

Justice Committee

Environmental crime and serious organised crime

Written submission from the Crown Office and Procurator Fiscal Service

Thank you for your e-mail on behalf of the Justice Committee seeking information on environmental crime and its links to serious organised crime.

As Committee members will be aware the strategic priorities for COPFS include the prosecution of serious crime and the recovery of assets from those engaged in criminal activities. The work of the Serious and Organised Crime Division (SOCD) is a key feature of the COPFS response to serious and organised crime.

SOCD was created in 2011 to better reflect these priorities, working closely with Federations and law enforcement to bring a more strategic and cohesive approach to the prosecution of serious and organised crime.

The Division is split into 7 units - the Proceeds of Crime Unit, Economic Crime Unit, International Co-operation Unit, Wildlife and Environmental Crime Unit, Regulatory Crime Unit (to be established this year) the Organised Crime Unit and the Criminal Allegations against the Police Unit.

These units do not work in isolation and in particular when tackling the potential threat and harm posed to Scottish communities by environmental crime there is close co-operation across the Division amongst the Proceeds of Crime Unit, the Organised Crime Unit and the Wildlife and Environmental Crime Unit to ensure an overarching prosecution strategy which focuses on disruption of criminality and maximisation of opportunities under the proceeds of crime legislation.

Organised crime is very fluid, with criminals seeking to find new opportunities to sustain their businesses. We know that Serious and Organised Crime Groups (SOCG) have a high awareness of legislation, such as the Proceeds of Crime Act 2002 and utilise a variety of techniques to protect their operations, some of which pose significant challenges to law enforcement. We are in that context aware of groups who have sought to legitimise their activities by expanding into businesses in the recycling/waste management sector in particular.

Staff within SOCD are working closely with SEPA and the Police Service of Scotland on a large and complex environmental crime, money laundering and potential tax evasion enquiry but as that case is live you will appreciate that it would not be appropriate for COPFS to provide any details of that enquiry either in correspondence or at an evidence session.

The challenge in for law enforcement, regulatory bodies and prosecution is to be innovative and focussed. Effective prosecution is an important element in the strategy to reduce the harm of organised crime and can be a key element in the successful disruption and dismantling of organised groups and in long term crime reduction.

Should the Committee wish evidence from COPFS on this matter at any future session we would of course be happy to assist, but in general terms much of the information we have could not be revealed due to ongoing investigations.

John Logue
Director of Serious Casework
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