

JUSTICE COMMITTEE

VULNERABLE WITNESSES (CRIMINAL EVIDENCE) (SCOTLAND) BILL

SUBMISSION FROM: LORD ADVOCATE

Thank you for your letter of 5 December 2018 requesting information on the support available to witnesses and their families after the criminal justice process has concluded. I apologise for the delay in replying.

Supporting witnesses and their families after the conclusion of the criminal justice process does not form part of the role of the Crown Office and Procurator Fiscal Service, which is specifically responsible for the prosecution of crime and the investigation of deaths. I understand that the Cabinet Secretary for Justice has provided information to you on the wider systemic support available to victims and witnesses.

While the criminal justice process is ongoing, the Crown Office and Procurator Fiscal Victim Information and Advice Service (VIA) provides information and advice to victims of crime, within the remit of the VIA Service. That service remains available after the conclusion of the victim's evidence, for the duration of the trial process and any appeal proceedings.

Together with the Cabinet Secretary for Justice I co-chair the Victims Taskforce. The primary role of the Taskforce is to co-ordinate and drive action to improve the experiences of victims and witnesses within the criminal justice system, whilst ensuring a fair justice system for those accused of crime. The provision of appropriate and meaningful support to the victims of crime is part of a modern criminal justice system. Prosecutors can only do their job of delivering justice if victims and witnesses are willing to come forward and give evidence. The Taskforce represents an opportunity to improve the experience of victims, to reassure them that the system will provide support and give them confidence to come forward, speak up and make sure their voices are heard.

I note your observation that the Committee has heard in private that in one case family members have been re-victimised because a member of the family gave evidence. I am not sighted on the nature of the victimisation described in this case; but any conduct which constitutes a criminal offence should be reported to Police Scotland.