COPFS FOI RESPONSES PUBLICATION LIST - 2019-20

Re-typecat Number	Topic	Description of Requests	Date received	Discussion
FI20/2295	Prosecution Policy	Could you please tell me if there is a time limit on cases concerning the possession of a controlled drug under the Misuse of Drugs Act? Is the Procurator Fiscal obliged either to bring a case against someone within 12 months of the offence being recorded by the police, or alternatively, mark the case as no further action if a report is received after this period of time has elapsed (or it has elapsed while the report is with the Procurator Fiscal)? I appreciate that no such time bar may exist and your clarification on the matter would be much appreciated.	12-Nov-19	Provided
FI20/2134	Sexual Offences	1. How many cases/incidents have been referred to the COPFS which relate to or include references to Female Genital Mutilation since the Prohibition of Female Genital Mutilation (Scotland) Act 2005 came into force on 1 September 2005? 2. Since the coming into force of the Prohibition of Female Genital Mutilation (Scotland) Act 2005 on 1 September 2005, how many (suspected) female genital mutilation cases have been marked "no proceedings"?	28-Oct-19	Provided
FI20/2093	Wildlife	I received the email below from SOC of Scottish Badgers. It it's reasonably exact) encroached and it is information that you can give out would you be able to let me know if there have been any cases reported for prosecution and the outcome of these cases. I am aware that this should be available in the annual from Scottish Badgers, referred to. I don't know if you can help about this, but it would be useful for SB to know just how many cases have been brought in Scotland (i.e. to a court appearance) under the 1992 PCB Act, over the past few years, whatever their outcome. Going back over the Government Wildlife Crime Reports would be a mammoth task and probably not very fruitful, as the actual similarly have been cases brought under other legislation, e.g. animal cruelty re dogs, firearms offences, and illegal snaring.	22-Oct-19	Not provided
FI20/2089	Deaths	How many deaths were recorded in Glasgow for the years 2016, 2017 and 2018 inclusive, and how many have proceeded to a fatal accident enquiry, or are in the process of so doing.	30-Oct-19	Provided
FI20/2061	Prosecution	In accordance with Freedom of Information legislation, I would be grateful if you could variety/publish the following request: Please tell me: 1. The (a) longest and (b) average time taken to complete a high court case at first instance that was concluded in (a) 2015-16, (b) 2016-17, (c) 2017-18, (d) 2018-19 and (e) (leave currently) still waiting to take place. Please include the date where the complaint was referred to Police Scotland, and the date the case was concluded in court. If a case has not been taken to reach a conclusion on the allegations, and the time taken to issue the sentence, if applicable to. If this request is too wide or unclear, I would be grateful if you could get in touch in order to clarify. I would also be grateful for an acknowledgement upon receipt of this request.	10-Oct-19	Part provided
FI20/2032	Prosecution	The number of undertaken, where individuals have been guarded /arrested by from prosecution in Scotland by way of a confirmatory letter over the last ten year. Any details available of the circumstances of these cases. (Codes/individual names, if possible/details of cases.	10-Oct-19	Part provided
FI20/2016	Procurement	I would be very grateful if you could confirm whether it is possible to obtain an analysis of quick quote or other procurement awards made by COPFS in the last 3 financial years, in relation to the procurement of professional services.? Yes, I can be more specific. I am looking for details relating to procurement of forensic accounting services and accounting specialist expert witness services. I cannot see details of procurement of any such services on the information already listed on the website, using contracts over £50k per annum. I therefore seek information in relation to procurement awards under £50k as previously this is the level at which these services are being provided. How many were awarded in each of the last 3 years and what were they?	8-Oct-19	Provided
FI20/1955	Staff	How much was it at full time or part time post? How much has been paid to-each? On what dates were the following appointed: Merlin Richardson, John Scott, Gillian Ross, JAMIESONS QC, JOHN MORRAN, CHRIS Mellenna, Lindsey Dalziel and Alan Cammon? For each, what was the process for getting them appointed?	7-Oct-19	Part provided
FI20/1936	Fraud	Q1 - "Re-number of cases of fraud/fraud referred to the COPFS during the years 2017, 2018, and up to October 1 2019(broken down by year. 2) The number of cases within question 1) which were subject to a decision to prosecute and b) a decision not to prosecute broken down by year and in the case of b), reason not to prosecute.	3-Oct-19	Provided
FI20/1928	Procurement	Freedom of Information request / Communications & Telephony Keepers	3-Oct-19	Provided
