

T: 0300 244 4000
E: scottish.ministers@gov.scot

Alyn Smith MSP
Convener
Criminal Justice Committee
criminaljustice.committee@parliament.scot

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Dear Convener,

Thank you for your letter dated 26 June regarding priorities for the Criminal Justice Committee in Session 7 and its future work programme. I am grateful for the invaluable scrutiny undertaken by the Criminal Justice Committee during session 6 and its contribution to the development of legislation.

You have requested updates on a range of matters in your letter, and I have set out the position of the Scottish Government below. I hope you find this information useful and look forward to giving evidence at the Committee on 2 September 2026.

Yours sincerely,

NEIL GRAY

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Prison population, remand, and alternatives to custody

The Scottish Government's assessment of the principal drivers of current prison population levels

As the committee knows from having taken evidence on this issue from various organisations, the reasons behind rising prison population levels are complex and challenging – however I set out some of these below.

The lengths of average custodial sentence have increased by around 2% in 2023-24 compared with 2022-23, continuing a long-term trend driven by factors such as more serious cases coming before the courts and reduced use of short prison sentences.

In addition, sexual crimes have increased over time due to greater reporting, historic case disclosures, online offending and legislative changes. These offences are treated seriously, and rightly so, with conviction rates in 2023-24 of 61% for rape and attempted rape and 64% for sexual assault. Almost all (99%) people convicted of rape or attempted rape received a custodial sentence, with an average sentence of just over seven years.

The prison population is increasingly made up of people serving longer sentences, particularly those sentenced to four years or more. This reflects successful prosecutions and delivers justice for victims, but also increases pressure on prison capacity alongside growing health, social care and public protection demands.

While outstanding scheduled trials have fallen by more than 60% since January 2022, the remand population remains high, partly because complex cases are taking longer to conclude.

Current projections for the prison population over the course of Session 7

Justice Analytical Services' latest prison population projections, published on 30 July 2026, cover the period to March 2027 and present a range of outcomes to reflect uncertainty. Across all scenarios, the prison population is expected to increase, with the average daily population in March 2027 projected to be between 8,100 and 9,150. Longer-term illustrative modelling suggests that, if arrivals to custody increase by 1% annually and departures fall by 1% annually, demand for prison places could reach 9,500 within the next decade.

Impact of recent reforms relating to bail, release and sentencing

Information on the recent changes to bail law in the Bail and Release from Custody (Scotland) Act 2023 has been throughout this correspondence.

Separately, Emergency Early Release (EER), implemented between October 2025 and April 2026, was a necessary and proportionate measure to help manage rising prison populations and maintain the safe operation of prisons. Although, 614 prisoners were released earlier than scheduled, this was fewer than initially projected due to the robust eligibility process.

While the impact was always expected to be limited, prison population modelling indicates that populations would otherwise have been 130-230 higher in recent months. The Scottish Prison Service (SPS) has published data on the releases and will report further on outcomes, including returns to custody.

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The Scottish Government, SPS, justice partners and victim support organisations worked closely together throughout implementation to coordinate delivery, share information and support victims. Changes to short-term prisoner release points introduced in 2025 and 2026 were also intended to provide a more sustainable response to prison population pressures.

Actions being taken to reduce the remand population

The Scottish Government recognises that, while remand is necessary in some cases, stronger alternatives can help reduce its use and support a more sustainable prison population. The Bail and Release from Custody (Scotland) Act 2023, implemented in May 2025, aims to ensure remand is used only where necessary for public safety or the interests of justice with a new more focused bail test which includes explicit consideration of victim safety in bail decision-making.

Within this context of the recent legislative change, work is underway to improve bail suitability assessments, strengthen consistency in the use of alternatives to remand, and update bail supervision guidance. The Government is also working with justice partners to improve electronically monitored (EM) bail by addressing operational issues, improving court processes and considering legislative changes where required.

Building on an initial GPS monitoring pilot, a pilot of GPS-enabled bail is proposed, giving courts more flexible monitoring options, including exclusion zones. This aims to increase confidence in EM bail while maintaining appropriate safeguards.

