



HM Inspectorate
of Prosecution in Scotland

Annual Report

2024 - 2025

To The Right Honourable Dorothy Bain KC
The Lord Advocate

The Twentieth Annual Report to the Scottish Parliament

November 2025

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HM Inspectorate of Prosecution in Scotland

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Contents

Foreword	4
About us.....	13
Our inspection activity	17
The prosecution of domestic abuse cases at sheriff summary level.....	17
Responding to enquiries: service delivery through National Enquiry Point.....	20
Citing witnesses in the sheriff court.....	22
Following up on previous recommendations.....	23
The management of criminal allegations against the police	23
COPFS practice in relation to sections 274 and 275 of the Criminal Procedure (Scotland) Act 1995.....	24
Joint review of diversion from prosecution	25
Inspection programme 2025-26.....	26
Other inspectorate activity.....	27
The inspectorate in 2024-25.....	30
Appendix 1 – Duty to publish information	31
Appendix 2 – Status of recommendations	33
Inspection of the management by COPFS of criminal allegations against the police (2021).....	33
Inspection of COPFS practice in relation to sections 274 and 275 of the Criminal Procedure (Scotland) Act 1995 (2022)	34
Joint review of diversion from prosecution (2023)	36
The prosecution of domestic abuse cases at sheriff summary level (2024)	42

Foreword



I was delighted and proud to take up post as His Majesty's Chief Inspector of Prosecution in Scotland (Chief Inspector) in July 2025, bringing with me over 25 years of experience as a prosecutor. I am pleased to have the opportunity to set out my vision, priorities and aims for HM Inspectorate of Prosecution in Scotland (IPS) during my time as Chief Inspector. It feels apt then for the theme of this year's annual report to be change – with change both at the helm at IPS and across the Crown Office and Procurator Fiscal Service (COPFS).

Whilst this is my first annual report as Chief Inspector it will reflect the sterling work carried out by my predecessor, Laura Paton and the IPS team from 1st April 2024 to 31st March 2025 which I will discuss in more detail later in this report. Ms Paton had been in post since 2019 and has left a real legacy at IPS through wide-ranging, considerate and impactful inspections whilst developing the process for implementation of IPS recommendations – I am grateful to Ms Paton for her work and for the assistance she has given me in passing on the Chief Inspector baton.

Change across COPFS

COPFS is about to undergo a period of significant change which we will consider when determining future inspection topics.

The current transformation priorities for COPFS set out in their 2023-27 Strategic Plan¹ are to:

1. Improve the experiences of women and children within the justice system
2. Improve how they communicate with their customers and partners and the support they offer to the most vulnerable service users
3. Achieve quicker conclusions to criminal and death investigations

The associated strategic aims, set out in the 2025-26 COPFS Business Plan² are to :

1. Continuously improve their service
2. Deliver high quality casework
3. Support their people to deliver excellence

The mechanism for change, underpinning these strategic priorities is the implementation of a governance programme called 'Designed for Success' (DFS).

We are advised that DFS is a wide-ranging programme which will be implemented by late 2025. It aims to improve the COPFS organisational and governance structure, review

¹ [Strategic Plan 2023-27 | COPFS](#)

² [Business plan 2025-26 | COPFS](#)

management structures, roles and responsibilities whilst embedding a leadership and management framework and creating improved training. COPFS intends for DFS to improve its processes and capacity for managing essential services and to support COPFS staff through a period of significant change in the justice system and the organisation, whilst improving the ability of COPFS managers to get the best from their teams.

Going forward, we will doubtlessly consider whether the changes in the COPFS governance structure and leadership are realising the intended benefits.

Spending and workload across COPFS

As set out in the COPFS Financial Strategy 2023-27,³ COPFS is wholly funded by the Scottish Government and is subject to annual budget allocations via Resource and Capital Spending Reviews.

A COPFS Resource Spending Review 2024 successfully secured funding for 2025-26 to:

- ‘Meet the reasonable public expectations of a public prosecution and death investigation service;
- Respond effectively to the increasing complexity of serious crime and changing patterns of crime following the Covid-19 pandemic;
- Continue to reduce the court backlog created during the restrictions associated with the Covid-19 pandemic and timebars returning to pre-pandemic timescales;
- Investigate additional deaths related to the Covid-19 pandemic;
- Pursue international investigations and prosecutions across the EU following the UK’s withdrawal;
- Continue to make progress in modernising the criminal justice system;
- Respond to the significant increase in sexual offence reports whilst reducing the journey time for these cases and cases involving children and vulnerable adults.’

The Spending Review resulted in an increased funding allocation from 2022-23 onwards. The total COPFS funding allocation for 2024-25 was £223 million – up from £196.6 million in 2023-24. Against that, as set out in the COPFS Annual Report and Financial Statements for the year ended 31 March 2025⁴ the volume and complexity of casework constantly changes.

COPFS continues to see increases in the number of serious crimes being reported, a trend which was evident before the Covid-19 pandemic. Legacy Covid-19 pandemic cases have had a significant impact on COPFS workloads including supporting victims, witnesses and next of kin throughout their wait for a delayed trial. The workload has also increased for sudden, suspicious, accidental and unexplained deaths reported to COPFS. The increase in the number of overall deaths reported to COPFS to investigate is not entirely attributable to Covid-19 pandemic deaths.

³ [Financial Strategy 2024-2027 | COPFS](#)

⁴ [annual-report-2024-25.pdf](#)

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

Inspection aims and values

One of the first documents I referred to when I took up office is the Cabinet Office Guidance which sets out the 10 principles of public sector inspection.⁵ These 10 principles are also in keeping with our IPS values as set out in the ‘About us’ section of this report and our vision to promote excellence and confidence in Scotland’s prosecution service through independent, evidence-based scrutiny.

As Chief Inspector, the principles of inspection resonate with me and my desire to make a practical difference, not least the explicit concern to contribute to the improvement of the service being inspected.

With that in mind, my priorities for IPS are as follows:

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

People

As the sole prosecution and deaths investigation authority in Scotland, COPFS ought to have people at its heart.

In recent inspections, IPS has quite rightly focused on improving service provision for victims and witnesses. For many individuals who have cause to interact with COPFS it will be their only experience of the criminal justice system, some will have little or no knowledge of what COPFS does and why. In a large proportion of cases victims, witnesses and bereaved families will be interacting with COPFS at a very difficult time in their lives, in circumstances which all too often feel beyond their control. That is why customer service focus is so important.

As borne out by the information in the COPFS 2024-25 annual report,⁶ day to day, COPFS staff deal with difficult and challenging work – from large volume summary casework to supporting victims, witnesses and next of kin to prosecuting and preparing serious, complex cases. In recent years there has been an additional need to reduce caseloads and to tackle backlogs created by the Covid-19 pandemic.

It is reassuring to note that COPFS is encouraging a trauma-informed approach across all its work, including the establishment of a Trauma-Informed Justice Implementation Team

⁵ [The 10 principles of public sector inspection – Criminal Justice Joint Inspectorates](#)

⁶ [annual-report-2024-25.pdf](#)

and a Trauma-Informed Board. This is reflected in the COPFS 2025/26 Business Plan.⁷ There is also associated trauma-informed e-learning, however so far the take up rate by staff across COPFS has perhaps not been as high as hoped.⁸ COPFS are also working to improve the current provision of vicarious trauma support services for its staff which is wholly necessary given the demands of the many roles within COPFS. A trauma-informed approach and ensuring a high standard of service delivery will be key considerations during my time as Chief Inspector. To that end all IPS staff have undertaken trauma-informed training.

It is also evident from some of the recent internal COPFS review work – The Review of Child Deaths and Non-Accidental Injuries in Children as commissioned by the Solicitor General⁹ and the Review of Sexual Offences commissioned by the Lord Advocate¹⁰ that treating people with compassion, dignity and respect is a priority for COPFS.

The COPFS VIA¹¹ Modernisation Programme (VMP) was commissioned by the Lord Advocate in late 2022. The first phase of the modernisation programme considered how to deliver an improved service through effective preparation and prosecution of casework, and communication. Phase two of the programme, which we understand commenced in 2024-25, was to consider the fundamental elements of the VIA service and devise changes needed to ensure it continues to meet the needs of victims, witnesses and next of kin.

Unfortunately, we have seen little evidence of the impact of this work in the context of implementing the recommendations from our inspection report on *The prosecution of domestic abuse cases at sheriff summary level* which will be discussed in further detail later in this report.¹²

Training of COPFS staff, as touched on in our 2023-24 annual report¹³ is an area on which we would like to focus too and will touch on further below.

Practical

During my time in post, I will work with COPFS throughout our inspection activities and to implement the recommendations made in our inspection reports. I am already really

⁷ [Business plan 2025-26 | COPFS](#)

⁸ 'Becoming Trauma-Informed Part 1' was a preparatory e-learning module which was introduced across COPFS in November 2022 and withdrawn in April 2025 at which point 67% of COPFS staff had completed it. There is also 'Becoming Trauma-Informed Part 2' which launched in February 2025 – this comprises two modules (informed level and skilled level) developed by NHS Education for Scotland specifically for the justice sector. As at 22nd August 2025 Module 1 had been completed by 17.73% of COPFS staff and Module 2 had been completed by 20.3%.

⁹ [Review of child deaths and non-accidental injuries | COPFS](#)

¹⁰ [Sexual Offences Review | COPFS](#)

¹¹ VIA stands for 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.

