

Crown Office and Procurator Fiscal Service

Crown Office, 25 Chambers Street, Edinburgh, EH1 1LA
Response and Information Unit



Mr Scott Pattinson

scottpattinson@gmail.com

Tel: 0844 561 3000
RNID Typetalk prefix: 18001

Fax:

Your ref:
Our ref: R009281 / R009443

5 March 2015

Dear Mr Pattinson,

COMPLAINT RESPONSE

Thank you for your emails of 12 and 30 January 2015, 4 February and 23 February 2015 to the Crown Office and Procurator Fiscal Service (COPFS) Response and Information Unit asking why Mr Hutchison, Principal Procurator Fiscal Depute, was smiling in Aberdeen Sheriff Court on 15 December 2014 and expressing your dissatisfaction at the email response that you received from Mr Knipe on the 30 January 2015.

I am responding in accordance with the COPFS Complaints and Feedback Policy. A link to our Complaints and Feedback Policy is attached below.

www.copfs.gov.uk/publications/customer-care

You have raised the following complaints:

- 1) *"I can further assist you by requesting why Mr Hutchison was witnessed by myself grinning in a fashion that troubled me simply because of the developments in the Robert Green hearing. I felt that Mr Hutchison was acting in a way which made me think that what had transpired in the court room regarding Robert's trial had gave him great delight for one reason or the next" and*
- 2) *"It is my duty as a Scottish citizen to report criminal proceedings to the institution. You simply cannot tell me I can't uphold magna carta. It is every persons duty to uphold the law and detail corruption where needed. You simply cannot refuse to uphold the law in anyway when I have clearly outlined corruption that is going on. This reply is simply not valid and I expect magna carts to be upheld. Failure to do so is a criminal matter"*

I have considered your complaints below.



- 1) While I note that your email of 12 January 2015 was a follow up to a previous FOI request, I have treated this matter as a complaint rather than a request for information under FOISA. This is because it is not a request for recorded information held by COPFS.

I do not, however, intend to investigate your complaint as it would not be practical or reasonable to investigate why a member of COPFS was smiling at a particular moment on a particular day. As I consider your complaint to be manifestly unreasonable and disproportionate I am of the view that your complaint can be classed as vexatious in terms of section 4.12 of the COPFS Complaints and Feedback Policy. COPFS are entitled to refuse to investigate such complaints as I am doing so in this case.

- 2) I note that you refer to public allegations involving Hollie Greig. I can advise you that historical allegations of sexual abuse made by Hollie Greig have been thoroughly investigated by the police and the local Procurator Fiscal. All the available evidence was reported to Crown Office for the consideration of independent Crown Counsel. Following very careful examination of all material by Crown Counsel, it was concluded that there was insufficient, admissible, credible and reliable evidence in respect of the allegations.

The Crown Office and Procurator Fiscal Service are committed to the thorough investigation of allegations of sexual abuse and the prosecution of such cases where there is sufficient evidence to prosecute and where prosecution is in the public interest. All cases reported to COPFS containing allegations of serious sexual crime are dealt with by teams of specialist prosecutors. In addition, all vulnerable witnesses are supported by our Victim Information and Advice service which provides support and information on how the criminal justice system works.

With regard to the response provided to you by Ms Knipe on 30 January 2014, as you are aware, Ms Knipe advised you that as you are not directly involved in the case in question she could not comment on the matters which you had raised. This is because in order to properly comment on the cases you mentioned and respond to your email, details of the cases would need to have been provided to you. COPFS are, of course, bound by the terms of the Data Protection Act 1998 (DPA) and if Ms Knipe had provided you with any details about the cases in question, she would have been in breach of the DPA.

I am therefore satisfied that Ms Knipe's email to you on 30 January 2015 was entirely appropriate.

I am not upholding this part of your complaint.

In addition to addressing the specific points which you have raised, it has come to the attention of COPFS that following Ms Knipe's response to you, her reply was posted on a website along with what I consider to be abusive, derogatory and inappropriate comments. I am satisfied that this amounts to threatening and abusive behaviour as outlined within section 4.7 of the COPFS Complaints and Feedback Policy.

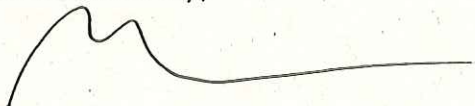
Due to significant concerns that you may act in a similar manner when receiving further correspondence from COPFS we have decided that, until further notice, any further correspondence from you in relation to any matter will not be acknowledged or responded to and will be held on file only.

We will consider reviewing this approach if the offensive comments are removed from the website in question. If you fail to do so then COPFS may also consider referring this matter to the police.

Your complaint has been fully dealt with in terms of the COPFS Complaints and Feedback Policy. If you are unhappy with the handling of your complaint you are entitled to raise that with the Scottish Public Services Ombudsman (SPSO). It should be noted, however, that the SPSO is the final stage for concerns about how we have handled your complaint and is not an appeal body for the decisions we have taken.

If you wish to contact the SPSO, you may do so direct at the details I have provided at the end of this letter.

Yours sincerely,



Response and Information Unit

SPSO Contact Details

Address: SPSO, Freepost EH641, Edinburgh, EH30BR; or
SPSO, 4 Melville Street, Edinburgh, EH3 7NS

Telephone: 0800 377 7330

Email: ask@spsso.org.uk

Web: www.spsso.org.uk