In addition, two bail-focused pilots will be launched: a voluntary third-sector Bail Support Service to help people comply with bail conditions and attend court, and a supported bail accommodation pilot for individuals whose housing instability and complex needs contribute to remand decisions.

Alongside these measures, the Government is consulting on wider community-based alternatives to custody, including a proposal that remand should generally only be used where there is a real prospect of a custodial sentence of more than 24 months.

Plans to expand or strengthen community-based alternatives to custody

As well as consulting on proposals in relation to the use of bail and remand, the consultation includes proposals around:

- Strengthening the presumption against short sentences (PASS)
- Extending PASS from 12 months to 24 months
- Enhancing and strengthening community sentences, by:
 - Amending Community Payback Order (CPO) requirements to increase effectiveness and flexibility
 - Increasing support for people on CPOs, for example with the introduction of an Enhanced Combination Order (ECO) model
 - Making these sentences more suitable and effective for a broader range of offending, including more serious offences
 - Further incentivising good behaviour and compliance, while improving breach processes
 - Improving the use of electronic monitoring to support these reforms

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The role envisaged for JSW in supporting alternatives to imprisonment

Justice Social Work (JSW) manage the delivery of community sentences, bail supervision and statutory throughcare locally and we will continue to support them to do so nationally. In the Bail and Release from Custody (Scotland) Act 2023, the role of justice social work was explicitly recognised in terms of provision of information to the court on first decisions of bail.

JSW supports people with complex and often overlapping needs, including substance use, housing instability and mental health challenges, working closely with justice, health, housing and third-sector partners. It also plays a vital public protection role through effective risk management and supervision, including managing higher-risk individuals in the community under Multi-Agency Public Protection Arrangements (MAPPA).

The Sentencing and Penal Policy Commission was clear that JSW needs to be given more flexibility and discretion to focus on the relationship-based work that helps people to address their offending behaviour and, ultimately, protects the public. Options being considered in the consultation to support this are:

- Mandating the use of recent JSW Reports (JSWRs) in all cases where a short custodial sentence is being considered
- Consider increased support for individuals on CPOs, potentially in line with the Northern Ireland ECO model.

The consultation proposes national reforms to make community justice services more accessible, responsive and better coordinated. It also considers requiring JSW reports whenever a short custodial sentence is being considered, ensuring courts have fuller information on individual circumstances and alternatives to custody. While these changes could increase pressures on JSW capacity and court time, the Scottish Government is assessing workforce needs, engaging closely with practitioners and exploring how best to strengthen JSW and third-sector capacity to support the expansion of community-based alternatives to custody.

How success will be measured in reducing reoffending and supporting rehabilitation

Most people who enter the justice system will eventually return to their communities, making rehabilitation and reintegration vital to improving public safety and reducing future victimisation. Evidence shows that rehabilitative, person-centred approaches are generally more effective at reducing reoffending than punitive measures alone, particularly when tailored to an individual's risks and needs. Support with housing, healthcare, education, employment and positive relationships can help address the underlying causes of offending and support long-term desistance.

Community-based interventions play an important role in this approach. CPOs, the most commonly used community sentence, have a rehabilitative focus aimed at reducing repeat offending. In 2022-23, 28.6% of those receiving a CPO were reconvicted within one year, similar to the previous year. While outcomes remain relatively stable, there is scope for improvement through enhanced support, greater access to effective rehabilitative programmes and more person-centred interventions that help individuals build stable, positive lives and reduce future contact with the justice system.

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Any further reforms under consideration in relation to sentencing, remand or imprisonment

Alongside its consultation on prison population and penal reform, the Scottish Government is reviewing the National Strategy for Community Justice to assess its effectiveness and identify future priorities. Both consultations remain open until 20 August 2026. The Government also welcomes parliamentary scrutiny of the consultation findings and Sentencing and Penal Policy Commission recommendations.

In addition, national throughcare standards are being developed under the Bail and Release from Custody (Scotland) Act 2023 to provide consistent support before and after release from custody. Covering areas such as housing, health, social care and employability, the standards aim to improve reintegration and reduce reoffending. They are being developed with stakeholders, including people with lived experience, and will be published by February 2028.