¹² [The prosecution of domestic abuse cases at sheriff summary level | HM Inspectorate of Prosecution in Scotland](#)

¹³ [IPS Annual Report 2023-2024](#)

encouraged by early engagement with those COPFS senior leaders and the staff leading the implementation of ongoing inspections.

It is also a positive development that staff leading on the response to the *Responding to enquiries: service delivery through National Enquiry Point*¹⁴ inspection report have recently been ringfenced to carry out this work, away from busy day jobs and are further supported by a working group led by and made up of a number of COPFS senior leaders.

This is a model that we would be keen to see mirrored by COPFS when it comes to the implementation of inspection recommendations not least as often IPS recommendations require cultural/organisational wide change and are not restricted to one area of the business.

It is clear that COPFS is committed to supporting the work of IPS and implementing our recommendations as highlighted in their published plans and reports. As will be seen in our inspection activity many recommendations across numerous inspection topics have been achieved or are in progress albeit the pace of implementation is not always as hoped. Whilst, undoubtedly, some of our recommendations will be aspirational in the short term, I want to make sure that all of them are realistic and achievable which will improve COPFS and help to bring about meaningful change for victims, witnesses, next of kin, wider service users, including the accused, the public and COPFS staff as quickly as possible. With that in mind, it is likely that some of the recommendations which IPS make going forward will have a timescale for implementation.

We will also continue to ensure that thorough follow-up work across our inspections is carried out where necessary.

Process

The mainstay of a lot of inspection work is, naturally, consideration of existing processes.

There is a great deal of process change already underway and in anticipation across COPFS not least in relation to Summary Case Management (SCM) which is to be rolled out across all summary sheriff courts by December 2025. Summary Case Management is a judicially-led initiative designed to create a more effective system for handling summary cases and deliver better outcomes for all those involved – especially victims and witnesses.

Through early disclosure, meaningful engagement between parties, and proactive judicial management, SCM helps resolve cases earlier, reduces witness citations, and ensures trials proceed when scheduled. Data shared with us in relation to the courts where SCM was originally rolled out (Dundee, Hamilton and Paisley) showed a significant reduction in

¹⁴ [responding-to-enquiries-29-january-2025.pdf](#)

the amount of cases which proceeded to trial and therefore the amount of witnesses that were cited by COPFS.¹⁵

Primary

By primary, I mean ‘getting it right the first time’.

Failure demand is when an organisation’s failure to deal with an issue effectively the first time prompts additional and unnecessary work whilst damaging confidence in the organisation. This is referred to throughout our inspection activity and was specifically highlighted in our two most recent inspections – *The prosecution of domestic abuse cases at sheriff summary level* and *Responding to enquiries: service delivery through National Enquiry Point*. In those inspections failure demand related to inefficient processes and lack of staff resources, training and experience.

This is a consideration across the board for any large organisation but given the emerging theme, one that we plan to specifically focus on throughout our inspection work. In particular, we’d like to consider staff training provided by COPFS and whether it is currently equipping its staff with the correct skills and tools to carry out their work.

Progress

As inspectorate of the sole Scottish prosecution authority, keeping abreast of legal changes including in prosecution policy and technological developments are important.

Over the last year, there have been a number of legal challenges and changes faced by COPFS.

Of note are the Lord Advocate’s References of 2023 which clarified the law on corroboration and required COPFS to immediately review its casework and roll out bespoke training for its staff in early 2025.¹⁶¹⁷ The Lord Advocate also referred two appeals to the High Court in relation to the recently incorporated¹⁸ United Nations Convention on the Rights of the Child (UNCRC), in which the court held that the Crown did not act incompatibly with the UNCRC when taking a decision to prosecute the children who were the subject of the appeal. COPFS also undertook two appeals to the UK Supreme Court and a series of Crown appeals against unduly lenient sentences.

The case of *Daly v HMA*¹⁹ has also been significant for COPFS this year – an appeal case argued by the Solicitor General in which the judgement is awaited revealed significant problems with COPFS disclosure practices. The Solicitor General advised the court that there would be a review of what happened in the case and a wider systemic review of COPFS disclosure practice.

¹⁵ The reduction in all witnesses cited for trial in June 2025 varied from 35% to 39% across the three courts.

¹⁶ [Lord Advocate’s Reference No. 1 of 2023](#)

¹⁷ [2024hcjac43-references-by-his-majestys-advocate-against-pg-and-jm.pdf](#)

¹⁸ [United Nations Convention on the Rights of the Child \(Incorporation\) \(Scotland\) Act 2024](#)

¹⁹ [Daly \(Appellant\) v His Majesty's Advocate \(Respondent\) \(Scotland\) - UK Supreme Court](#)

There have also been more wide-ranging considerations by COPFS reflected in the Lord Advocate's statement to the Scottish Parliament regarding prosecution guidance on public safety and prison population in October 2024.²⁰ In that statement, the Lord Advocate acknowledged that whilst the system of criminal prosecution and the courts are not normally to be constrained in their independent decision making by the capacity and condition of the prison estate. However, as a temporary and exceptional measure seeking to reduce the Scottish prison population prosecutors were instructed to have regard to the current pressure on prison population as a relevant public interest factor in their decision making – at least temporarily and until the issue was alleviated.

One factor that prosecutors were asked to take into consideration was the use of direct measures, including the use of diversion from prosecution. IPS undertook a *Joint review of diversion to prosecution* with HM Inspectorate of Constabulary in Scotland, the Care Inspectorate and HM Inspectorate of Prisons for Scotland in 2023.²¹ Further detail about the implementation of that inspection will be provided later in this report.

Technological advances are also being made by COPFS. Over the course of the last year the organisation has focussed on digital projects in particular SCM, Witness Gateway,²² Defence Agent Service (DAS),²³ Digital Evidence Sharing Capability (DESC),²⁴ Body-Worn Video Integration,²⁵ rollout of Electronic Reporting to Crown Counsel²⁶ and the use of the Case Management in Court (CMiC) application for sheriff and jury cases²⁷ all of which COPFS advise are working well and making a real difference.

Certainly, practitioners to whom we have spoken in relation to our current inspection – *Citing witnesses in the sheriff court* – were generally positive about the impact of SCM and its success appears to be borne out by the related data. It will be interesting to consider the longer-term impact of SCM and other digital innovations for both practitioners and other service users during our inspection activity. One imagines that similar technological and process changes might be greatly beneficial to solemn case management too, not least owing to the significant Covid-19 pandemic related backlogs still being felt across the criminal justice system in Scotland.

²⁰ [Lord Advocate statement: Prosecution guidance on public safety and prison population | COPFS](#)

²¹ [Joint review of diversion from prosecution | HM Inspectorate of Prosecution in Scotland](#)

²² COPFS piloted a new Witness Gateway digital portal in February 2024 to enhance trauma-informed services for victims and witnesses. The portal enables witnesses to securely access case-related information online.

²³ Defence Agent Service (DAS) portal: COPFS developed and launched the DAS online portal in 2023-24 and 2024-25. The portal provides solicitors with secure online access to case information and digital services, supporting more efficient engagement with prosecutors.

²⁴ Digital Evidence Sharing Capability (DESC): in collaboration with justice partners, COPFS launched the DESC pilot in Dundee in January 2023 to transform how digital evidence is managed in summary cases.

²⁵ COPFS worked with justice partners to enable Police Scotland to share Body-Worn Video footage via DESC. A pilot for this functionality commenced in Dundee, Forfar and Perth in March 2025, with a full national rollout scheduled across 2025-26.

²⁶ Crown Counsel are Advocate Deputes who prosecute serious crime in the High Court.

²⁷ CMiC is the use of iPads in court.

Fundamentally though, we still hear regularly from COPFS staff that a poor case management system hampers and hinders productivity and impacts morale across the organisation. Currently, there also appears to be no clear prioritisation or oversight of COPFS digital projects led by Information Services Division (ISD) that we have been able to determine throughout our inspections. We understand that COPFS has recognised this and have recently established a Portfolio Management Office who will have the remit of overseeing all projects within COPFS. We will no doubt consider the work of this office in the future.

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. All too often we hear in the media the phrase ‘a report has been submitted to the Procurator Fiscal’ but it is not necessarily widely known or understood what that actually means.

Lived experience and user perspective is key here²⁸ and it will be vital, across our inspection activity to make recommendations that will assist COPFS in de-mystifying the role of the Procurator Fiscal.

The most obvious starting point, with modernisation in mind, is the information provided on the COPFS website. This will be reflected in our next inspection report on citing witnesses in the sheriff court.

As commented on in our last annual report, publication of more meaningful data about the work undertaken by COPFS would provide the public, stakeholders and Scottish Government with a more accurate picture of the service provided by COPFS and the challenges it faces.

Finally

Great thanks must go to the inspectorate team for all of their hard work throughout the year, not least as they were without a Chief Inspector from March to July, and for their care and support as I have settled into my new role.

Our current inspection topic, citing witnesses in the sheriff court, is a significant, 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.

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

²⁸ Under s112 of the Public Services Reform (Scotland) Act 2010, IPS has a duty to secure continuous improvement in user focus of our scrutiny functions as set out in the ‘About us’ section of this report.

I am excited about the year ahead and look forward to working with the team, the Law Officers, Crown Agent and COPFS inspection implementation leads 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
November 2025

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 Crown Office and Procurator Fiscal Service (COPFS). COPFS 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 the Crown Office and Procurator Fiscal Service.

