robust.	In progress	IPS has been verbally assured by ISD that there is a competently managed governance process of digital projects in COPFS.

			However, IPS await submission of evidence in respect of this before consideration can be given to this recommendation being achieved.
18	COPFS should ensure that it has a contact centre application and other associated systems that help it deliver an effective and efficient Enquiry Point service.	In progress	IPS has been advised that ultimately the aim of COPFS is for their contact centre system to be part of the new case management system. There is no timescale for this at present. COPFS is exploring maximising the current system together with new products and platforms associated with that. No evidence has been submitted to IPS in respect of this recommendation.



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