Progress in the rollout and use of electronic monitoring technologies, including GPS tagging, and the Scottish Government's assessment of their effectiveness in supporting compliance, reducing reoffending and providing robust alternatives to custody.

Electronic Monitoring (EM) continues to support community-based sentences and managed release from custody, helping provide structure, accountability and support for reintegration. Its use has increased significantly, with 2,646 people monitored in July 2026 compared with 1,758 in July 2023, driven by greater use of Restriction of Liberty Orders and the introduction of EM bail in 2022.

GPS monitoring for Home Detention Curfew (HDC) was introduced in 2025 and has been used selectively where geographical restrictions, such as exclusion zones, can enhance public protection. The initial phase focused on testing operational processes, decision-making, compliance, partner responses and user experiences, with findings to be published.

Building on this learning, the Scottish Government plans a geographically limited GPS bail pilot to strengthen alternatives to remand. While GPS can provide valuable monitoring information, it is not a standalone solution and requires appropriate systems, enforcement processes and partnership working. Early experience has provided sufficient assurance to expand testing into the bail system while continuing to evaluate effectiveness and operational requirements.

Victims and witnesses

The Scottish Government is committed to improving the experience of victims and witnesses in the justice system through our commitment to having an effective, modern, person centred and trauma informed approaches to justice in which everyone can have trust. We are committed to upholding the rights of victims and witnesses, ensuring coordinated services, and providing the information and support needed to help them recover from the impact of crime and trauma.

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Priorities for implementation of the Victims, Witnesses and Justice Reform (Scotland) Act

Since the VWJR Act received Royal Assent in October 2025, substantial progress has been made in implementation. Key measures now in force include the abolition of the not proven verdict from January 2026, reforms to Parole Board decision-making where prisoners have withheld information about victims' remains, free court transcripts in certain cases, and initial steps to establish the Victims and Witnesses Commissioner. Further reforms, including changes to the consideration of non-harassment orders, will come into force shortly.

Implementation is being phased due to the scale and complexity of the legislation. This was discussed on various occasions with Parliament as the legislation was scrutinised. This helps deliver effective preparation and ensuring funding can be in place to allow for implementation on some of the measures.

Preparation continues for major reforms such as the new Sexual Offences Court, led by the judiciary and Scottish Courts and Tribunals Service, while work is also progressing with the UK Government to implement effectively across the UK statutory anonymity protections for Scottish victims of sexual offences and certain other crimes.

Actions taken to improve communication with victims throughout criminal proceedings

The Scottish Government is progressing measures to improve communication with victims throughout criminal proceedings, with the aim of empowering victims by providing information at a time, and in a format, that meets their needs. The Government is working in partnership with the criminal justice organisations to implement these measures. Reflecting the independence of these organisations (with the exception of the Scottish Prison Service, generally, as an executive agency), further information specific to these organisations has been provided at Annex A.

People at Heart

Victims, witnesses and families told us that communications from criminal justice organisations were often unclear, complex and impersonal. In response, the Scottish Government funded communications specialists The First Word to develop People at Heart, a person-centred, trauma-informed approach that promotes clear, empathetic and accessible communication. Developed with justice organisations, third sector partners and people with lived experience, it includes revised communications, a [style guide](#) and training materials. To support implementation, the Victims Taskforce established an Improving Communications workstream, which shares learning, monitors progress and has expanded its remit to address the specific communication needs of child and young victims.

Justice Digital Front Door

A report commissioned by the Victim Centred Approach workstream of the Victims Taskforce recommended the creation of a single point of contact (SPOC) for victims in the criminal justice system comprising two elements – an in-person SPOC and a digital SPOC.

The digital element is being progressed through the Justice Digital Front Door project. The ambition is to explore the creation of a trusted, secure and user-friendly web-based entry point and portal for victims and witnesses, enabling easier access to information and services, and providing case updates in a trauma-informed way. Progress to date has been positive, with the project currently at the Proof of Concept stage, where options are being

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tested and validated to assess feasibility, user needs and potential future delivery approaches.

