

Victims and Witnesses (Scotland) Bill

Highland Violence Against Women Strategy Group

Statutory members in the partnership addressing Violence Against Women in Highland are NHS Highland, The Highland Council, the Crown Office and Procurator Fiscal Service and the Police. These members work in collaboration with a number of voluntary organisations on this issue, including Caithness & Sutherland Women's Aid, Lochaber Women's Aid, Inverness Women's Aid, Ross-shire Women's Aid, Victim Support, Witness Service, Rape and Abuse Line and Children 1st.

The Functions and the Powers of the National Confidential Forum (NCF)

We would agree with the functions of the NCF as outlined in the Policy Memorandum accompanying the Bill. We believe that allowing individuals time and a place to have their experiences of institutional care listened to and acknowledged can have a powerful impact.

We welcome that the NCF will provide a confidential space, but would assume that this could not be absolute. If further adults or children were at risk by those providing care, child protection (and, potentially, adult support and protection) guidelines would have to be followed. This would need to be carefully explained to those using the NCF in advance of them disclosing their experiences. This would result in the individual remaining in control of their information and help them to choose what they will share with the Forum. This aspect of confidentiality is not clear within the Policy Memorandum to the Bill and needs clarity in order to provide those at a Forum with the necessary information in advance of their attendance. Currently, the Bill reads that if a person discloses abuse and it is likely that the perpetrator is still at large then they will be supported to go to the police. We would not recommend this action as it removes the focus away from the person disclosing at the Forum.

We believe that much can be learned from those with both negative and positive experiences of care and that can be translated into current policy and practice. We welcome this function of the NCF.

Signposting people into support services is a key element of the Forum. We do question, however, if this support can be provided categorically across Scotland. People who have experiences of institutional care live across the country and not just in the areas with the higher concentrations of institutions in the past. Whilst helpline and email support increases opportunities for access to support, the value of a face to face service cannot be ignored.

Status of the NCF and its independence

We support the Mental Welfare Commission as the host of the NCF. This will provide the NCF with the appropriate levels of autonomy.

Support for Participants before and after their input

It must be recognised that it may be difficult for people to reveal their experiences to the NCF, even though they may have strong desires to do so. Support must be provided before the Forum in order to prepare people for the experience and to help them identify what they would like to say. After care is vital as being at the Forum may bring up memories that have not been fully processed.

There may be impact on other services after people have attended the NCF. In particular, services for survivors of child sexual abuse (including Rape Crisis) may find an increase in demand for support.

As previously mentioned, the ways in which the support will be provided must be carefully thought out and provided in a range of ways, i.e. helplines, face-to-face, etc.

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Violence Against Women

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