

PE1403/A

Justice Directorate

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Anne Peat
Clerk to the Public Petitions Committee
The Scottish Parliament
EDINBURGH
EH99 1SP

28 October 2011

Dear Anne,

CONSIDERATION OF PETITION PE1403

Thank you for your letter of 6 October seeking a response to the issues raised in Peter Morris' petition.

First, the petition "calls on the Scottish Parliament to urge the Scottish Government to consider the need for new legislation and provisions to protect, support and assist victims of crime." You will be aware that the Government Programme for Scotland 2011/12 was published on 7 September. That document makes clear that the Scottish Government will bring forward legislation during this Parliament to ensure victims' rights are central to improvements in the justice system.

We have begun a process of engagement with stakeholders to develop policy proposals for a Victims and Witnesses Bill. While it is not possible to go into detail at this early stage, some of the key building blocks being examined are in line with those set out in Mr Morris' petition. These include the amount of (case specific) information given to victims and standards of service that can be expected. We are also considering a more detailed paper prepared by Mr Morris as part of our early work to scope the content and detail of a Bill. We will continue to work with stakeholders, including victims' organisations, as policy is developed and refined and a Bill is prepared for Parliamentary scrutiny.

The precise timing of a Bill has still to be determined, and you will be aware that Government practice is not to pre-announce the timetabling of bills for future years. Timing may in particular be influenced by progress being made in negotiations on the draft EU Directive on *establishing minimum standards on the rights, support and protection of victims of crime*. It is likely that some legislative changes will be required to ensure compliance with the Directive.

I note that you have also sought comments from Victim Support Scotland and PETAL on the issues raised by Mr Morris. These organisations, both of which receive funding from the Scottish Government to provide advice and support to victims, are best placed to comment on the specific types of support available for victims, post-trial. Again, in the context of the EU Directive, we are discussing with these organisations whether we should use a Bill to progress work on setting standards of service that victims should be entitled to receive.

Yours sincerely,

GARY COX
Head of Victims and Witnesses Unit