Victim Notification Scheme reform and Victim Contact Team

Following the 2023 independent [review](#) of the Victim Notification Scheme (VNS), the Scottish Government committed to a programme of reform. Many recommendations were delivered through the VWJR Act, with further progress reported to Parliament in March 2026, including work to establish a Victim Contact Team (VCT). Early priorities in this Parliament include a consultation on further VNS reforms in autumn 2026, supporting implementation of Act provisions and development of a single VNS. Work is also ongoing with justice partners and victim support organisations to establish an initial VCT model in 2027.

Appropriate Adults

The Appropriate Adult service provides communication support to vulnerable victims, witnesses, suspects and accused people aged 16 and over during police procedures. Delivered by local authorities and funded by the Scottish Government, we aim to work with partners this Parliament to develop robust data to support evaluation, review service delivery and funding, and ensure access for those who need it.

Measures to reduce delays

The Scottish Government is working with justice partners through targeted investment, increased court capacity, improved case management, expanded use of pre-recorded evidence and digital reforms. These measures are helping to reduce delays, minimise unnecessary hearings, shorten case times and improve the experience of victims and witnesses.

Trauma-informed practice (TIP) across justice agencies

We recognise that victims and witnesses in the criminal justice system can be affected by psychological trauma in many different ways, and that the system itself can be re-traumatising. We have been working with our justice partners to embed trauma informed practice (TIP) and equip the justice workforce to recognise and respond to trauma, including vicarious trauma. Reflecting the independence of the criminal justice organisation further information on the measures being taken by these organisations has been provided at Annex A.

Trauma Informed Justice Knowledge and Skills Framework/Victims Taskforce

We have provided funding of over £650,000 to trauma specialists at Public Services Development Scotland (PSDS - formerly NHS Education for Scotland) to develop, and support implementation of a [Trauma Informed Justice Knowledge and Skills Framework](#) for working with victims and witnesses.

The framework is an invaluable resource, helping organisations identify the knowledge and skills their staff need to respond to victims and witnesses in trauma-informed ways. Justice organisations have been supported to implement the framework through leadership workshops, face-to-face training and e-learning opportunities. Most recently, trauma specialists at PSDS have been working with Police Scotland and COPFS to develop and deliver training at the trauma enhanced practice level of the framework, across evidence gathering, interpretation and presentation roles.

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To support the implementation of the Knowledge and Skills Framework, the Victims Taskforce established a Trauma Informed workstream comprising members from criminal justice organisations and victim support services, with the support of PSDS. The workstream has developed a monitoring and evaluation framework to measure progress towards the six aims as set out in the Knowledge and Skills Framework. The data gathered informs progress reports to the Victim Taskforce.

Trauma Informed Practice (TIP)

Part 2 of the VWJR Act creates a framework to embed TIP across the justice system and support a cultural shift towards trauma-informed ways of working.

There isn't a 'one size fits all' approach to TIP; it will depend on the circumstances and on the needs of individuals. Provisions in the Act aim to foster a shared understanding of TIP and put it at the heart of decision-making in the justice system, while giving justice agencies flexibility to implement TIP in ways that are tailored to their context.

Part 2 includes provisions on:

- Definition – to help provide clarity and consistency
- Principle – requirement to have regard to TIP in work with victims and witnesses of crime
- Standards on trauma-informed practice – requirement to publish standards of service on TIP
- Court scheduling – requirement for the Lord President and certain other members of the judiciary to take TIP into account in court scheduling
- Court rules – requirement for criminal and civil court business to be carried out in ways that are consistent with TIP

We are working with the criminal justice organisations to ensure the effective implementation of Part 2 of the Act, which is due to come into force on 1 October.

Victims and Witnesses Commissioner

We have established the post of the Victims and Witnesses Commissioner to embed TIP across the criminal justice system, and enhance the voice of victims of witnesses.

This role will provide an independent voice for victims and witnesses, champion their views and encourage government and criminal justice agencies to put victims' rights at the heart of the justice system.

It will do this by promoting best practice and a trauma-informed approach by criminal justice bodies and those who provide support services to victims, engaging directly with victims and witnesses and with VSOs, raising awareness and promoting the interests of victims and witnesses and monitoring compliance with the Standards of Service and the Victims' Code. Under Part 2 of the VWJR Act, justice organisations will be required to publish standards on how they will carry out their functions in a way that accords with trauma-informed practice.

