

Justice Committee

Scottish Government's Draft Budget 2015-16

Written submission from Victim Support Scotland

Victim Support Scotland is grateful to be given the opportunity to comment on the Draft Justice Budget 2015-16. We welcome the spending priority areas of the Justice Portfolio as set out in the Draft Budget (pp.75-76), all of which are conducive to our vision of 'no more victims', and to our mission of '*supporting individuals and communities, helping to rebuild lives and keeping people affected by crime at the heart of justice in Scotland*'. In particular, we commend the Government's commitment to ensuring victims and witnesses have positive experiences of, and confidence in, the justice system. It is expected that the Victims and Witnesses (Scotland) Act 2014 will have come fully into force by the start of the time period covered by this Draft Budget, and we will therefore take into account the proposed financial implications of this legislative change in our response.

Policing

Victim Support Scotland notes that the draft budget for the Scottish Police Authority (SPA) will decrease by £18.7m next year. Although this is a relatively small decrease in percentage terms (1.7% of the 2014-15 budget), the significance of this reduction becomes apparent when one takes into account the real term figures: we note from Table 9.02 (p.77) a decrease in real terms of £35.5m from this year's budget, which amounts to 3.3% of the 2014-15 budget. Furthermore, the draft budget for the SPA in 2015-16 is almost £10m less than what was planned in 2013-14¹. We understand that this reduction may be partly owed to improved efficiency as a result of the recent police reform through the Police and Fire Reform (Scotland) Act 2012, in addition to budget changes (for example, the removal of budget responsibility for custody healthcare and forensic medical services from the Justice Portfolio), although this does not account for the full reduction in the budget.

We welcome Police Scotland's continuing commitment to provide funding to the areas of domestic violence, sexual crimes and human trafficking (Equality Statement, p.42), including the recent creation of the National Human trafficking Unit and National Rape Taskforce. However, in light of the aforementioned real term decrease to the SPA budget, we would welcome further information from Police Scotland as to how they intend to fulfil this financial commitment. Furthermore, we would wish to understand the SPA's plans to implement the anticipated requirements arising from the Victims and Witnesses (Scotland) Act 2014, for which full recurring costs will be in place by 2015-16² and would welcome more information on how Police Scotland will be able to fulfil the duties placed on them as detailed in the general principles of the Bill.

¹ Scottish Government (2013), [Scottish Budget Draft Budget 2014-15](#), p.73

² Scottish Government (2013), [Victims and Witnesses \(Scotland\) Bill Financial Memorandum](#), p.23

Victim Support Scotland and Police Scotland have worked in partnership for over 20 years, ensuring that support is provided to people affected by crime and allowing police resources to be freed up in order to concentrate on the core activities of detecting crime and protecting the public. We would welcome assurances that any budgetary reductions will still allow for the continuation and development of referral arrangements between Police Scotland and Victim Support Scotland. By working in partnership and enhancing the communication and referral mechanisms between our two organisations, the needs of victims and witnesses of crime can be met more effectively.

Courts

VSS notes an increase in the draft budget for the Scottish Court Service of £4m (from Table 9.15, p.88), when the additional budget for the Scottish Tribunals Service is excluded. Following from the Financial Memorandum of the Victims and Witnesses (Scotland) Bill³, we expect that around £0.5m of this additional funding will be used to meet the annually recurring costs of implementing this legislation, working to improve the support and services to vulnerable victims and witnesses.

In addition to the improvements as delivered through the Victims and Witnesses (Scotland) Act 2014, Victim Support Scotland would welcome some of the funds allocated to the SCS to be used to update and modernise the Scottish courts to ensure that victims and witnesses are provided with suitable, safe accommodation when they attend court; this refers mostly to the provision of separate facilities for victims/prosecution witnesses and the accused.

