

JUSTICE COMMITTEE

VULNERABLE WITNESSES (CRIMINAL EVIDENCE) (SCOTLAND) BILL

SUBMISSION FROM THE SCOTTISH GOVERNMENT

Thank you for your letter of 5th December, requesting information about the support available for witnesses and their families after the criminal justice process which was raised during the Justice Committee's scrutiny of the Vulnerable Witnesses (Criminal Evidence) (Scotland) Bill.

Firstly, I'd like to state that I am committed to putting the rights and needs of victims and witnesses at the heart of our justice system. Victims and their families should feel supported and informed at every stage of what can be a very traumatic and upsetting process.

Victims' rights and support provision in Scotland are underpinned by the Victims and Witnesses (Scotland) Act 2014. This Act contains provisions relating to the support and protection of people who come in contact with the criminal justice system. These include the right of a victim to be protected during and after a criminal investigation and the requirement for the police to carry out an individual assessment of a victim's needs in terms of a variety of factors, including the risk of repeat victimisation and intimidation. These rights are set out clearly in the Victims Code, which can be accessed here <https://www.mygov.scot/victims-code-for-scotland/>.

In addition, processes are in place aimed at ensuring victims receive a certain level of support and information from the organisations they engage with in the criminal justice system. This includes publishing annually the standards of service victims have a right to expect at each stage – whether this is from Police Scotland, the Crown Office and Procurator Fiscal Service, the Scottish Courts and Tribunals Service or the Parole Board. The Standards also contain information on how victims can make a complaint against any of the bodies. A link to these standards can be found here <https://www.mygov.scot/victim-witness-rights/standards-of-service-for-victims-and-witnesses/>.

Furthermore, in 2018/19 we are providing £17.9 million to support victims of crime, including to third sector organisations who provide practical and emotional support to victims, witnesses and their families. This includes Victim Support Scotland (VSS), Rape Crisis Scotland, Migrant Help and TARA (victims of human trafficking) and PETAL (support for families of murder victims).

VSS support victims from age 12, along with their families and parents/carers of younger victims. In 2017/18, VSS's community-based victim services helped over 53,000 people affected by crime to access information, practical help, emotional support and guidance through the criminal justice system. VSS also provide support to enable victims and witnesses to cope better in the aftermath of a crime and find the strength to move on with their lives.

I have also established a dedicated Victims Taskforce, to drive delivery of our commitments under the Programme for Government to streamline a victim's journey through the criminal

justice system. I co-chair the Taskforce with the Lord Advocate and it met for the first time on 12th December.

It is essential that the Taskforce hears the voices of victims and their families who have engaged with the justice system and we are considering the best way to achieve this. The Taskforce will drive forward work to develop a new 'victim centred' approach to reduce the need for victims to have to retell their story to several different organisations.

As set out in Programme for Government, we will also build on our existing legislation and funding to ensure that victims are at the centre of our justice process and their voices are heard and recognised. This includes consultation on victim impact statements, parole and further action on prisoner release and restorative justice. These actions will play a key role in making our justice system fair, accessible and efficient for all and includes support for young victims and witnesses.

We know that restorative justice can lead to a route out of crime and provide closure and redress to victims and communities. We therefore want to have restorative justice services widely available across Scotland by 2023 with the interests of victims at their heart. We will publish a restorative justice action plan by spring 2019, setting out how we will achieve this aim.

We are also in the process of reviewing the national standards for youth justice and this may provide an opportunity to again put victims and community confidence at the centre and ensure it is considered within all aspects of whole systems approach under the youth justice system.

I trust this response is helpful.