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 scrutiny footprint where possible. 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 collaborative 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. We also carry out follow-up inspections, to assess the progress made in implementing our recommendations. Follow-up inspections 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 on the basis of the action plan and supporting evidence that recommendations have been implemented, recommendations are closed. Progress is reported in our annual reports to maintain transparency. 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.

Collaborative inspections

16. 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.

17. To support this collaborative approach, we regularly engage with other criminal justice scrutiny bodies, including HM Inspectorates of Constabulary and Prisons. These regular 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 and its supporting Scrutiny Coordination Group. These networks are made up of Scotland's main public sector scrutiny bodies. They aim to deliver efficient and effective, coordinated scrutiny that supports improvement across Scotland's public services. The networks facilitate collaboration between scrutiny bodies as well as the sharing of information and learning.

Inspection Framework

18. Our inspection activity is supported by an Inspection Framework, which helps ensure we take a consistent, professional and transparent approach to our work.²⁹ Based on the globally recognised European Foundation for Quality 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

19. 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.

²⁹ [Inspection Framework](#) (2024)

Our inspection activity

20. In 2024-25, we published two inspection reports – *The prosecution of domestic abuse cases at sheriff summary level* in April 2024 and *Responding to enquiries: service delivery through National Enquiry Point* in January 2025. We are currently working on a joint inspection with His Majesty's Inspectorate of Constabulary in Scotland (HMICS) in relation to citing witnesses in the sheriff court. We have also monitored progress made by COPFS in implementing recommendations arising from three previous inspections.

The prosecution of domestic abuse cases at sheriff summary level³⁰

21. This inspection assessed how well COPFS prepared, managed and prosecuted domestic abuse cases at sheriff summary level, as well as how efficiently such cases are progressed. We made 27 recommendations. We have assessed the standalone recommendations and recommendations that are sub-divided individually, which results in 47 assessments from the 27 recommendations.
22. COPFS recognised and accepted that the inspection found too many cases which were not prepared well for trial and in which victims were not kept informed nor were their individual needs addressed.
23. At the outset, COPFS acknowledged that implementing some of the recommendations would need the co-operation of Police Scotland and the Scottish Courts and Tribunals Service (SCTS). For those recommendations which COPFS could deliver, they aimed to implement all of them by March 2025. Recommendations which COPFS consider require stakeholder involvement to implement have been described by them as 'year 2 priorities'. They aim to implement those recommendations, of which there are 12, by April 2026.³¹
24. As part of our follow-up reporting process of the 47 recommendations or sub-recommendations our assessment is as follows -
- Achieved – 2
 - Substantial progress – 8
 - In progress – 27
 - Not achieved – 10

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

³⁰ [The prosecution of domestic abuse cases at sheriff summary level | HM Inspectorate of Prosecution in Scotland](#)

³¹ 'Year 2' priorities are recommendations 2 (a) – (e), 3, 4, 6, 8, 11, 12 (a) – (c), 13 (a) & (b), 16, 19 (a) – (d), 26 and 27.

25. COPFS acknowledge that the inspection report afforded them the opportunity to make immediate improvements but also expressed a keen desire to go further – to bring about cultural shift and embedding change to make a meaningful and enduring difference which will take time. COPFS has increased awareness raising of domestic abuse and a trauma-informed approach over the last year. There have been good examples of enhanced engagement with support agencies, improved practices across some sheriffdoms and collegiate working between Police Scotland and COPFS Policy Division. COPFS has chosen to approach many of the operational process recommendations on a local court sheriffdom basis rather than adopting a consistent, national approach to the domestic abuse across the organisation in keeping with the aim of the inspection report.
26. It is clear that those leading implementation of this inspection have significant expert knowledge and are passionate about the need to bring about lasting improvements. That has largely been achieved in the context of COPFS training, and policies.
27. There have been a number of positive developments across COPFS mostly focused on the improvement of training and guidance as set out in recommendation 1 of the inspection report³² which provides a necessary foundation for COPFS staff working on these cases. This has included the roll-out of training updated by the Procurator Fiscal for Domestic Abuse at the Scottish Prosecution College. At the time of writing there was a waiting list to attend the domestic abuse training.
28. We are also advised that updated Victims and Witnesses e-learning has been produced, a Domestic Abuse Manual created to provide a single source of information/guidance including in relation to the discontinuation policy for lawyers working on domestic abuse cases, that the Case Marking Instructions (CMIs) have been updated. The COPFS Bail Manual has also been updated to reflect the changes brought about by the Bail (Release from Custody) (Scotland) Act 2023.
29. We are pleased to note a COPFS National Domestic Abuse Forum headed by a Procurator Fiscal has been established to share local learning.³³
30. We have heard evidence in relation to the positive impact SCM has had with victim engagement³⁴ with prosecutors contacting victims in advance of case management hearings. We have very recently been advised by COPFS that in August 2025 74% of SCM domestic abuse cases had recorded prosecutor contact being made with victims.³⁵

³² Recommendation 1 (a) – (d).

³³ Recommendation 27 – the National Domestic Abuse Forum was established in February 2024.

³⁴ Recommendations 17 and 18.

³⁵ COPFS advise 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'.

31. Data shared with us shows a significant reduction in the amount of summary trials being fixed and less witnesses being cited and recited in domestic abuse cases in sheriffdoms where SCM has been rolled out.³⁶ We will require further relevant data from COPFS to properly measure the extent of successful witness engagement and the ability of Procurator Fiscal Deputes (deputes) to have sufficient time to both undertake this engagement and properly prepare domestic abuse cases.³⁷
32. No evidence has been provided to us to provide further reassurance in relation to issues we raised in the report concerning failure demand³⁸ and quality assurance.³⁹
33. It is disappointing that some of the most urgent, practical recommendations at the heart of the inspection report have not yet been implemented not least given the implications on service delivery for victims of domestic abuse. Despite recommending that COPFS should review whether the current VIA service in summary cases is fit for purpose no such review appears to have taken place.⁴⁰ Therefore, there has been no shift to domestic abuse victims having dedicated VIA officers as recommended, nor has COPFS taken immediate steps to ensure that victims are receiving basic information about their case, including its outcome, timeously.⁴¹⁴² We are advised that many of the VIA related recommendations require the VMP, which now comes under the auspices of DFS and the associated structural changes to progress.⁴³
34. We also determined from our inspection in relation to the National Enquiry Point (Enquiry Point) and from our ongoing work in relation to citations in the sheriff court that all victim and witness contact is still not recorded in one centralised place accessible to all staff. This is a real risk for COPFS with the potential for vital information provided by victims and witnesses not to be shared or properly captured and could have significant consequences on progress of cases. We understand that a working group has now been established to explore options of capturing the information in one document in the COPFS case management system.
35. Further, 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

³⁶ Citations in domestic abuse cases have reduced from 3717 per month (2023-24) to 2513 per month in July 2025 (32% reduction). Domestic Abuse recitations have reduced from 4686 (2023-24) to 2831 in July 2025 (40% reduction).

³⁷ Recommendation 6.

³⁸ Recommendation 23.

³⁹ Recommendation 25.

⁴⁰ Recommendation 20.

⁴¹ Recommendation 21.

⁴² Recommendation 19 (a).

⁴³ VMP related recommendations are recs 14, 15 (a) – (d), 20, 21 and 22.

this information when preparing and managing cases.⁴⁴ This is still not happening in practice.

36. To afford confidence about the implementation of many of our recommendations we require data to confirm that they are working in practice along with how the impact of SCM, training and other initiatives are being monitored across COPFS.⁴⁵ Our focus for the year ahead will be to what extent implementation of this inspection has brought about change for victims and those prosecuting these challenging and sensitive cases on a daily basis.

Responding to enquiries: service delivery through National Enquiry Point⁴⁶

37. The aim of this inspection was to assess 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 assessed how efficiently and effectively enquiries are addressed, whether they are resolved by Enquiry Point at the first point of contact or transferred to other teams within COPFS for action. As the first point of contact for many who are seeking information or advice from or providing information to COPFS, Enquiry Point plays a key role in delivering COPFS's obligations towards victims and witnesses.
38. We found that the quality of enquiry handling by Enquiry Point operators was generally good. Operators were polite, respectful and empathetic. Operators and their managers were committed to delivering the best service possible, and their work was well understood and highly valued by senior leaders within COPFS. However, this understanding of the role of Enquiry Point was not shared across COPFS. Many staff had low awareness of the volume and range of enquiries resolved by Enquiry Point.
39. We also found that the quality of enquiry handling could be improved even further with better guidance, training, systems and processes for operators. Critically, enquiry handling could also be improved if more staff across COPFS recognised their own role in responding to enquiries, had a greater focus on customer service along with the skills, confidence and capacity to assist Enquiry Point where operators have been unable to resolve enquiries at first point of contact. When seeking assistance from colleagues, operators can make many unsuccessful attempts to transfer callers. This prolongs the call for the person making the enquiry and extends the waiting time for all other callers in the Enquiry Point queue. When calls are successfully transferred or email enquiries are forwarded to other teams for action, we found that the quality of enquiry handling by those teams is not as good as when enquiries are managed entirely by operators. While

⁴⁴ Recommendation 22.