FI20/1920	Prosecution		1-Oct-19	Part provided
FI20/1930	Road Traffic Offences	The most recent figures for the three month period 1 December 2018 to 28 February 2019 show that we have received 6 requests for evidence parties/agents. These were for 7 murder cases and 2 involving road traffic offences. Please confirm if this is correct. Also please confirm how many of these requests were sent out for the PCS team, if this is the case could you advise who I should spread it? I also wondered if updated figures for August and September, as per Graham Donoghue's previous response, were available? Should I submit a new FOI request in order to obtain these figures?	1-Oct-19	Provided
FI20/1876	Staff	I would be grateful, however, if you could also provide information relating to the staff benefits that have been accrued from time to time, namely the Q5 Accretion (Band 4), and the Q5 Managers. (Band 3). My original request was submitted under the assumption that all 'Q5/non-physicians' would be encompassed in this term, and the scope was not intentionally limited to just those deemed to be 'officers'. As such, I would be grateful if you could provide me with this additional information. Should it be preferable to you, I can submit a new FOI request to obtain this data.	30-Sep-19	Provided
FI20/1895	Staff	Please provide a list of all advocates deputes appointed in the last 5 years, their names, the date of their commission, the recruitment process carried out, or if they were appointed by the law officers, the number of days they have served and the payments made to them for each year, the date they ceased appointment, if any. The crucial points are the date of appointment and their names. Thanks. you	26-Sep-19	Part provided
FI20/1862	Procurement	1) Is your current IT Service Management function and associated software application (wired in house in Dalkeith) at a 3rd Party? 2) Please provide the full name and version of the ITSM software application in use? 3) What is the lifetime value of the contract and over how many years? 4) Is part of the existing contract the provision of professional services to help implement and configure the ITSM tool? 5) How many individuals who work on the tool in a resolver groups, not customers, using a Self Service function? 6) Where is the contract due for renewal? 7) How was the current solution procured – directly with the Vendor, through a Framework or via G Cloud? 7) What are your published procurement thresholds for tendering purposes? 8) What is the Authority's strategy with regards to Cloud solutions as opposed to In House installations? 9) Has the organisation ever procured through the G Cloud Framework?	26-Sep-19	Provided
FI20/1854	Civil Cases		23-Sep-19	Not Provided
FI20/1872	Prosecution Services		23-Sep-19	Provided
FI20/1764	Court	For each of 2014, 2015, 2016, 2017 and 2018, for the Sheriffdom of Dumfries Highland and Islands: - 1. The number of criminal complaints reported directly to COPFS 2. The number of privacy incidents referred to COPFS by the police 3. The number of perjury allegations which were prosecuted 4. The number of perjury allegations which were prosecuted and resulted in convictions 5. Also confirm the number in relation to crown addresses and deliberate addresses.	6-Sep-19	Provided
FI20/1668	Sexual Offences	I would kindly request information under the Freedom of Information (Scotland) Act 2012 about: • Amount of Charges reported • Amount of Charges prosecuted • Gender of victims and victim - Relationship of offender and victim of the following legislations: relating to image-based sexual abuse – Section 8 'Voyeurism' (including 'upskirting') of the Sexual Offences (Scotland) Act2009; Subsections (2), (3), (4), (4A), and (4B) – Section 6 'Coercing a person into looking at a sexual image' of the Sexual Offences (Scotland) Act 2009 • Section 2 'Disclosing, or threatening to disclose, an intimate photograph or film' of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016. Additionally for this legislation: how many charges, which were reported, prosecuted, and convicted where based on actual disclosure and threat to disclose for the purposes. 2017, 18 and 2018-19.	28-Aug-19	Part provided
FI20/1661	Assault	To whom it may concern, Please provide me with the following information: 1. In each of the last three financial years, how many charges of police assault were reported to the COPFS? 2. How many of these reported (2) resulted in court action? 2. How many of these reported (2) resulted in court action? 3. In each of the last three financial years, how many charges of assault were reported to the COPFS 4. How many of these reported (3) resulted in court action? 5. How many of these reported (3) resulted in court action?	26-Aug-19	Provided
FI20/1640	Court	How many prosecutions of homeowners assault? remark (under 12 years of age) have appeared in the Sheriff Court? Including throughout FM during sy. 2017-2018 and	23-Aug-19	Provided