We have previously provided a full commentary⁴ of our concerns regarding the court closure programme, but would like to highlight that access to justice remains an issue where courts have closed and the IT infrastructure is still to be delivered. As such, we welcome the priority of the Scottish Government to work with the Scottish Court Service on “placing digital innovation at the centre of service delivery to improve access to justice, support quicker outcomes and minimise physical appearance in courts” (p. 89).

Crown Office and Procurator Fiscal Service (COPFS)

Victim Support Scotland welcomes the increase in the COPFS Draft Budget of £3.4m (£1.6m in real terms), noting that these funds will be used in part to “support victims of crime, vulnerable witnesses and bereaved relatives” and to “improve communications with victims and witnesses” (p.145). We commend the recent work undertaken by the Crown Office and Procurator Fiscal Service (COPFS) aimed at tackling inequalities; as well as providing clear prosecution guidelines in relation to older persons and transgender individuals, this includes the appointment of a dedicated Procurator Fiscal and revision to the joint protocol with Police Scotland in relation to domestic abuse cases.

³ Scottish Government (2013), [Victims and Witnesses \(Scotland\) Bill Financial Memorandum](#), p.22

⁴ Victim Support Scotland (2013), [Scottish Court Service Recommendations on a Future Court Service: Evidence to the Justice Committee](#)

The COPFS has also committed to meeting the challenges caused by additional work arising from ongoing changes such as the Victims and Witnesses (Scotland) Act 2014. The Crown Office and Procurator Fiscal Service has previously stated that although this legislation would result in recurring costs for them of between £300,000 and £324,500 per year, no additional funding will be required as this cost would be offset by changes to internal processes and procedures.

Victim/witness support

Victim Support Scotland welcomes the continuing financial commitment from the Scottish Government to the provision of victim and witness support services through the Community Justice Services part of the draft budget. Although there is no change to this section of the draft budget from 2014-15, we note the real-term decrease of £0.5m. This is of concern to us considering the cost implications of implementing the Victims and Witnesses (Scotland) Act 2014 for our organisation; we have previously estimated⁵ the costs to Victim Support Scotland associated with vulnerable witnesses, special measures and the Victim Notification Scheme to be in the region of £147,546 to £252,594 per annum.

Criminal Injuries Compensation

The draft budget for the Criminal Injuries Compensation is to decrease by £0.3m in real terms between 2014-15 and 2015-16 (following a previous decrease of £3m from the 2013-14 budget). Victim Support Scotland welcomes the Scottish Government's intentions to "consider options to review the current GB-wide Criminal Injuries Compensation Scheme to ensure compensation arrangements relevant to the needs of victims in Scotland" (p. 80) as it is our view that the current Scheme does not achieve this aim. Receiving compensation from the state following a criminal injury does not only provide victims with formal recognition of their suffering, but also gives victims a chance to rebuild their lives in the aftermath of crime. The current administering agency, the Criminal Injuries Compensation Authority, places strict eligibility regulations on who can receive compensation and who should be seen as 'blameless', in addition to creating barriers to claiming for compensation through forcing victims to pay for the production of certain documents (e.g. medical assessments).

VSS wants every victim to receive formal recognition of the suffering they have experienced, and be offered equal access to apply for criminal injuries compensation, free of charge. We therefore reiterate our call from our Manifesto⁶ for a fundamental review of the criminal injuries compensation scheme in Scotland to ensure that compensation arrangements are in indeed relevant to the needs of victims in Scotland. We would encourage the Scottish Government to fulfil their commitment as noted in the

⁵ Victim Support Scotland (2013), [The Victims and Witnesses \(Scotland\) Bill: Financial Memorandum, Evidence to the Finance Committee](#)

⁶ Victim Support Scotland (2011), [Manifesto 2011-2015: No Going Back...for Victims and Witnesses of Crime](#)

Draft Budgets of 2013-14 and 2015-16 to review the current criminal injuries compensation scheme and would welcome further discussion as to how we can assist with this review to help victims of crime in Scotland.

Victim Support Scotland
30 October 2014