⁴⁵ This particularly relates to recommendation 6 in relation to deputes having sufficient capacity to carry out effective case preparation of domestic abuse cases and recommendation 19 communication with victims.

⁴⁶ [responding-to-enquiries-29-january-2025.pdf](#)

enquiries are generally handled well once they reach an operator, a key concern is the unmet demand for the Enquiry Point service. In the year to September 2024, 19% of callers were turned away because call queues were full. A further 50% of callers abandoned their call before it was answered.

40. We also found delays in email enquiries being dealt with. We therefore recommended that COPFS should look afresh at Enquiry Point's demand and consider what levels of service it aims to provide to those who call and email. We advised that COPFS should ensure that Enquiry Point is appropriately staffed and supported by the wider organisation, and that all staff have the tools to do their jobs well. The inspection also reinforced the need for COPFS to urgently address a previous recommendation that it identifies and reduces failure demand – we were able to estimate that almost a quarter of enquiries received each year are a result of COPFS failing to do something correctly or at all.
41. We made 18 recommendations which focussed on customer service, improved governance, awareness raising about the role of Enquiry Point and training for COPFS staff.
42. As noted above in paragraph 34, we were particularly concerned to note that, despite recommending that all victim and witness contact is recorded in one centralised place accessible to all staff in our *The prosecution of domestic abuse cases at sheriff summary level*⁴⁷ inspection report that this was clearly still not happening by the time we carried out the Enquiry Point inspection. This prompted us to make a very similar recommendation⁴⁸ – that COPFS should ensure 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.
43. This inspection is at the early stages of implementation and we have been really heartened by the enthusiasm and engagement of those COPFS staff leading on it. As set out previously COPFS has recently made a decision to ringfence these staff, away from their day jobs, to focus solely on our recommendations. An associated working group has also been established to provide support and governance. The involvement of the working group ought to be particularly beneficial in relation to consideration of wider ranging recommendations which are beyond the remit of Enquiry Point managers.
44. COPFS has committed to implementing all of our recommendations by the end of March 2026. We will provide a full update on the implementation of this inspection in our 2025-26 annual report.

⁴⁷ Recommendation 22.

⁴⁸ Recommendation 12.

Citing witnesses in the sheriff court

45. Work is ongoing in relation to our current joint inspection with HMICS which we hope to publish over the winter. The terms of reference were published in March 2025.⁴⁹
46. As set out in the terms of reference, in recent years, the citing of witnesses has emerged as an issue in scrutiny activity carried out by both IPS and HMICS.
47. In both of our most recent inspections *The prosecution of domestic abuse cases at sheriff summary level* and *Responding to enquiries: service delivery through National Enquiry Point* a range of citation-related issues arose. These included concerns about:
- the content and accuracy of citations
 - witnesses not receiving citations
 - the timeliness of citations
 - witnesses not being countermanded timeously or at all
 - the process by which witnesses update their contact information, allowing citations to be delivered to the correct address
 - the process by which witnesses seek to be excused from giving evidence
 - serving citations in a manner which is not trauma-informed
 - barriers to witnesses attending court
 - the impact of repeat citations on victim and witness wellbeing and their continued engagement in the justice process.
48. IPS and HMICS are therefore jointly considering the end-to-end citation process, including:
- whether the information initially gathered by the police and reported to COPFS supports effective decision making about citing witnesses
 - the decision to cite and the issuing of citations by COPFS
 - the management of the citation process by both COPFS and Police Scotland, including serving citations and countermands
 - the management of witness availability, including excusal requests and, for police and professional witnesses, the use of standby arrangements and the giving of evidence remotely
 - the impact of being cited on witnesses and the barriers to giving evidence
 - how the current process for citing witnesses contributes to the efficient and effective administration of justice
 - opportunities to modernise the citation process and make it more efficient, including through use of digital technology.

⁴⁹ [Terms of Reference - Citations | HM Inspectorate of Prosecution in Scotland](#)

Following up on previous recommendations

The management of criminal allegations against the police⁵⁰

49. 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.
50. We reviewed the progress COPFS had made against our recommendations as part of our last annual report⁵¹ and concluded that 13 of the recommendations had been achieved.
51. Of the remaining five recommendations COPFS has been unable to progress a recommendation that it should work with its partners to introduce an electronic reporting system for criminal allegations against the police. We were advised that the cost of such a system balanced against the number of cases reported meant that it was not a priority within COPFS's digital strategy or their criminal justice partners in the short to medium term.
52. We observe the importance of COPFS taking account of the needs of smaller units in the organisation, for example CAAP-D, when the next generation of case management systems is developed. It is unknown when funding will be obtained for such systems but as discussed elsewhere in this report the need for new systems has been a recurring theme through our inspection reports for many years.
53. In our 2023-24 annual report, we noticed a tendency that CAAP-D relied mostly on written communication. Since then, a new and proactive communication approach has been implemented. Given the need to ensure the confidence of complainers at the outset of cases in which the person alleged of criminality is a police officer this is to be welcomed.
54. At the time of our follow-up, we also noted a gap in the guidance for agencies other than Police Scotland that report to CAAP-D. Since then, we are pleased to note that this has been addressed with notification and reporting timescales now agreed.
55. We are also pleased to note that COPFS has taken steps to attempt to monitor the protected characteristics of those who make criminal allegations against the police. Whilst COPFS has faced challenges in implementing an effective monitoring system

⁵⁰ [Inspection of the management of criminal allegations against the police by COPFS | HM Inspectorate of Prosecution in Scotland](#)

⁵¹ [Our inspection activity | HM Inspectorate of Prosecution in Scotland](#)

it is important that steps have been taken. Ensuring the confidence of the most vulnerable groups in Scotland can only be improved by transparency and we will consider this again in our next annual report when we hope to be able to conclude that the relevant recommendation has been achieved.

56. Further detail on the action taken to implement the recommendations is available at Appendix 2.

COPFS practice in relation to sections 274 and 275 of the Criminal Procedure (Scotland) Act 1995⁵²

57. In our last annual report,⁵³ we reported on the extensive progress made in implementing our inspection report in relation to sections 274 and 275 of the Criminal Procedure (Scotland) Act 1995. This was published in October 2022 and made nine recommendations, one of which was directed at the Scottish Government. We assessed that of the eight recommendations directed at COPFS, seven had been achieved and that substantial progress had been made in relation to recommendation 1.

58. In response to recommendation 1, COPFS had updated their instructions to staff in relation to record keeping and what documentation should be imported into both the case management system and in the system used for electronic reporting to Crown Counsel. A single point of contact had been appointed in each sheriffdom to oversee sheriff court sexual offences cases and import key documentation into case records. For further details see Appendix 2. While this represented substantial progress towards addressing this recommendation, IPS considered there was scope for assurance work to be undertaken in High Court cases regarding record keeping in the case management system to confirm that the instructions were being followed by staff in practice.

59. Taking on board IPS comments last year, COPFS has undertaken assurance work in the form of a dip sample of cases to check staff compliance with instructions regarding record keeping. This revealed that all cases in the sample had the section 275 applications (Crown and/or defence) saved in the case record in the case management system and in the system used for electronic reporting to Crown Counsel, with the exception of one which was missing the defence application. In addition, almost all the cases checked had notes from the meeting informing the complainer of the section 275 application(s) (precognition) saved in the case record. This is a significant improvement in record keeping than IPS experienced at the time of the inspection report.

60. We have been advised that COPFS intend to carry out a dip sample monthly to check that these issues have been addressed with staff. COPFS advise that the

⁵² [Inspection of COPFS practice in relation to sections 274 and 275 of the Criminal Procedure \(Scotland\) Act 1995 | HM Inspectorate of Prosecution in Scotland](#)

⁵³ [Our inspection activity | HM Inspectorate of Prosecution in Scotland](#)

assurance work of dip sampling of cases has been added to their quality assurance rolling agenda item at the High Court Operations Board. We are pleased to note the ongoing commitment to ensure that the record keeping is accurate and that any training issues with staff are identified.

61. We are therefore now content to assess this one outstanding recommendation as achieved. We commend the commitment of staff within COPFS to ensure that the recommendations in this report were addressed appropriately and swiftly to improve how COPFS makes and responds to section 275 applications.

Joint review of diversion from prosecution⁵⁴

62. The joint review⁵⁵ 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.
63. The report highlighted that diversion from prosecution, which is designed to address underlying causes of offending, was well established and an effective intervention for young people⁵⁶ but more could be done to promote confidence in their use for adults.
64. 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 focussed collaboration between agencies; standardisation of reports; enhanced record keeping; provision of adequate guidance and training; and communication with victims and the accused person.
65. Whilst work has been ongoing to address the recommendations, progress towards implementing many of them cannot be achieved until publication of revised national guidelines.⁵⁷ These guidelines describe the aims and benefits of diversion, the diversion process and the role played by the police, prosecutors and local authorities. The joint review recommended changes to the guidelines and this impacts on some of the recommendations attributed to COPFS. A Community Justice Group, on which COPFS is represented, has revised the guidelines which are now at an advanced stage. For other recommendations not affected by the national guidelines IPS will require further evidence of actions taken by COPFS to progress implementation.

⁵⁴ [Joint review of diversion from prosecution | HM Inspectorate of Prosecution in Scotland](#)

⁵⁵ 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.

⁵⁶ Those under the age of 18.

