

Criminal Justice Committee

29th Meeting, 2022 (Session 6), Wednesday 23 November 2022

Pre-budget scrutiny

Introduction

1. The Criminal Justice Committee is holding its final oral evidence taking session today as part of its pre-budget scrutiny of the Scottish Government's forthcoming Budget for 2023/24.
2. As part of this year's pre-budget scrutiny, the Committee is also seeking to assess the potential implications for justice sector funding in Scotland in light of the current economic and inflationary environment, and the announcement by the Scottish Government of a broad flat cash funding settlement for the remainder of the current session of the Scottish Parliament out to Financial Year 2026/27.

Public call for views

3. The Committee undertook a public call for written views as part of this scrutiny. This consultation ran between 21 September and 21 October 2022. A copy of the public call for views is included in **Annex A** for information.
4. The Committee received 45 written responses to its call for views from both organisations and individuals. All of the responses are available online on the Committee's 2023/24 pre-budget inquiry webpage:

<https://www.parliament.scot/chamber-and-committees/committees/current-and-previous-committees/session-6-criminal-justice-committee/business-items/prebudget-scrutiny-202324> .

5. The Committee thanks all of those who have taken the time to respond to the call for views.

Written evidence from justice sector organisations

6. The Committee also sought a written response from the following justice sector organisations as their funding constitutes the bulk of the Justice portfolio budget:

- Crown Office and Procurator Fiscal Service;

CJ/S6/22/29/1

- Scottish Courts and Tribunal Service;
- Scottish Fire and Rescue Service;
- Scottish Police Authority & Police Scotland; and
- Scottish Prison Service.

7. In seeking a response, the Committee asked four questions, broadly similar to those in the public call for views, namely:

- I. What assessment these organisations are making of the impact of a possible flat cash settlement to the delivery of services for 2023/24? What contingency plans are in place? What is the impact on their services?
- II. Similarly, what assessment are these organisations making of the impact of a possible flat cash settlement on their capital spending for 2023/24?
- III. What assessment are these organisations making of the longer-term impact of the possible flat cash settlement out to 2026/27 if the present inflationary cycle continues beyond 2023?
- IV. Any other comments these organisations may wish to make on the potential impact of the flat-cash settlement on their organisation or the budget more widely

Oral evidence at this meeting

8. At its meeting today, 23 November, the Committee will take oral evidence from **Keith Brown, Cabinet Secretary for Justice and Veterans**.

Clerks to the Committee
November 2022

Annex A: Copy of the public call for views issued by the Committee from 21 September to 21 October 2022

Overview

On 31 May 2022 the Scottish Government's Cabinet Secretary for Finance and the Economy Kate Forbes MSP published the Scottish Government's [Resource Spending Review Framework](#). This set out the Scottish Government's scenario for budget spending of £180 billion over the four remaining financial years of the current Scottish Parliamentary session (Financial year 2023/24 to Financial Year 2026/27).

In the Framework, the Scottish Government set out a scenario for the allocation of £11.6 billion of public spending to the Scottish justice system over these four financial years as follows:

- 2023-2024: £2,839 million
- 2024-2025: £2,839 million
- 2025-2026: £2,954 million
- 2026-2027: £2,969 million.

These proposals, if realised, would represent an across the board, flat cash settlement for almost all parts of the justice criminal justice system in Scotland.

The UK Office of National Statistics [currently estimates](#) that the Consumer Prices Index (CPI) has risen by 10.1% in the 12 months to July 2022, up from 9.4% in June. A flat cash outcome would represent a significant real-terms reduction in spending across the justice sector if the current trend of high inflationary pressure continues into the medium to long term.

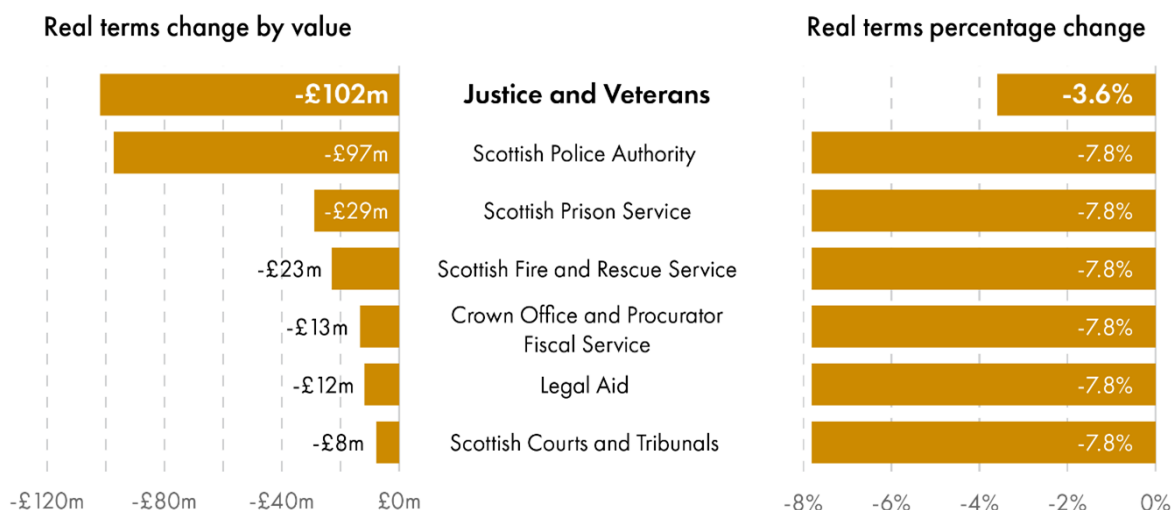
What might this mean for justice spending?

