

JUSTICE COMMITTEE

VULNERABLE WITNESSES (CRIMINAL EVIDENCE) (SCOTLAND) BILL

SUBMISSION FROM REBECCA ELDER

Support for Vulnerable Witnesses (Criminal Evidence) (Scotland) Bill

Firstly, I would like to preface this submission by saying that Police Scotland have been outstanding throughout this process, incredibly understanding and very helpful at every stage of the procedure so far.

In 2016, I was sexually assaulted. Obviously, this was a difficult and traumatic experience, but I've actually found the subsequent trial more difficult than the initial event.

Firstly, the trial has been delayed numerous times, in part due to legal aid not being assigned to the defendant. I've found this very anxiety provoking, as you build yourself up to a particular day, plan your life around it and book the time off work only for it to not proceed. Ultimately, it ends up in me feeling as though the defendant's needs are prioritised despite the fact I haven't done anything wrong. While I know this bill may not solve that problem, at least I would know my part was done rather than constantly worrying about how the trial will look for me. The number of delays also makes me doubt the whole legal system and indeed whether this will ever come to trial. The benefit of the proposed bill is that regardless of what else is happening, the victim can see some progress has been made.

I find the idea of cross-examination incredibly stressful as the victim. Again, I know this won't be, and shouldn't be, avoided through this bill. However, at least under the proposed bill, it allows you to complete this part in front of a smaller audience and at a date which won't change, reducing a considerable amount of stress.

I would also like to emphasise the nature of the evidence and how this is difficult for the victim in a full court room setting. As part of the investigation, the police took my underwear for forensic evidence. The idea of my underwear being displayed to me in front of a room full of strangers is incredibly invasive and only increases my sense of anxiety as well as the resulting feeling of invasion and loss of privacy due to the nature of the crime.

I do believe that if I feel like this as a 24-year-old woman, the trial proceeding must only feel more stressful, scary and upsetting to a child and therefore, I would strongly support any measure which would help to alleviate these feelings.

The whole nature of the trial and the resulting levels of stress and anxiety have had a huge impact on my daily life: from my sleep, to my interactions, to how I feel about men and the drawn-out nature make it incredibly difficult to move forward. In fact, the level of anxiety its caused and the physical ramifications have made me consider

dropping the charges numerous times. Obviously, this is not a healthy or helpful reaction. Therefore, I would urge in the strongest terms possible to adopt the proposed measures in this bill for both child victims and vulnerable adult victims in order to protect the most vulnerable people during the worst moments of their lives and to alleviate as much stress and anxiety as possible.