⁵⁷ Guidelines published by Community Justice Scotland in partnership with Police Scotland, COPFS, the Scottish Government and others. The guidelines describe the aims and benefits of diversion, the diversion process and the role played by the police, prosecutors and local authorities.

66. A Scottish Government working group is monitoring the implementation of all recommendations and IPS will provide a full update on the implementation of this inspection in our 2025-26 annual report.

67. For further details see the associated table in Appendix 2.

Inspection programme 2025-26

68. Our inspection in relation to citing witnesses in the sheriff court is ongoing. We keep our future inspection programme under continuous review and will consult with the Law Officers, COPFS and other stakeholders on other issues that would benefit from independent scrutiny. As might reasonably be expected from a new Chief Inspector there are a number of areas across COPFS which I consider would benefit from inspection by IPS which we will take time to fully explore once our current inspection concludes.

69. As set out in the 2023-24 annual report we still anticipate that in the near future our programme will include a review of the COPFS approach to learning and development for its staff given how frequently the issue of training has emerged throughout our recent inspection activity.

70. In 2025-26 we will also continue to review progress made by COPFS in implementing recommendations from our *Inspection of the management of criminal allegations against the police by COPFS*, *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* and, in due course, *Citing witnesses in the sheriff court*.

Other inspectorate activity

Strategic Plan 2022-25

71. In June 2022, we published our first strategic plan⁵⁸ which focusses 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 own continuous improvement
- We will work with our partners to maximise the impact of our work

72. This year, we continued to take forward the objectives set out in our Strategic Plan 2022-25. This has included a range of initiatives to improve our own approach to inspection so that we might better support continuous improvement in the service provided by COPFS. For example, we published a framework in August 2024.⁵⁹ This framework, based on the globally recognised European Foundation for Quality Management (EFQM) Model, guides our scrutiny activity. For several years, our scrutiny activity was underpinned by the six original EFQM key themes: outcomes, leadership and governance, process, people, resources, and collaborative work.

73. In recent years, the EFQM Model has undergone significant revision to ensure it remains fit for purpose and reflects the world in which we now operate. Drawing on the latest EFQM Model, our revised framework is focused on three key themes:

- direction
- delivery
- outcomes

74. While each of our inspections of COPFS will vary in subject matter, scope and scale, our inspection framework is designed to ensure a consistent, professional and transparent approach to our work. The framework informs all of our scrutiny activity but is also sufficiently flexible so that bespoke inspection questions – known as our ‘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.

75. Publication of the framework helps those we inspect, stakeholders and the public know what to expect from us. Similarly, publication of a terms of reference for each

⁵⁸ [Strategic Plan | HM Inspectorate of Prosecution in Scotland](#)

⁵⁹ [Introduction | HM Inspectorate of Prosecution in Scotland](#)

individual inspection will highlight how the framework is being tailored to the issue or service area subject to review.

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

- i. maintaining our website which was first launched in March 2023;
- ii. using the website as a tool to engage people in our inspections. In recent inspections we used the 'Get Involved' page on the website – in relation to National Enquiry Point we asked the public if anyone had been in touch with Enquiry Point in the last two years to contact us with their feedback. For our ongoing inspection in relation to citations we also used the page to share a survey asking for feedback from anyone who had been cited as a witness in the past three years;
- iii. using the 'News' page on our website to advise of our publications and to highlight the surveys being launched;
- iv. raising the profile of the scrutiny carried out by the inspectorate by speaking at a range of events throughout 2024-25 about the findings of the prosecution of domestic abuse cases at sheriff summary level as well as about the work of IPS more generally including attendance by the former Chief Inspector as a speaker at the Cross Party Group on Men's Violence Against Women, run by Scottish Women's Aid on 17 September 2024;
- v. promoting awareness of the inspectorate's work among COPFS staff including the former Chief Inspector presenting at the COPFS seminar on domestic abuse held on 29 October 2024, posting a series of articles about recent and upcoming inspections on the COPFS intranet (Connect) along with publishing an article featuring an interview with Ms Paton explaining her role as part of the series of 'A coffee with....' articles on Connect.

77. To improve our organisational resilience, we continue to review the staffing model in our small team. We are a team of 5 staff, 4 of whom 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 fifth member of staff, our Legal Inspector, is a secondee from COPFS. As secondees are only with IPS for around two years or thereby it ensures that their prosecutorial knowledge is fresh and current which is invaluable to our inspection activity and of great help to the wider team.

78. In the year ahead we will also produce a Strategic Plan 2026-28.

Sheku Bayoh Inquiry

79. Earlier in the year we were approached by the Sheku Bayoh Inquiry – an independent public inquiry set up to examine the events surrounding the death of Sheku Bayoh, the subsequent investigation and whether race was a factor.⁶⁰

⁶⁰ [Welcome | Sheku Bayoh Inquiry](#)

80. The inquiry team asked IPS about our function and about the *Thematic report on Crown Office and Procurator Fiscal Service's response on race issues* which was published in 2005. The report centred on examining how COPFS reacted to Dr Raj Jandoo's findings in his 2001 report to Ministers⁶¹ following the murder of Surjit Singh Chhokar in 1998 but also looked at race crime and employment issues within COPFS.⁶² This was the first report produced by IPS and is now 20 years old. The former Chief Inspector provided a written response to the inquiry setting out the role and remit of IPS and the background to the 2005 report.

⁶¹ 'Report of the Inquiry into the liaison arrangements between the police, the Procurator Fiscal Service and the Crown Office and the family of the deceased Surjit Singh Chokkar in the connection with the murder of Surjit Singh Chokkar and the related prosecutions'.

⁶² [Thematic report on Crown Office and Procurator Fiscal Service's response on race issues | HM Inspectorate of Prosecution in Scotland](#)

The inspectorate in 2024-25

Finance

82. The inspectorate is funded by the Scottish Government. Our budget for 2024-25 was £446,000.

83. In 2024-25, our expenditure was as follows:

Staff costs	457,648
Subsistence and motor mileage	155
Printing and binding	4,379
Travel and accommodation (UK and overseas)	227
Hospitality	0
Conference fees	90
Other running costs	5,691
Total	£468,190

84. 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

85. As at 31 March 2025, 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 a Personal Assistant.

Freedom of Information requests

86. 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 2024-25, we received eight freedom of information requests, all of which were responded to within the required timescale.

Appendix 1 – Duty to publish information

87. 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

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

Public relations	8,023.13
Overseas travel	0.00
Hospitality and entertainment	0.00
External consultancy	0.00

89. This expenditure is included, and is not in addition to, the expenditure for 2024-25 listed at paragraph 83. Expenditure on public relations predominantly relates to the cost of producing our inspection reports and other published documents, as well as the maintenance of our website.

90. Section 31(3) requires IPS to publish details of any payment made in excess of £25,000. No such payments were made in 2024-25.

91. 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.

Section 32

92. 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.

93. 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.

94. During 2024-25 our staffing costs made up almost 98% of our spend which made it difficult for us to achieve any significant savings in this financial year and despite our best efforts we overspent by £22,190. We continue, however, to seek opportunities to achieve savings, mindful of the need to spend public money judiciously and to seek value for money. IPS already operates with a lean workforce, any reduction in staff would hinder our capacity to carry out our statutory duties. We also continue to have the use of shared services being housed within a Scottish Government facility which serves as an ongoing saving from previous years.

95. Fieldwork costs have also remained very low within this financial year as IPS continues to make good use of online meetings with regard to our inspection work.
96. Given our comparatively small budget, perhaps the most significant contribution we can make to improving efficiency, effectiveness and economy is in the choice of what we inspect and how we encourage and support COPFS to improve the delivery of its service. The need to deliver a more effective and efficient prosecution and death investigation service is a key theme in our scrutiny activity.

Appendix 2 – Status of recommendations

Inspection of the management by COPFS of criminal allegations against the police (2021)⁶³

No	Recommendation	Status	Rationale
1	COPFS should review its policy and practice in relation to the involvement of complainers in the process for managing criminal allegations against the police.	Achieved	Since our last annual report COPFS has introduced a revised strategy for communication with complainers and bereaved nearest relatives. The strategy sets out how case preparers liaise with complainers at various stages and how to proactively seek engagement if there is no response to letter communication. COPFS is now monitoring contact and response rates.
3	COPFS should develop guidance for the police on the investigation and reporting of criminal allegations against the police, as well as guidance for its own staff on the handling of such cases.	Achieved	A tripartite agreement between COPFS, Police Scotland and the Police Investigations and Review Commissioner (PIRC) covering allegations of breaches of Articles 3 and 5 of European Convention on Human Rights was in place at the time of our last annual report. This agreement provides guidance on investigation and reporting of allegations. Since the last annual report agencies, other than Police Scotland, that report to CAAP-D have been provided with agreed guidance on notification and reporting timescales. There is guidance on COPFS systems for off-duty allegations that reflects the right to private life of Police Scotland staff.
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	In progress	Since the last annual report COPFS has published statistical information on cases received and outcomes, compliance with timescale targets and the outcomes of victims' right to review. A policy and procedure have been created to track outcomes in respect of victims with protected characteristics. Equality and diversity

⁶³ [Inspection of the management of criminal allegations against the police by COPFS | HM Inspectorate of Prosecution in Scotland](#)

	work towards gathering and publishing data that is disaggregated by race and other characteristics.		questionnaires are now issued to complainers. Once a full year of data has been ingathered COPFS intend to publish this data. This will be considered as part of our 2025-26 annual report.
14	COPFS should work with its partners to introduce an electronic reporting system for criminal allegations against the police.	Not achieved	In order 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.
17	COPFS should provide guidance to the police on ensuring that SPRs are completed with the correct occupation information.	Achieved	In August 2024 COPFS requested that Police Scotland ensure completion of SPRs with occupation information. As a result, Police Scotland issued a memorandum to staff to this effect. COPFS are unaware of any SPR's that have been submitted since the issue of the memorandum without the appropriate information but intend to carry out further reconciliation work with Police Scotland to ensure that SPR's remain fully completed in this regard.