The publication of a Victims' Charter, which will support victims by setting out a description of the criminal justice system, the interactions that it is possible for a victim to have with the system, the communications which a victim will receive in the course of those interactions

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and their rights, and the mechanisms to uphold those rights, will also be crucial in embedding TIP across the system.

How victims' experiences and outcomes are being measured

We measure victims' experiences and outcomes through a range of approaches – from system-wide surveys to more focussed evaluation of specific measures. The criminal justice organisations also have their own means of gathering and evaluating feedback, specific to their respective functions (see Annex A).

The Scottish Crime and Justice Survey

The [Scottish Crime and Justice Survey](#) is a large-scale social survey that collects data on adults' experiences and perceptions of crime in Scotland, helping to inform policy and resource allocation. It covers both reported and unreported crimes and aims to provide a valid and reliable measure of adults' experience of crime, including services provided to victims of crime.

Victims, Witnesses, and Justice Reform (Scotland) Act 2025

[Section 111](#) of the VWJR Act places a duty on Scottish Ministers to review the operation of the Act five years after Royal Assent, and again, after a subsequent five-year period. This includes setting out any measures taken during the review period to improve the experiences of victims and witnesses in the justice system – with a particular focus on the experiences of women. We have been working with delivery partners to factor this reporting duty into planning for implementation.

Victim Survivor Advisory Board to the Victims Taskforce

The Victims Taskforce is connected to lived experience through the Victim/Survivor Advisory Board (VSAB) and a Victims' Representative sits as a full member of the Taskforce. The VSAB is comprised of representatives from the user reference groups of victim support organisations, plus some individual members. It is co-convened by participation and engagement officers from Victim Support Scotland, Rape Crisis Scotland and Scottish Women's Aid, and the Taskforce Chairs attend on invitation.

Victims Taskforce: Workstreams 2 and 3

Workstream 2 of the Victims Taskforce aims to support implementation of the Trauma Informed Justice Knowledge and Skills Framework across the criminal justice system. An evaluation framework, measuring both outcomes and activities, has been developed by analytical and trauma specialists to assist organisations in measuring progress towards the six aims set out in the Knowledge and Skills Framework.

Similarly, Workstream 3 of the Victims Taskforce is developing a progress mapping tool to enable justice partners to measure their progress in implementing the People at Heart approach to communication.

Independent Legal Advice pilot

To support the planned evaluation of the Scottish Government-funded independent legal advice (ILA) pilot (scheduled to commence around October 2026) academics will provide an independent and evidence-led analysis of the design, operation and effects of ILA delivered by the Emma Ritch Law Clinic (ERLC) to complainers of rape and attempted rape in Scotland. The evaluation will include insight into complainer's experiences of ILA.

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Bairns' Hoose

The Bairns' Hoose programme is developing a set of national indicators to measure and better understand children and young people's experiences of services. A trial version of the indicators is currently being tested by a number of partnerships.

In addition, the Scottish Government has commissioned Ipsos to develop a Bairns' Hoose Theory of Change and Outcomes Framework, informed by the views of children, young people and families.

Whether further changes are anticipated

Victim Contact Team

As part of our package of reform to the VNS following the 2023 independent review and alongside further legislative changes made in the VWJR Act, we remain focussed on delivery of the VCT.

The VCT will allow supported and informed decision making by victims so they may exercise their rights to information under the VNS and the CORO VNS which are right for them and at the right time. The VCT will be established with the needs of victims at its heart and based on trauma informed principles.

A phased approach will be necessary to keep continuity for people registered with the existing VNS, whilst ensuring that the VCT will support the delivery of improvements to the VNS. As indicated, this will also need to reflect the way in which the VNS provisions in the VWJR Act are being commenced. It is our intention to have a first iteration of the VCT operating in 2027.

Improvements to the Victim Statement Scheme

Section 50 of the VWJR Act expands eligibility of the Victim Statement Scheme to victims in all solemn cases. We have established a short life working group with key stakeholders to explore options for further, long-term improvements to the victim statement scheme, including different ways for making the statements that better reflect victims' needs and experiences.

