



The Scottish Parliament  
Pàrlamaid na h-Alba

## JUSTICE COMMITTEE

### AGENDA

6th Meeting, 2013 (Session 4)

Tuesday 26 February 2013

The Committee will meet at 10.00 am in Committee Room 2.

1. **Decision on taking business in private:** The Committee will decide whether to take item 5 in private.
2. **Inquiry into purposeful activity in prisons:** The Committee will take evidence from—

Kenny MacAskill, Cabinet Secretary for Justice;

Joe Griffin, Deputy Director, Community Justice, Scottish Government;

Colin McConnell, Chief Executive, Scottish Prison Service.

3. **Inquiry into purposeful activity in prisons:** The Committee will consider the evidence received and what further action to take.
4. **Correspondence with the Crown Office and Procurator Fiscal Service:** The Committee will consider a paper by the clerk.
5. **Work programme:** The Committee will review its work programme in relation to consideration of research produced by the Scottish Campaign against Irresponsible Driving and the University of Dundee on fatal road accidents.

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The papers for this meeting are as follows—

**Agenda item 2**

Paper by the clerk (private paper)

J/S4/13/6/1 (P)

[Inquiry into purposeful activities in prisons](#)

**Agenda item 4**

Paper by the clerk

J/S4/13/6/2

[Letter from the Convener to the Crown Office and Procurator Fiscal](#)

**Agenda item 5**

Paper by the clerk (private paper)

J/S4/13/6/3 (P)

[Correspondence in relation to research produced by the Scottish Campaign against Irresponsible Driving and the University of Dundee on fatal road accidents](#)

**Justice Committee**

**6<sup>th</sup> Meeting, 2013 (Session 4), Tuesday, 26 February 2013**

**Correspondence from the Crown Office and Procurator Fiscal Service**

**Note by the clerk**

**Introduction**

1. Members will recall that, following consideration of petition PE1370 from Justice for Megrahi at the meeting on 11 December 2012, John Finnie MSP asked that further consideration be given to the processes in place where a complaint is raised against named individuals in the Crown Office and Procurator Fiscal Service. It was agreed that this would be considered separately from the petition.

**Next steps**

2. The issue was taken forward at an official level as an enquiry through SPICe. The Crown Office and Procurator Fiscal Service was invited to provide information as part of this enquiry. In particular, it was asked to set out the procedure or procedures in place for a complaint to be investigated where it is made against the Lord Advocate (or a previous Lord Advocate) and relates specifically to the Lord Advocate's role as head of the prosecution service in Scotland. A response to this query is still outstanding.

3. The Committee considered this issue at its previous meeting on 19 February. The Committee agreed at this meeting to write to the Crown Agent seeking a response to this query. It was requested that the response be made by the end of the week in order for the Committee to consider the issue at its next meeting.

4. The deadline for the response falls after the committee papers have been issued and so it will be circulated to Members once it has been received.

**Recommendation**

5. The Committee is invited to note this paper.