Inspection of COPFS practice in relation to sections 274 and 275 of the Criminal Procedure (Scotland) Act 1995 (2022)⁶⁴

No	Recommendation	Status	Rationale
1	COPFS should clearly set out its expectations of staff regarding record keeping and remind them that key decisions about a case should be recorded and that key documentation relating to a case should be imported into the relevant case file.	Achieved	Instruction issued to all staff that key decisions and key documentation should be recorded in case management system. Instruction also reflected in Chapter 9 (focusing on sexual history and character evidence) of the Sexual Offences Handbook which states copies of lodged section 275 application, court interlocutor and record of court's ruling should be saved in case record in case management system.

⁶⁴ [Inspection of COPFS practice in relation to sections 274 and 275 of the Criminal Procedure \(Scotland\) Act 1995 | HM Inspectorate of Prosecution in Scotland](#)

			For High Court cases, process desk instructions were initially developed to ensure section 275 applications added to case management system and to folders used by Crown Counsel. Subsequently, a new system for electronic reporting to Crown Counsel has been introduced ensuring all relevant personnel have access to key documents. In Local Court cases, each sheriffdom appointed a single point of contact whose duties include oversight and importation of key documentation into case records. Introduction of business codes now allows cases to be flagged as involving section 275 applications to allow management oversight. Dip sampling of High Court cases has been carried out this year to provide assurance instructions are being followed by staff in practice. The following was noted during the exercise in the case sample: • Section 275 applications (Crown and/or defence) were found to be saved in the case management system and in the folders used for electronic reporting to Crown Counsel, apart from one defence application • One Crown application and two defence applications were not recorded as being sent or received in the COPFS management information system • Two precognitions (notes of meeting to advise of the section 275 application(s) with the complainer) were not saved in the case record COPFS intend to carry out further dip sampling of cases to ensure that these training issues have been addressed with staff.
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			COPFS advise that the assurance work of dip sampling of cases has been added to their quality assurance rolling agenda item at the High Court Operations Board.
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Joint review of diversion from prosecution (2023)⁶⁵

No	Recommendation	Status	Rationale
4	Through robust governance, community justice partnerships should improve collaboration and communication between 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.	In progress	COPFS advise that a Community Justice Group (CJG) has been established, a terms of reference agreed and meetings continue. Bulletins are shared with the Community Justice Partnership (CJP) and COPFS has sought feedback on their value/impact. This is carried on at strategic level by chair of CJG. COPFS has also presented to Social Work Scotland (SWS) on prevention and intervention, met with local government officials and delivered a presentation at national forum on diversion. IPS will seek sight of the terms of reference of the CJG, minutes of meetings and presentations to fully assess if this recommendation has been achieved.
12	COPFS should ensure that prosecutors record the reason an accused person is 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.	In progress	COPFS advise that a revised referral template has been issued to staff with instructions advising that the identifiable need has to be recorded on the referral. Consideration is also being given to a digital solution e.g. pre-populated proforma template.

⁶⁵ [Joint review of diversion from prosecution | HM Inspectorate of Prosecution in Scotland](#)

			IPS will seek sight of the revised referral template, quality checks on compliance with the guidelines and an update on a digital solution.
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	In progress	A diversion page on the COPFS intranet brings together policies, instructions, case commentaries, videos, case studies and other relevant materials. The National Initial Case Processing (NICP) desk instructions relating to social work diversion are included but they link back to the older Local Court Business Process Handbook. The instructions for social work diversion are dated November 2015 and have not been updated. COPFS advise that they will issue updated instructions to staff on publication of the revised national guidelines.
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.	In progress	There is a new e-learning course on Diversion from Prosecution on the COPFS Scottish prosecution college prospectus. This is not yet active but we are advised that it will be suitable for staff across all levels, including VIA, will be mandatory for all legal trainees and legal staff in relevant areas of work will be required to complete it. The e-learning will be released to coincide with publication of the national guidelines and revised CMIs. IPS is not sighted on the content of the training yet. A SACRO⁶⁶ webinar and video have been added to the diversion page on the COPFS intranet since the publication of our inspection report.

⁶⁶ Scottish Association for the Care and Resettlement of Offenders.

15	COPFS should identify the most appropriate process for referring an accused person for diversion and ensure: • 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	In progress	Only referrals for enhanced diversion require to wait for permission from COPFS to start work. This has been incorporated in updated instructions with process maps. COPFS also advise there is an agreement with stakeholders to implement ‘lifetime’ management of diversion. Proforma templates and letters have been developed. Tools for monitoring the diversion process are yet to be agreed. IPS will seek sight of any updated instructions, templates and letters.
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	COPFS advise that a draft referral template has been produced, piloted, and disseminated. Draft assessment and completion reports were shared with the national guidelines group and have been agreed. We are also advised that the COPFS Local Court Transformation Team is to develop a system for monitoring acknowledgement of diversion referrals, including monitoring the timing for submission of assessment and completion reports and develop process for monitoring compliance/chasing up non-compliance. A dedicated ‘diversion team’ has been set up to administer all sheriff court diversion cases. IPS is not yet sighted on the roles and responsibilities of the ‘diversion team’ or what monitoring will be put in place by the diversion team and ISD.

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.	In progress	COPFS has advised that contact details have been added to the national guidelines. We are advised that communication with justice social work is built into the process for complex cases and that standardised assessment and completion reports have been agreed by stakeholders. A lifetime management group is to be established to ingather feedback and manage disputes. IPS understands that the stakeholders who revised the national guidelines will sit on this group. Any issues are raised and discussed at CJG in COPFS. There is a single point of contact (SPOC) for diversion in COPFS NICP. There do not appear to be diversion SPOCs in sheriff court solemn teams or in specialist teams where a great many complex or serious cases will be dealt with. Guidance on the situation when justice social work and COPFS cannot agree has been written into the national guidelines. IPS has not had sight of the agreed assessment and completion reports, the national guidelines, remit of the lifetime management group or minutes of meetings from the community justice group.
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.	In progress	COPFS advise that different models have been agreed and are to be included in the revised national guidelines and updated staff instructions. We have not had sight of the functions of the revised models. Publication of the revised national guidelines and CMIs are awaited.

			IPS has not yet had sight of training materials.
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.	In progress	COPFS advise that in conjunction with justice social work it was proposed that this should be assessed on a case by case basis depending on the nature of offending and this was to be included in staff instructions and national guidelines. Updated COPFS staff instructions await publication of the revised national guidelines. IPS remains unsighted on these guidelines and we have only very recently been sighted on the draft CMIs (September 2025).
28	COPFS should inform justice social work of the final marking when the accused has received diversion	COPFS no longer accept this recommendation	COPFS has legal concerns about sharing this information with justice social work. Alternatively, COPFS wishes to give feedback individually/at a system level to justice social work about how diversion is operating. COPFS are concerned about the potential for justice social work intimating a decision not to prosecute to an accused rather than COPFS – the prosecution authority – doing so.
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	In progress	COPFS Policy Division has identified points when the accused should be contacted and these will be included in instructions for staff along with the revised national guidelines. Letters for child accused have been reviewed by third sector for accessibility and fact sheets are to be reviewed by SOLD (an organisation which supports offenders with communication support needs). Staff instructions are to be issued on publication of revised national guidelines.

	• 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		IPS is not yet sighted on any letters or fact sheets.
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.	In progress	The COPFS website contains information on diversion including obtaining victims' views and what COPFS can tell them.⁶⁷ There is also a section relating to communication in a 'Statement of prosecution policy – diversion and referral to the Principal Reporter in rape and other solemn level sexual offence cases where the accused is a child' published on COPFS website April 2025.⁶⁸ This covers communication with the victim in such cases seeking their views at the earliest opportunity and carefully considering them before a decision is made. IPS will seek sight of the specific training materials and any quality checks to demonstrate that this guidance is being followed.
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	Whilst there is a diversion section on the COPFS external website which advises victims what information they are entitled to receive if an accused is diverted from prosecution and that they have a right to review such a decision to divert an accused (the diversion section also has a link to the Victims' Right to Review section on the website) the internal COPFS guidance on Victims' Right to Review in diversion cases is still being considered. We are advised that this is at an advanced stage but there is currently no

⁶⁷ [Diversion | COPFS](#)

⁶⁸ [Statement of prosecution policy: diversion and referral to the Principal Reporter in rape and other solemn level sexual offences where the accused is a child | COPFS](#)

			clarity for COPFS staff on what to do should a victim seek a review in a case in which the accused is diverted from prosecution.
33	COPFS and justice social work should ensure assessment, diversion and outcomes are recorded accurately and consistently in line with national guidelines	In progress	COPFS advise there has been contact with ISD regarding the potential for new charge codes but discussions are still outstanding and this work is likely to take some time. COPFS is considering a research project to track diversion outcomes. This has been referred to justice social work for views and remains outstanding.