Workshops to assess the options are already underway with justice partners and key stakeholders, with an aim to having an implementation plan for further improvements agreed by spring 2027, followed by the piloting of measures. As part of this work, we are committed to piloting new approaches within the Sexual Offences Court, including exploring how victims may be able to deliver their statements in a way that allows their voice to be more directly heard by the court.

Restorative Justice

Restorative Justice (RJ) is a process of independent, facilitated contact, which supports constructive dialogue between a victim and a person who has harmed through an offence or alleged offence. The needs of persons harmed and their voices are central to the process. RJ in Scotland will always be voluntary for those who wish to take part in it, whether they are the individual or community harmed or someone who has caused harm.

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RJ can be delivered now, but current service provision is patchy across Scotland. The vision is to have consistent, evidence-led, trauma informed and high standard services available at a time that is appropriate to the people and case involved.

We have been working in partnership with Community Justice Scotland (CJS) and the Children and Young People's Centre for Justice (CYCJ) on delivering this vision – recognising that the requirements and needs of those accessing the service may differ where young people are involved. Recent work has included publishing a [Policy and Practice Framework](#) for practitioners and funding test cases to develop learning on RJ, with a [Test Case Summary Report](#) published earlier this year.

CJS and CYCJ are conducting an options appraisal to inform a costed recommendation on the future delivery model for RJ services in Scotland – this process has involved engagement with key stakeholders, including victim support organisations. The options appraisal will be presented to the Scottish Government in autumn this year.

Policing and public confidence

The government's assessment of current policing priorities

The Strategic Police Priorities (SPPs), established under the Police and Fire Reform (Scotland) Act 2012, set the strategic direction for policing in Scotland and guide the work of the Scottish Police Authority and Police Scotland. They emphasise crime prevention, public confidence, partnership working, evidence-led approaches and sustainable services, shaping initiatives such as Police Scotland's Vision 2030 and 2024-27 Business Plan.

Last fully reviewed in 2019 and refreshed in 2023, the SPPs are now being reviewed to ensure they reflect evolving demands, public expectations and emerging challenges. Engagement with partners, stakeholders and communities will help inform a renewed vision and priorities, ensuring future policing is shaped by evidence, operational experience and lived experience while balancing local and national perspectives.

Work to reduce police time spent responding to mental health crises and attending hospital settings.

In 2023 a review by His Majesty's Inspectorate of Constabulary Scotland highlighted growing demand on Police Scotland due to mental health related incidents. In response, a Partnership Delivery Group (PDG) was established in 2023 to improve collaboration between policing, health and other services.

Police Scotland, NHS Scotland and Scottish Government partners are also developing a more coordinated approach to mental health, distress and vulnerability. This includes expanding Mental Health Paramedic Response Units, enhancing NHS 24 mental health services and investing additional funding to improve access to support.

While some progress has been made, including a 1% reduction in mental health-related incidents between 2023-24 and 2024-25, such incidents continue to account for a growing proportion of police demand, demonstrating the need for a whole-system response. The demand on police time remains heavily influenced by wider social challenges including trauma, addiction, homelessness and poverty. As a result, mental health-related demand is

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increasingly recognised as a broader public service issue requiring integrated action across health, social care, justice and other sectors to improve outcomes and reduce pressure on emergency services.

Progress implementing recommendations on mental health and policing

Interventions introduced over the past six years have had a significant and measurable impact in reducing unnecessary police involvement in health-related incidents and improving pathways to appropriate care. The Enhanced Mental Health Pathway, which directs emergency calls from people experiencing mental health distress to the NHS 24 Mental Health Hub operating 24/7, has reduced the need for police attendance at many incidents.

Since its introduction in 2020, it is estimated that over 76,000 policing hours have been redeployed to core policing duties, allowing officers to focus on matters where a policing response is required.

Further progress has been made through the Community Triage pathway, which ensures that clinicians are available 24/7 in every Health Board area across Scotland to provide officers with immediate clinical advice. This supports decision-making at incidents, improves outcomes for individuals in distress, and facilitates the appropriate transfer of care from police officers to healthcare professionals where clinically appropriate.