The Scottish Parliament Information Centre (SPICe) has produced the following information to indicate what this settlement may potentially mean, in real terms, if the current economic climate persists for the next few years.

Any real-terms shortfall in funding over this period may be substantially better or worse than the current estimate, depending on the inflationary pressure in each year up to 2026/27.

This estimate may also be affected by the forthcoming UK Government emergency budget, and the outcome of the Scottish Government’s [Emergency Budget Review](#), which the Scottish Government has confirmed would take place within two weeks from the forthcoming UK Government emergency budget.

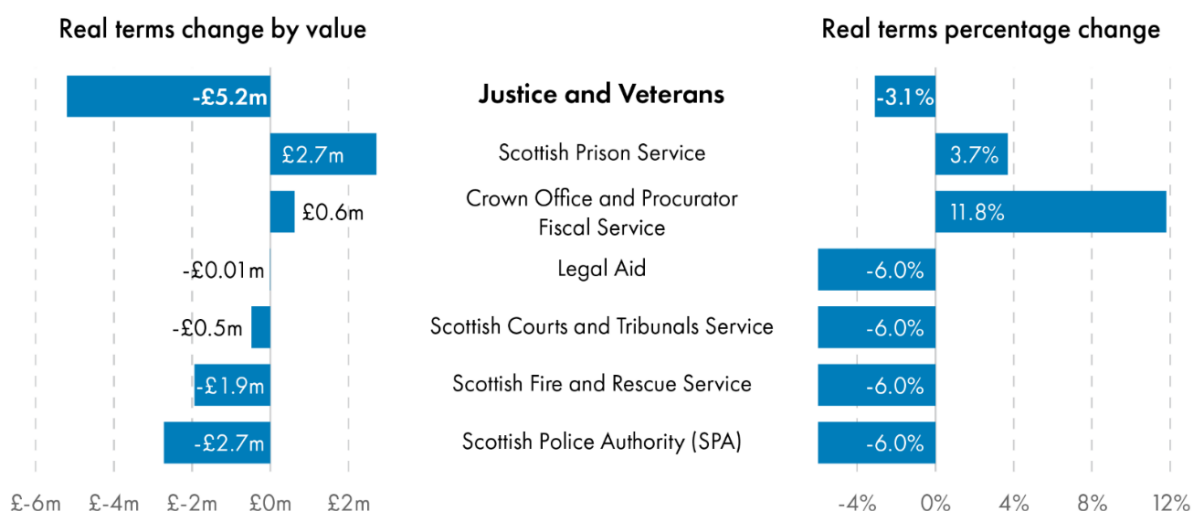
SPICe estimates that resource spending will fall in real terms by £102 million, or 3.6%.



There will be a cut to resource spending of 7.8% across the portfolio. These include the following reductions:

- Scottish Police Authority and Police Scotland: £97 million
- Scottish Prison Service: £29 million
- Scottish Fire and Rescue Service: £23 million
- Crown Office and Procurator Fiscal Service: £13 million
- Legal Aid: £12 million
- Scottish Courts and Tribunals: £8 million

SPICe's analysis also says that capital spending will also decrease in real terms by £5.2 million, or 3.1%.



Two elements of the portfolio will get an increased amount of funding:

- The Scottish Prison Service will receive an increase of £2.7 million (or 3.7%)
- The Crown Office and Procurator Fiscal Service will receive an increase of £600,000 (or 11.8%)

However, other elements of the portfolio will see their funding their funding cut by 6% in real terms. These include the following reductions:

- Legal Aid: £10,000
- Scottish Courts and Tribunals: £500,000
- Scottish Fire and Rescue Service: £1.9 million
- Scottish Police Authority and Police Scotland: £2.7 million

Questions

The Criminal Justice Committee would like to hear your views, or those of your organisation, on this situation:

- What are your views on the impact of a possible real terms cut in the funding for the Scottish justice sector for the financial year 2023/24?
- What are your views of the impact of possible real terms cut in the funding for the Scottish justice sector for the financial years over the longer term if the present rate of high inflation continues beyond 2023?
- Any other comments you may wish to make on the impact of the possible flat-cash settlement on the Scottish justice sector or the budget more widely.

The deadline for submitting a response is 11:59 pm on Friday, 21 October 2022.