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Scottish Government
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The Right Honourable Lord Carloway
The Lord Justice General
Parliament House
Edinburgh
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30 November 2021

Dear Lord Carloway

**GOVERNANCE ARRANGEMENTS TO PROGRESS THE JUSTICE SECTOR'S
RESPONSE TO THE REPORT FROM THE LORD JUSTICE CLERK'S REVIEW GROUP
ON IMPROVING THE MANAGEMENT OF SEXUAL OFFENCE CASES.**

I wanted to write to you to outline how the Scottish Government and Justice partners will now look to progress our response to the Lord Justice Clerk's Review Group report on improving the management of sexual offence cases.

As you know we have been giving the Report careful consideration since it was published in March and our Programme for Government has committed to giving serious consideration to the recommendations, including the potential introduction of specialist courts, and what the implications of that would be.

One of our key considerations has been to ensure that we take an approach which rightly takes into account the views and concerns of all stakeholders. That is a critical part of our thinking and one that will ensure that as we develop proposals and progress to consultation, we can demonstrate that we have listened.

I am therefore pleased to advise that we will now progress with the establishment of a Scottish Government led Governance Group, comprising key stakeholder interests but with the ability to engage others where that would be helpful, to enable progress and detailed consideration of the individual and collective recommendations within the Report. The proposed draft remit for the Group is detailed below and you will see this includes a key commitment to keeping you advised of developments.

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Draft Remit

- To champion shared ownership of the recommendations and commitment to the way forward.
- To act as the principal decision making body and only to utilise the Criminal Justice Board where either agreement/consensus cannot be made and/or reached at the Strategic Group level and/or where the issue is such that the Strategic Governance Group agree it requires the attendance of the Board.
- To provide advice, guidance, strategic direction, expert challenge and support to the individual working groups on the Justice Sector response to the Lord Justice Clerk's Review Group Report and their developing reply to the recommendations.
- To determine the number of workstreams required to consider the report, recognising areas of cross over and the ability for stakeholders to actively participate, and the appropriate lead organisations.
- To identify and prioritise recommendations which can be taken forward without legislative change.
- To ensure an evidence-based approach to policy development and a common understanding of what success looks like.
- To identify and map out key interdependencies (for example the Governance Group currently being established for the Bairns' Hoose project).
- To identify key resource implications and options for all justice partners in response to recommendations made by working groups.
- To promote collaborative working across the workstreams and more widely, most particularly with the Victims Taskforce and associated workstreams.
- To help steer future content of any Scottish Government consultation (s) on next steps and the identification of key milestones.
- To consider the implications for new or current initiatives relative to the Report.
- Secretariat to respond to enquiries around the Group and progress in response to the Report.
- Provide regular updates to the Criminal Justice Board, Lord Justice Clerk's Review Group and the Cabinet Secretary.

Notwithstanding wider pressures at this point, I am optimistic that the Group could meet before the festive break and will contribute to the consideration of necessary policy and legislative changes. I have expectations that the Group will move at pace but with an equal focus on ensuring recognition is taken of wider and related Scottish Government initiatives.

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If it would be helpful, I would be happy to discuss how this will progress over the coming months.

I am copying this letter to the Lord Justice Clerk, the Lord Advocate and the Convenor of the Criminal Justice Committee.



KEITH BROWN

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