Distress Brief Intervention (DBI) services continue to provide an important early intervention and support mechanism for individuals experiencing distress. Referrals can be made by Police Scotland locally and through the NHS 24 Mental Health Hub, with more than 2,600 police officers and staff now trained as DBI referrers. This approach has strengthened the ability of frontline staff to connect individuals with timely support and has contributed to wider efforts to reduce repeat crisis presentations.

More recently, the Chief Constable and NHS Board Chief Executives have agreed to prepare a jointly owned NHS Scotland and Police Scotland strategic paper, which seeks to develop a whole system approach to better support mental health, distress and vulnerability. A recent Operational Priorities letter to NHS Board Chief Executives also highlighted the need to improve patient flow and performance which included the development and embedding of a mental health and distress blueprint for support and services.

The Scottish Government is also working closely with the Scottish Ambulance Service, NHS 24 and wider partners to deliver manifesto commitments designed to improve access to mental health support and reduce pressure on emergency services. This includes expanding 24/7 mental health support through the rollout of Mental Health Triage Cars, more formally known as Mental Health Paramedic Response Units, across Scotland. These specialist resources are intended to reduce demands on police attendance.

In addition, the Scottish Government is expanding Scotland's NHS 24 Mental Health Hub to include Psychological Therapies and has invested an additional £3.5 million this year to improve access to support, reducing pressure on Accident and Emergency Departments and other emergency responders, including Police Scotland.

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Capacity to tackle fraud, cybercrime and serious organised crime

The operation of Police Scotland, including allocation of resources and decisions around the deployment of officers and staff, is for the Chief Constable, under the oversight of the Scottish Police Authority. The Scottish Government supports the Chief Constable in having the flexibility to develop her workforce in a way that responds to challenges effectively. There is regular dialogue between Scottish Government, SPA and Police Scotland in relation to overall capacity and pressures and this feeds into budget consideration and in-year financial management discussions.

Despite unprecedented challenges to public finances the Scottish Government has allocated record funding of over £1.7 billion to the Scottish Police Authority in 2026-27, a total budget increase of £81.5 million, or 5% compared to the published 2025-26 Autumn Budget Revision budget

Challenges associated with rural crime and policing in remote communities

The Scottish Government recognises the impact of crime on rural communities, including the growing threat from organised crime groups. Through record policing funding and support for the Scottish Partnership Against Rural Crime (SPARC), action is being taken to prevent, reduce and tackle rural crime.

SPARC's 2025-2028 strategy is built around the principles of Prevent, Pursue, Protect and Prepare, focusing on key priorities including machinery, tool and fuel theft, metal theft, livestock crime, fly-tipping and heritage crime. Agricultural machinery theft remains a particular concern due to its links with organised crime and the significant costs it imposes on rural businesses and communities. SPARC and its local partnerships work with communities to share intelligence, promote crime prevention measures and improve equipment security.

Alongside this targeted activity, Police Scotland continues to strengthen community policing through its Vision 2030 and three-year business plan. The Enhancing Community Policing Project aims to increase local visibility, improve frontline capacity and deliver a more consistent, timely and victim-centred service for communities across Scotland.

Work to review operational demand on front line officers

The Chief Constable holds responsibility for operational deployment and day to day resourcing to meet demand. The Scottish Government is involved in a number of areas that are being taken forward in partnership to help manage and reduce demand. Aside from the policing and mental health work set out earlier these include:

- The judicially-led summary case management programme, which has significantly reduced the number of police citations to court
- Investment in digital technology, including Digital Evidence-Sharing Capability (DESC) which streamlines the process of preparing and sharing evidence. This complements Police Scotland's own investment in technology including body-worn-video and handheld devices where officers can access key police systems on the move
- A wide range of preventative programmes which aim to reduce crime such as Cashback for Communities, the work of the Scottish Violence Reduction Unit,

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activities that address violence against women and girls, and our support for the retail crime taskforce

- Work to disrupt organised crime through the Serious Organised Crime Taskforce

Violence Against Women And Girls, Domestic Abuse, and Child Protection

Priorities in relation to VAWG

The Scottish Government remains committed to strengthening protections for women and girls. The First Minister has recently pledged his personal leadership in tackling violence against women and girls. Mr Swinney will be undertaking roundtables with victim support organisations and public sector partners to identify what additional actions the Scottish Government can take to prevent and strengthen responses to violence against women and girls.