FI20/1617	Sexual Offences	Charges: - 1. For the full year of 2017 (01/01/2018 - 31/12/2018) on how many cases were criminal charges brought which involved a) "forced" "lewd violence"? b) deaths involving "forced" "lewd violence"? c) forced marriage? d) female genital mutilation? 2. IF COPFS records are put in a) together, for the full year of 2018 (01/01/2018 - 31/12/2018) on how many cases were criminal charges brought which involved "forced" "lewd violence, forced marriage and female genital mutilation were criminal charges, how got? Convictions - 3. For the full year of 2018 (01/01/2018 - 31/12/2018) how many cases resulted in convictions for: a) "forced" "lewd violence"? b) deaths involving "forced" "lewd violence"? c) forced marriage? d) female genital mutilation? 3. For the full year of 2018 (01/01/2018 - 31/12/2018) how many cases resulted in convictions for: a)"forced" "lewd violence"? b) deaths involving "forced" "lewd violence" c) forced marriage? d) female genital mutilation?	19-Aug-19	Part provided
FI20/1609	Staff	How much has been paid to-ad hoc advocate deputies for the last five years? Please break this down to the each deputy.	22-Aug-19	Part provided
FI20/1570	Staff	1) The number of solicitors from the Scottish Government Legal Directorate acting for the Lord Advocate in respect of 000-v The Chief Constable, The Police Service of Scotland 2) The total number of hours incurred for the number of solicitors, above, acting on behalf of the Lord Advocate from Scottish Government Legal Directorate in respect of 000-v The Chief Constable, The Police Service of Scotland. 3) The total number of QCs acting for the Lord Advocate in respect 000-v The Chief Constable, The Police Service of Scotland. 4) The total number of hours billed by the number of QCs, above, in respect of 000-v The Chief Constable, The Police Service of Scotland. 5) The total cost to the taxpayer of the Lord Advocate's representation, whether that be the Scottish Government Legal Directorate, Queens Counsel, or other, in respect of 000-v The Chief Constable, The Police Service of Scotland to date.	12-Aug-19	Part provided
FI20/1560	Air Navigation Orders	For 2018 and the period 1st January 2019 - 30th June 2019 can you tell me how many attended offences have been pertaining to violations of the Air Navigation Order rules 94, 95 and 241 involving drones. Can you also please tell me the outcome where violations were detected.	9-Aug-19	Provided
FI20/1551	Prosecution	At up to date list of all the current criminal offences as of this request (09/08/19). I understand there has	7-Aug-19	Provided
FI20/0542	Prosecution	Following on from the information you provided in the message below in 2014, I wonder if you would consider whether the information could be provided in a more detailed ofa summary committee is a fine since the introduction of the Breastfeeding etc (Scotland) Act 2005.	7-Aug-19	Provided
FI20/1544	Procurement	I would therefore wish to obtain information using Freedom of Information on the decision reached by the Crown Office not to renew the contract with the Forensic Toxicology Department at Glasgow University. Please therefore provide: •A copy of the minutes of any/all meetings, or correspondence with all relevant parties, that has taken place which discussed this issue and which eventually resulted in the decision not to renew the contract being taken? •What took this decision? •A copy of specific discussion, minutes and or correspondence between Glasgow University and COPFS regarding the withdrawal of the contract for the Forensic Toxicology Department? •Any information held by COPFS regarding the future contender for Forensic Toxicology work? •The name and location of the contractor that has been awarded, or is being considered, for the contract for Forensic Toxicology work for Scotland?	7-Aug-19	Part provided
FI20/1496	Victims	1. How many Victim Information and Advice Officers are currently employed by the COPFS, broken down by location, and how many we have been employed in each of the past 5 years, also broken down by location. 2. How many cases have qualified for support from VIA officers in each of the past 5 years, broken down by case type and location.	2-Aug-19	Part provided
FI20/1504	Domestic Abuse	Who were the Crown Office and Procurator Fiscal Service (COPFS) authors of the Joint Protocol between Police Scotland and the Crown Office and Procurator Service in Partnership Challenging Domestic Abuse' that makes the claim that "we treat all suspects and accused persons fairly" and also states "I'm satisfied that the evidence in this case is sufficient to prove that the accused committed the offence to a non-negligible standard" without providing any evidence or literature citations for the two statements?	1-Aug-19	Provided
FI20/1457	VIA		30-Jul-19	Not provided
FI20/1460	Deaths		30-Jul-19	Provided