The prosecution of domestic abuse cases at sheriff summary level (2024)⁶⁹

No	Recommendation	Status	Rationale
1	With regard to training of staff, COPFS should: (a) review and streamline the content of its domestic abuse training taking into account the target audience	Achieved	Existing training has been reviewed and strengthened. Evidence has been provided to IPS to show that all COPFS domestic abuse training has been reviewed by the Procurator Fiscal for Domestic Abuse who made recommendations to the COPFS training division. We note that positively there have also been a number of posts on the COPFS intranet about domestic abuse training to raise awareness. The domestic abuse 'core hour' has been rebranded as a foundation hour and has been updated. The one-day domestic abuse course is being incorporated into accredited prosecutor training.

⁶⁹ [The prosecution of domestic abuse cases at sheriff summary level | HM Inspectorate of Prosecution in Scotland](#)

1	(b) review the take-up of mandatory and other training, and identify and address the reasons for low take-up	Substantial progress	A review of domestic abuse training has taken place and IPS has been provided with evidence of all the improvements made. All three days of the domestic abuse accredited prosecutor course are now part of the new depute foundation programme which should help to ensure a greater chance of attendance for staff which is positive. COPFS intranet is being used to provide information/updates about training including a news article on the COPFS intranet with a new booking process for the domestic abuse core hour. IPS has also been advised that SCM training which includes enhanced victim engagement in domestic abuse cases is being rolled out to legal staff and VIA until implementation is complete. No statistical evidence supplied as yet to show that take up of courses has increased and that staff are being given time to attend or complete courses. IPS will require sight of data along with assurances that staff are attending training.
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)	In progress	The recommendation is to 'ensure' that all staff have had appropriate training. COPFS require to decide what is the minimum training requirement for each role and thereafter monitor completion of training. From the evidence provided to IPS it appears that there are inconsistencies in the approach to training across sheriffdoms.

			There is scope for further assurance work be carried out and data to be provided to confirm that training is being attended by the relevant staff of all grades and roles as recommended.
1	(d) review the domestic abuse e-learning module for VIA officers and make it mandatory.	Substantial progress	IPS has been advised that a bespoke VIA module was launched in May 2025. Domestic abuse e-learning for VIA has been re-structured into three modules. It was unclear to us if this training is mandatory as recommended as it is classed as both mandatory and required on the COPFS intranet. This training is also difficult for staff to find on the COPFS intranet. We are advised that both these issues are being resolved by the Scottish Prosecution College and the COPFS corporate communications teams. IPS require satisfactory evidence of completion of the e-learning by VIA staff.
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 risk to victims which can be passed on to the court when required	COPFS has classed recommendation 2 as a 'year 2' recommendation, to be implemented by April 2026 In progress	COPFS has revised internal guidance documents for its staff. Wider work is being carried out by COPFS with Police Scotland to improve the quality and content of SPRs. COPFS Policy division are having 4-weekly catch ups with domestic abuse police leads which is encouraging. IPS has very recently been made aware that there has been a police-led formatting change to the existing SPR, to ensure completion of fields specifically related to domestic abuse which

			includes a risk assessment. COPFS advise that they have been receiving domestic abuse SPRs with the information in this format consistently from January 2025 onwards. It would be helpful to know to if the police are providing sufficient information in SPRs about risk and if/how deutes 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	Not achieved	The COPFS action plan refers again to 4-weekly meetings between Policy Division and police domestic abuse leads and that there is some local feedback on SPRs. It is reassuring to note in areas where SCM has been implemented that victim views on prosecution, Non-Harassment Orders (NHOs) and so on are gathered during enhanced victim engagement. SCM related evidence suggests that if the information on victims' views is not included in the SPR that further enquiries by the police should be instructed by COPFS. We are also advised that as deutes call victims in SCM cases as part of enhanced victim engagement there is scope at that point for them to gather information and views that may have changed since the date of report which is encouraging. It is not clear from the evidence provided to IPS if work has started holistically to address the terms of this recommendation.
2	(c) ensure that the approach to counter allegations set out in the joint protocol on challenging domestic abuse is followed in	In progress	It is heartening to see that the internal guidance and training on counter allegations is positive and advanced and also covered as part of domestic abuse marking training.

	practice by both reporting officers and marking deposes. Managing counter allegations should form part of training		Again, it would be helpful to see the updated attendance rate at the domestic abuse case marking training and there to be dip sampling to monitor compliance with the training by marking deposes before assessing this recommendation. In the main, it is unclear from the information provided to us if work with Police Scotland has progressed – we note that the Joint Protocol between Police Scotland and COPFS is being revised.
2	(d) ensure that calls to 999 and 101 are assessed for their evidential value by both reporting officers and marking deposes	Substantial progress	Work has been undertaken with Police Scotland so that a template has been added on Police Scotland systems specifically directing officers to the question of 999/101 calls. We also note that 999 calls are key evidence and require to be submitted by Police Scotland at the time of submission of the SPR. The evidential value of 999 calls and 101 calls is now set out in the COPFS Domestic Abuse Manual and features in the domestic abuse marking training. IPS require data about compliance with 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 victims is assessed and managed through the use of protective conditions.	Not achieved	We note from evidence provided to IPS that it appears this is being addressed locally in some sheriffdoms but there is no evidence of a national approach or working collegiately with Police Scotland. Along with all of recommendation 2 the requirement is to work with Police Scotland – COPFS accept that this recommendation

			is 'contingent' on Police Scotland and therefore a 'year 2' recommendation to be implemented by April 2026.
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 Substantial progress	Guidance, training, auditing, dip sampling and a commitment by ISD to add a step to the marking depute's checklist as an automatic reminder to add the statutory aggravations are all positive. It is reassuring to see that there has been auditing by COPFS Policy and NICP Divisions. IPS require confirmation that the additional step has been added to the marking checklist by ISD and evidence from the audit to confirm that statutory aggravations are being added appropriately.
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	Given the Lord Advocate's 2023 references this is increasingly possible. 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. Dip sampling of the marking depute's instructions has taken place in NICP. More staff will be trained in this SCM approach as it is rolled out across each sheriffdom. IPS require evidence of dip sampling along with a commitment from COPFS to regularly check compliance.

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	Now covered in the Domestic Abuse Manual and the CMLs. There was a Local Court initiative to review APT/ANT guidance which is welcome though each sheriffdom is taking a different approach to monitoring and allocation of these cases and there is no agreed national process for managing these across Local Court as yet. No evidence has been provided to IPS to demonstrate that depute are now getting time to prepare these cases or how this is being addressed which is also part of the recommendation.
6	COPFS should ensure that domestic abuse cases at summary level are prepared effectively. This will require that: (a) new information is brought to the attention of depute and acted on promptly	COPFS has classed recommendation 6 as a 'year 2' recommendation, to be implemented by April 2026 In progress	It is envisaged that with SCM, depute will have more preparation time so that they are reviewing cases earlier and may then be more readily aware of new information in a case. We understand that those leading SCM in COPFS are considering how to implement this recommendation given there is now an absence of intermediate diets. It is unclear to IPS from the COPFS action plan provided what changes are being implemented to address this recommendation beyond an updated VIA minute sheet and a review of mail allocation processes which we note is planned across Local Court.
6	(b) depute are available to deal with urgent and unexpected queries as they arise	In progress	This part of the recommendation was specific to depute being available to deal with urgent enquiries. We accept that it is a resourcing challenge to ensure that there is always an office depute.

			Once a trial is fixed there remains the potential for lack of ownership/no-one actively looking at cases for some time which we are advised is being considered by COPFS.
6	(c) the tasking of reporting officers is followed up timeously	In progress	There is now a national escalation process in place should there be a difficulty with follow-up work being carried out by reporting officers but further information is required for IPS to make a full assessment of whether the recommendation is being met and what is happening in practice.
6	(d) action is taken to address any risks to the efficient progression of the case	Not achieved	The relevant Practice Note states that cases should be accelerated by s137 of the Criminal Procedure (Scotland) Act 1995 if an issue arises which precludes the case proceeding. It is unclear at present how deposes will become aware of matters arising if there is no thorough procedure in place to check the case or guidance on how s137 applications should be managed and processed.
6	(e) deposes have sufficient time to address issues during their case preparation.	In progress	It is anticipated that SCM will address this issue and we have heard from various sources across COPFS that the implementation of SCM is successful. However, IPS require information/data to demonstrate that deposes across COPFS now have sufficient case preparation time for summary domestic abuse cases.
7	COPFS should ensure that an accurate record of discussions and decisions at pre-intermediate diet meetings is made in the electronic case file.	In progress	Since the implementation of SCM there is a presumption against intermediate diets and pre intermediate diet meetings. IPS is however aware of sheriffdoms producing their own templates to record discussions where these do take place, so there will be local, inconsistent practices across the service. Implementation of this recommendation will need to be further considered given the change in process.

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 In progress	Should SCM be successfully implemented this recommendation has the potential to be superseded as a trial diet should only be fixed if all parties are ready and effective case management has taken place. COPFS continue to work with Scottish Courts and Tribunals Service (SCTS) in relation to this recommendation.
9	COPFS should provide clear guidance to staff on when a domestic abuse victim should be informed of a decision to discontinue a case and of their right to request a review of that decision.	In progress	Guidance has been updated in the Domestic Abuse Manual to advise that discontinuations should be communicated to the victim. The VIA response and how they communicate this information to victims is still awaited as part of the Victim & Witness Engagement Strategy VMP phase II. IPS require 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	IPS understands that the COPFS Domestic Abuse Forum will address COPFS wide learning. There is currently no national process in place and sheriffdoms are implementing this recommendation independently. There requires to be a COPFS national process along with evidence that this has been implemented and compliance checks. IPS will require evidence of this.

