

Justice Committee

Scottish Government's Draft Budget 2015-16

Written submission from Scottish Women's Aid

Thank you for the opportunity to submit a short commentary on the impact of changes to court structures on court users and the implications of the Scottish Government draft budget for 2015-16.

We noted with concern the response on 7 October 2014 to an FOI request by the Scottish Conservative party that confirmed a reduction in the proportion of court cases in the Sheriff Courts which concluded within 26 weeks – from 75.7% to 70.9% between 2009/10 and 2013/14.

We are aware that the total number of cases the Sheriff Courts deal with has reduced by 14 per cent to 56,815 in that time period, but ask the Justice Committee to note that the Scottish Court Service themselves have acknowledged that although the general trend in crime and court registrations is decreasing, there has been a significant increase in domestic abuse and sexual offence cases.

Police response to domestic abuse has improved significantly and there is a consequent increase in the number of reported incidents of domestic abuse that are converted to crimes. More cases are reported to the Procurator Fiscal, and more of these are being proceeded with at court.

Therein lies the challenge. There is insufficient court resource to deal with the increase in cases referred for proceedings and as a result, cases are delayed by up to eight months in some jurisdictions.

The impact of these delays on complainers and their families is considerable.

In the context of court closures and delays in the implementation of the IT infrastructure which was supposed to mitigate the impact of same, access to justice for women who experience domestic abuse is seriously constrained.

We are interested to note, therefore, that the Scottish Court Service budget allocation in the draft Scottish Government budget includes an increase of £2.4 million in revenue and £0.5 million for capital spend. Some of this additional funding will support the implementation of the Victims and Witnesses (Scotland) Act 2014 and this is welcome.

We would also like to see a commitment within the spending plans for the Scottish Court Service to review the court resource available to prosecute domestic abuse effectively and timeously. This would be in line with the best practice identified in several evaluations of the criminal justice system response to domestic abuse, and in particular, specialist domestic abuse courts.

Scottish Women's Aid
12 November 2014