FI20/1415	Prosecution Policy	Please could I request the following under freedom of information legislation: 1. The total number of criminal reports received from Police Scotland in 2018-19. 2. The number of those reports which were returned to the police because they contained mistakes. 3. Any breakdown available of the types of mistakes that required reports to be returned. 4. Any data available on the number of cases which required delays to court hearings due to reports being returned to the police.	23-Jul-19	Part provided
FI20/1370	Procurement	Please could you provide the following information for 2018: 1. Number of Sites 2. Number of Employees 3. Number of IT Staff 4. Annual IT Budget for current financial year 5. What backup solution(s) are used in-house or third-party 6. What storage vendor(s) and model do you currently use? a. When was the installation date of above storage vendor(s)? b. When is your planned (or estimated) storage refresh date? (Month/year) c. What is your estimated budget for the refresh? 7. What is the current backup software vendor and version? (Month/year) a. What is the value of your storage support contract? b. What is the capacity of the storage data in TB? c. When does your storage support contract end? (Month/year) d. What backup software and hardware do you use? e. How much data do you backup in TB? f. When is your planned (or estimated) backup software refresh date? (Month/year) g. What is the estimated budget for your backup software refresh? h. When does your backup support contract end? (Month/year) i. What is the value of your backup support contract? j. Is your backup hosted by a third party or retained onsite? 8. What computer vendor(s) and model do you currently use? a. Number of servers? b. What Operating System(s) do you use? c. What percentage is virtualised? d. Virtualisation platform? e. When is your planned (or estimated) compute refresh date? (Month/year) f. When does your compute support contract end? (Month/year) g. What is the value of your compute support contract? h. Is this hosted by a third party or onsite?	17-Jul-19	Part provided
FI20/1404	Deaths		30-Jul-19	Not provided
FI20/1324	Drug Offences	1. How many cases relating to possession of drugs without the intent to supply to-ere referred to the COPFS for further investigation in each year since 2009. 2. Of the total number of cases relating to possession of drugs without the intent to supply to-ere referred to the COPFS in each year since 2009 (a) how many and (b) a per cent diversionary measures and (c) no further proceedings. 3. Of the total number of per cent diversionary measures issued, please break this number down by measures issued including, for example, the number of Drug Treatment and Testing Orders.	15-Jul-19	Part provided
FI20/1350	Court	1. The number of offenders who had their sentences increased in 2018 due to a challenge on the grounds of undue leniency by Lord Advocate's COPFS. 2. The number of offenders who had their sentences increased from a community sentence to a jail term in 2018 due to a challenge on the grounds of undue leniency by the Lord Advocate's COPFS. 3. The percentage of challenges to sentences on the grounds of undue leniency in 2018 which resulted in an increased sentence. 4. Any breakdown by crime type available of the number of challenges to sentences on the grounds of undue leniency in 2018.	11-Jul-19	Part provided
FI20/1323	Data Protection	Under the restrictions of the Data Controller and Data Processors as outlined in the Data Protection Act 2018 or the Prosecution Fiscal's Office a Data Processor or Data Controller of the information and data held on the Scottish Persons Database (SPDB	8-Jul-19	Part provided
FI20/1309	Prosecution		8-Jul-19	Provided
FI20/1274	Drug Offences	The number of reports to the Procurator Fiscal concerning the possession of Class A drugs and the corresponding number that resulted in a Direct Measures, for 2016, 2017 and 2018. Direct are figures is	1-Jul-19	Provided
FI20/1271	Prosecution Policy	N/A	27-Jun-19	Not provided
FI20/1243	Sexual Offences	The number of charges reported to COPFS under Section 42 of the Sexual Offences (Scotland) Act 2009 for the years 2014 to 2018.	27-Jun-19	Provided
FI20/1168	Prosecution Policy	Please provide the number recorded crimes reported to COPFS by Police Scotland and to prosecuted and therefore remain unresolved each year. Please provide information on the total number of unresolved reports for each year the calendar years (or financial years if records are kept in that form.) a. Please provide the number of unresolved reports for each year broken down by crime type. Some of the unresolved case figures under the following headings: Non-sexual crimes of violence, Homicide etc, Attempted murder and serious assault, Robbery, Other non-sexual crimes of violence, Sexual crimes, Rape and attempted rape, Other sexual crimes Crimes associated with prostitution, Other sexual crimes, Crimes of dishonesty, Housebreaking, Theft by opening locked places, Theft from a motor vehicle, Theft of a motor vehicle, Shoplifting, Other theft, Fraud, Other dishonesty, Fire-raising, vandalism, etc, Fire-raising, Handling offensive weapons, Drugs, Common assault, Breach of the peace etc.	18-Jun-19	Part provided