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 In progress	There have been advancements nationally between SCTS and COPFS – IPS understands that overall journey time will be measured but there is no timescale for this to be achieved yet.
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	Guidance has been provided to COPFS staff in the Domestic Abuse Manual, Bail Manual and marking training. COPFS staff are linking in with third sector colleagues locally to assess victims' needs. There is currently no data available to IPS to demonstrate that the guidance is being followed, nor that marking deutes are tailoring bail conditions or that court deutes are seeking these conditions.
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). The IPS report at paragraphs 281-283 raises the inconsistent practice with some VIA officers contacting witnesses the same day and others waiting until the following day.

			IPS also notes that the Domestic Abuse Manual states that by local agreement victims could be updated by an advocacy service. IPS remain concerned about a lack of uniform practice and what is happening in practice given identified barriers such as VIA backlogs and require evidence to provide reassurance about the implementation of this recommendation.
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. However, IPS understands that only once VMP phase II is concluded will this recommendation be considered for action by VIA officers (by April 2026). Updates from sheriffdoms have been shared by COPFS but highlight the absence of a consistent national process to deliver the instruction in the Domestic Abuse Manual. No data has yet been shared with IPS to capture what is happening in practice.
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 In progress	The COPFS Victims & Witnesses Manual requires to be updated to provide guidance to staff. IPS has been advised that collaborative work with third sector colleagues is assisting and deutes are aware of this. We still require to see evidence of this. It is positive that the calls made by deutes to domestic abuse victims in SCM areas provide an opportunity to seek the victim's views on NHOs.

			It is however difficult to assess what current provision there is to review victims' views during the life of a case. Dip sampling has been carried out in one sheriffdom which is useful but COPFS wide data is required for IPS to properly assess 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.	In progress	As above per rec 13 (a) IPS will require evidence from COPFS that there is a clear national process for communications from victims and third sector organisations to be brought to the attention of prosecutors timeously so that they can be actioned and put before the court.
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.	In progress	Guidance is provided in an Operational Instruction and the Domestic Abuse Manual however we remain concerned about clarity and consistency. There is outstanding work for ISD with no delivery date to enable deutes to refer victims to VIA before a prosecutorial decision is made. IPS require sight of evidence that staff are aware of this instruction and that there is compliance with it.
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	In progress	It was not immediately clear to IPS that the full range of special measures were being offered to all domestic abuse victims. COPFS has undertaken to revise the guidance in the Domestic Abuse Manual to ensure that this recommendation is fully captured.

	give their best evidence, or request non-standard measures		IPS will require to see 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	Not achieved	COPFS require to work with SCTS to implement this recommendation.
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	Not achieved	COPFS require to work with SCTS to implement this recommendation but also require to consider if a centralised resource (such as COPFS ICU ⁷⁰ 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	The Domestic Abuse Manual now provides guidance on communication skills required when speaking with victims but there is no direction to VIA staff that they must inform victims of the special measures that have been granted other than in situations where evidence from a remote site is to be the special measure. IPS will require evidence of compliance of this recommendation by VIA officers once they are directed by guidance.
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	IPS have been advised that the COPFS Witness Gateway will enable some summary adult victims to view their statement when it is approved by the prosecutor (we note however that take up rate is currently low for witnesses access the Witness Gateway).

⁷⁰ COPFS International Co-operation Unit.

		implemented by April 2026 Substantial progress	We understand that child witnesses and victims are informed in a letter of the possibility of viewing their statement but IPS await further evidence about this. In person meetings which take place between deutes and domestic abuse victims in SCM areas will afford victims an opportunity to read their statement. IPS await evidence to demonstrate that victims in summary domestic abuse cases are aware of the opportunity to view their statements in order to assess compliance with this recommendation.
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	Chapter 6 of the Domestic Abuse Manual now has guidance for deutes on the content of these calls to victims. This will be of assistance to less experienced prosecutors. There is a presumption of enhanced victim engagement in SCM cases, however we remain concerned about whether prosecutors have capacity to carry out this task and note that practice varies across sheriffdoms. Whilst we have very recently received data in relation to 'prosecutor contact' by COPFS, which shows that in August 2025 74% of SCM of domestic abuse cases had recorded prosecutor contact being made with victims ie a record made of making or attempting to make a call by a legal member of staff in the early stages of the case IPS require information about how prosecutors' capacity is ensured and if there is a regular monitoring of deutes to ensure that they have time to make

			these calls and further information about how the data on prosecutorial contact is categorised before assessing this recommendation.
18	In summary domestic abuse cases, COPFS should address victims' desire to speak with the trial prosecutor in 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.	In progress	SCM has made progress in relation to enhanced early victim engagement which requires deposes to speak with victims on the day of trial. There is currently no data regarding the number of successful calls made to domestic abuse victims made at the trial prosecution stage and how SCM is ensuring that deposes have time to do this and how that is working in practice. Nor is there any data regarding how often trial deposes are making contact with domestic abuse victims on the day of trial or during trial preparation. We were provided with two examples of practices in sheriffdoms involving trial prosecutors but no national strategy or process.
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 Not achieved	Despite the wording of this recommendation making clear that immediate action was to be taken to address the failures identified in the inspection report no effective progress has been made. No evidence has been presented to IPS that VIA backlogs have reduced or that victims are routinely receiving this basic information timeously.
19	(b) work towards providing information to victims at additional key points in the progression of cases	Not achieved	This engagement is not covered in the Domestic Abuse Manual nor has any related evidence been shared with IPS.

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	Whilst the Domestic Abuse Manual is a central reference/guidance for staff which explains that the views and interests of the victim are likely to be a relevant factor in consideration of a plea and states that the victim should be advised of the nature of the plea, the reasons for it and what happens next there is no practical guidance for staff on how to approach this. Although we note that COPFS plan to update a guidance manual for VIA to include information on what can and cannot be disclosed to victims.
19	(d) ensure that staff are able to identify and respond to the additional support needs of victims.	In progress	IPS is aware that there is a great deal of effort going into COPFS trauma-informed practice albeit it is at very early stages. Additional support needs will be discussed in the calls with domestic abuse victims along with signposting to advocacy services in terms of SCM. We note that a VIA toolkit has been introduced which we understand may help to address this recommendation. We also note ongoing work between COPFS and victim support organisations to join up services and improve referrals where possible which is encouraging. 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.	Not achieved	There is no evidence available to IPS to suggest that work on this recommendation has begun. We remain extremely concerned about the standard of service being provided to domestic abuse victims and the pressures felt by summary VIA staff.
21	COPFS should provide victims in domestic abuse cases with a dedicated VIA officer.	Not achieved	There is no evidence available to suggest that work on this recommendation has begun.
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	There is a proposed ISD solution which we understand is to be a user-friendly VIA minute sheet. We also understand that a working group has now been established to explore options of capturing the information in one document in the COPFS case management system to address this risk. This is a recurrent issue for COPFS as reflected in the National Enquiry Point inspection and our ongoing inspection on citations.
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 understands that failure demand will be an ongoing issue for COPFS and will be dependent on all of the other recommendations being implemented which is likely to take some time.
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)	Substantial progress	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.

	whether or not they will be cited to give evidence.		IPS will require data and evidence to demonstrate that this is happening in practice.
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.	In progress	We understand that the COPFS National Domestic Abuse Forum will discuss quality assurance issues whilst sheriffdoms carry out their own projects/initiatives. NICP undertake quality assurance checks of SCM marking and the SCM project team carry out dip sampling. It is unclear if there is to be quality assurance in relation to VIA. In order to properly assess the implementation of this recommendation IPS requires data to demonstrate what quality assurance checks are being carried out across COPFS.
26	COPFS should gather feedback from victims and witnesses about their experience in domestic abuse cases. This feedback should be used to support improvements in its service.	COPFS has classed recommendation 26 as a 'year 2' recommendation, to be implemented by April 2026 Substantial progress	COPFS has increased its use of lived experience feedback including during an internal COPFS domestic abuse awareness month. We are advised that there is a particular focus on the development of third sector formal feedback loops. Examples have been provided of good but varied practice from some sheriffdoms. The COPFS domestic abuse policy lead monitors and responds to weekly ASSIST⁷¹ bulletins as a source of lived experience feedback. Further evidence of how this is working in practice would enable IPS to assess this recommendation.

⁷¹ Advocacy Support Safety Information Services Together.

27	COPFS should ensure there is a national mechanism by which information about its management of domestic abuse cases (including the results of quality assurance activity, complaints, Victims' Right to Review applications, feedback from service users and support organisations, and performance data) is monitored, discussed and acted upon, with a view to supporting continuous improvement in its service.	COPFS has classed recommendation 27 as a 'year 2' recommendation, to be implemented by April 2026 Achieved	A National Domestic Abuse Forum has been established and has met regularly since February 2024. It is currently chaired by a Procurator Fiscal and a number of practitioners from across COPFS sit on the forum. We have been provided with minutes from this forum.
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