

Case: 201101319, Crown Office and Procurator Fiscal Service
Sector: Scottish Government and devolved administration
Subject: policy/administration
Outcome: upheld, recommendations

Summary

The Crown Office and Procurator Fiscal Service (COPFS) prosecuted Mrs C for breach of the peace. Mrs C's husband (Mr C) had questions about some of the witness statements that were provided as evidence. He had several email exchanges with COPFS and complained about the way they had responded. Mr and Mrs C said that some emails were not responded to, and that others were not provided within a reasonable time.

We upheld the complaint because when we looked at the correspondence we found that there were instances when COPFS failed to respond, or did not respond in a reasonable way, to specific emails. We noted that there was an extensive amount of contact from Mr C which included long email chains and it was not always obvious what emails COPFS were acknowledging or responding to. Overall, we also found that they were inconsistent in dealing with Mr C's contact with them, because they continued to respond to him about issues that they had previously told him should be raised with them through Mrs C's solicitor.

Recommendation

We recommended that COPFS:

- review their contact procedures to prevent recurrence of a similar situation.