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Dear Sir

SCOTTISH LEGAL COMPLAINTS COMMISSION DRAFT BUDGET 2017/18

I am writing on behalf of the Crown Office and Procurator Fiscal Service in response to your consultation on the SLCC draft operating plan and budget for 2017/18.

We have carefully considered the detail of the draft operating plan and budget and welcome the opportunity to express our views as the employer of the largest number of Scottish solicitors. The fact that we are responding, for the first time, to a budget consultation is a mark of our concern about the proposed 12.5% increase of the annual levy.

As at 28 February 2017, COPFS employed 520 lawyers, almost all of whom are solicitors who hold a practicing certificate, and 41 trainee solicitors. COPFS has traditionally paid the cost of the practicing certificates and the £95 (2016-17) SLCC levy for in-house solicitors for all of its employed solicitors. Despite not paying the full levy applicable to solicitors in private practice, the annual cost of the SLCC levy to COPFS is therefore significant (approximately £50,000 per annum). Any increase in the cost of the levy will need to be found within our existing budget. Our budget for 2017/18 has been set on a flat cash basis compared to the current financial year and therefore amounts to a real term reduction. Your proposal to increase the levy comes at a time when we are seeking to make savings while improving the public service which we provide and will have a direct impact on our ability to achieve those savings.

We have noted the SLCC's position in the draft operating plan that its workload is demand led. As the public prosecution service for Scotland, we find ourselves in exactly the same position but do not have the option of imposing a levy in order to raise funds to deal with an increase in workload. We have, therefore, for a number of years, managed to accommodate an increasing volume and complexity of criminal prosecutions within a reducing budget and we see no reason why, as a matter of principle and as a reflection of the current economic climate, the SLCC should not adopt a similar approach instead of passing on additional costs to other parts of the public sector which are not able to raise funds or pass increased costs on to clients.

We would therefore urge the SLCC to adopt a similar approach to other public sector organisations by finding a way to accommodate the projected increase in workload without raising the levy, perhaps through the use of the SLCC's financial reserves to fund improvement projects which will prevent the increased workload delaying the resolution of complaints.

We are grateful for the opportunity to comment and look forward to the outcome of the consultation.

Yours sincerely



JOHN T LOGUE
Deputy Crown Agent Operational Support