

Justice Committee

Criminal Justice (Scotland) Bill

Survivors Empowering, Educating and Supporting Abused Women

Survivors Empowering, Educating and Supporting Abused Women (SEESAW) is a user-led group of women survivors of rape and child abuse. We set up the group in November of last year, empowered by having had one-to-one and group counselling at the Rape Crisis Centre in Glasgow.

The aims of the group are:

- to remain a user-led group of women survivors of sexual violence
- to offer support, empowerment, education and awareness raising for ourselves and other women survivors of sexual violence
- to support women survivors whether they have gone through the 'justice system' or not
- to campaign for an improvement in conviction rates and a cultural shift in attitudes to crimes of sexual violence

We are still closely involved with Rape Crisis Scotland (RCS) and have read their briefing paper (July 2013) on the Criminal Justice (Scotland) Bill. We are indebted to RCS for bringing the bill to our attention and for the comprehensive background they provide to the Bill.

As survivors of sexual violence, we would like to add our voice to that of Rape Crisis Scotland to highlight areas of concern we have with aspects of the Bill relating to crimes of sexual violence.

1. We agree with Rape Crisis Scotland that removing the requirement for corroboration would result in improved access to justice for victims of sexual crime but, because it will not be implemented retrospectively, survivors of historic child abuse or rape will not have their cases heard.

If retrospective application can be applied to the Double Jeopardy (Scotland) Act 2011, why not to the abolition of corroboration?

2. Another concern is the raising of the simple majority verdict from 8 out of 15 to 10 out of 15. 8 out of 15 is a simple majority, so why not stick to that?

One of our aims as members of SEESAW is to change society's attitude to crimes of sexual violence. This is because public perceptions are largely negative and apportion blame to the victim when background information on the victim is allowed (in the vast majority of cases). If the simple majority is increased, so is the likelihood of unenlightened attitudes to be represented on the

jury. The conviction rate for perpetrators of rape and sexual violence is already shockingly low. We don't see how this change will help raise the conviction rate.

3. The Scottish Government has previously indicated its commitment to introduce judicial direction in sexual offence cases by giving factual information on aspects such as delayed disclosure and apparent lack of physical resistance. Because of the lack of information and understanding surrounding crimes of sexual violence, we would very much welcome this guidance being introduced.

We hope you take into account the concerns we have before this Bill becomes an Act.

Margaret Airlie
Secretary, SEESAW
August 2013