FI20/1162	Prosecution	A list of all cases that have been reported to COPFS by Police Scotland relating to Letting Agent Enforcement Orders, including a case number and name of letting agent. 2. An update on each case, including whether a prosecution has been brought and the reasons for non-prosecution/non-conviction. 3. The resulting penalty given to any convicted letting agent.	12-Jun-19	Part provided
FI20/1172	Staff	Clarification: Was Crown Office and Procurator Fiscal Service has been involved in Non Disclosure Agreements. The numbers of Non Disclosure Agreements (NDAs) between COPFS, staff, or others, including, but not limited to, witnesses, and the Crown Office and Procurator Fiscal Service. 2. Number of NDAs, post-dy COPFS to which law firm, individual, organisation or other). Identities of Law firms used to broker, prepare, agree & witness NDAs Was COPFS employer by name) has signed off on NDAs. From 2013 to the date of this FOI request	12-Jun-19	Part provided
FI20/1105	Mental Health	Does COPFS hold a legal duty of care towards individual in custody/ victims?	11-Jun-19	Provided
FI20/1091	Domestic Abuse	The necessary legislation for victims of a course of actions under the Domestic Abuse Act 2018 not when the abuse commenced before the date of implementation, but which the behaviour is continuing after the act came into force?	11-Jun-19	Part provided
FI20/1053	Procurement	Under the Freedom of Information (Scotland) Act 2002 we formally require the information listed at [A]to [N] for staff provided under the expired Framework Agreement named at [0]. [A] Framework Public-Bodies Contracts Manager's or Hiring Manager's name; [B] Job Role; [C] Start Date; [D] End Date; [E] Pay Rate. [0] Provision of Temporary and Interim Staff Services - Interim Professional - National [Ref: SP-13-022] awarded 29 April 2013.	11-Jun-19	Part provided
FI20/1067	Mental Health		10-Jun-19	Not provided
FI20/1035	Human Trafficking	Since the passage of the Human Trafficking and Exploitation (Scotland) Act 2015, how many criminal cases considered for prosecution have involved a potential victim of Human Trafficking? Of these, how many were under 18 and how many were above 18? Of these, how many were referred to the National Lead Prosecutor for Human Trafficking and Exploitation? How many were under 18 and how many were above 18?	7-Jun-19	Part provided
FI20/1054	Deaths	The total number of sudden deaths reported by police to the Procurator Fiscal in each financial year since 2000; and the Total number of 'fatal accident' forensic post-mortems (performed by/ano-doctors) in each financial year since 2000	5-Jun-19	Provided
FI20/1022	Complaint	How many formal complaints were registered against the Naval officer in the years 2015-2018 inclusive and how many were upheld?	5-Jun-19	Provided
FI20/1001	Environment	N/A	27-May-19	Provided
FI20/0921	Sexual offences	1. How many counts of non-consensual pornography have been brought? (ie. 2015/16, 2017/18) 2. How many ended with a conviction? (ie.2015/16,2017/18)	15-Apr-19	Provided
FI20/0767	Prosecution policy	Information you hold that might indicate one of how section 69 offences on private roads as defined by the Road Traffic Act 1988 are being prosecuted in Scotland.	10-Apr-19	Part provided
FI20/0769	Sexual Offences	1) How many charges have been reported to the COPFS under Section 18 and 19A of the Sexual Offences (Scotland) Act 2009, since 2010? 2) How many prosecutions have there been under Section 8 of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016?	9-Apr-19	Provided
FI20/0745	Trial Court	Under freedom of information can you please provide all recorded costs associated with the successful prosecution of Angus Sinclair for the Wanda Ann murders? Can any costs associated with the original trial that collapsed in 2007 also be provided? Can any documentation associated with Angus Sinclair held by the Crown revealing correspondence between the Crown Office, the Lord Advocate (or) and internal documentation about this and these prosecutions also be provided? If you are unable to provide any or/mes/evidence or/documentation can you please simply provide the cost of the trial in 2018?	9-Apr-19	Part provided
FI20/0724	Finance	Under the Freedom of Information (Scotland) Act 2002 we formally request the information listed at [A]to [N] for staff provided under the expired Framework Agreement named at [0]. [A] Framework Public-Bodies Contracts Manager's or Hiring Manager's name; [B] Job Role; [C] Start Date; [D] End Date; [E] Pay Rate. [0] Provision of Temporary and Interim Staff Services - Interim IT - National [Ref: SP-13-023] awarded 28 April 2013.	8-Apr-19	Part provided
FI20/0725	Prosecution	Under the Police and Fire Reform (Scotland) Act 2012 how many people, in the years 2013-14 and 2012-15 have been: 1. reported to COPFS for 6(6C)a, assaulting a police officer 2. reported to COPFS for Red charge 3. reported to COPFS for 6(6C)b, resist, obstruct, hinder a police officer 4. found guilty of Red charge	8-Apr-19	Provided