Scotland's Equally Safe Strategy seeks to prevent violence from occurring in the first place, to build the capability and capacity of support services and strengthen the justice response to victims and perpetrators.

The strategy is underpinned by the Delivering Equally Safe Fund which benefited from a 5% increase in 2026-27 – an extra nearly £1.1m this year. This takes our multi-year investment in the Delivering Equally Safe Fund to almost £46m over 2026-2028 - almost £23m per year - and will give funded organisations the stability and greater certainty they need to plan ahead, retain specialist staff and sustain their vital services. The Delivering Equally Safe fund supports 114 projects from 106 organisations. Funded work includes a range of survivor support and prevention activity, covering all forms of violence against women including domestic abuse, sexual abuse, honour-based violence, female genital mutilation, intimate image abuse and commercial sexual exploitation. Through the Victim Centred Approach Fund, we are also investing £12m between 2025-27 for specialist advocacy support for survivors of gender-based violence.

Through the *Improving Protections in the Justice System for Women and Girls* consultation, views are being sought on potential legislative reforms, including measures relating to non-fatal strangulation, spiking, offences against pregnant women, prosecutorial powers to issue protective non-harassment orders, and technology-facilitated harm, including intimate image offences. We will continue to keep criminal law under review and will always consider if further legislation is needed.

The Government also recognises the importance of responding to the lessons from the Family C learning review, which examined severe and prolonged child abuse and neglect in Glasgow and the multi-agency response.

Measures to improve outcomes for survivors of Domestic Abuse

Domestic abuse, which is overwhelmingly perpetrated by men against women, is abhorrent and this Government is clear that any incident is one too many. We fund a range of approaches to prevent such abuse, including White Ribbon (£89k), Scotland's work with men on behaviour change, and Zero Tolerance Scotland's (£320k) prevention programmes. We need to stop it from happening in the first place.

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We have made changes to the justice system to make it easier to report incidents, and legislated to give police, prosecutors and the courts greater powers to tackle these crimes. The Scottish Government is also providing £2m for our 'Fund to Leave' initiative over the next year, which provides immediate financial support for essentials when leaving an abusive partner.

We continue to urge survivors of domestic abuse to seek support. We fund the Caledonian System, a two-year behavioural programme within the justice system that aims to address the behaviour of men convicted of domestic abuse and offers support services for the women and children affected. By the end of 2026 it will be in operation in 26 of the 32 Local Authorities, covering 86.8% of the population. In 2025-26, a further £1.4m was made available to local authorities who wish to deliver Caledonian, taking the total sum available to £5.8m.

Work regarding interaction between criminal and family justice systems

The Scottish Government is committed to improving the interaction between the civil and criminal courts in the context of domestic abuse. We want to ensure that domestic abuse is properly taken into account in family proceedings and that the civil court is aware of all relevant information on allegations or convictions for domestic abuse.

Following research published in 2023 on 'Domestic Abuse and Child Contact: The Interface Between Criminal and Civil Proceedings, funded by the Scottish Government, we held workshops with key stakeholders in the justice system and have been progressing with improvements in this area:

- We are finalising a paper for the Scottish Civil Justice Council on proposed court rules changes to ensure the civil courts get information on domestic abuse and safeguarding early in proceedings, so that it can be properly taken into account.
- We have consulted the Lord President and plan to make regulations under section 102 of the Courts Reform (Scotland) Act 2014 to enable the court to order that someone has acted in a vexatious manner in civil proceedings (e.g. raising repeated litigation as a way to further domestic abuse).

We also published an in-house literature review on Integrated Domestic Abuse Courts (IDACs) and similar court models in March 2026. IDACs hear both civil and criminal aspects of domestic abuse. The findings are intended to inform whether the introduction of IDACs, or a similar court model, could be feasible for Scotland, as a longer term consideration.

Effectiveness of legislative framework in this area

There is a wide range of legislation in place to help support the justice system in delivering protections for women and girls in areas like sexual offending and domestic abuse. One of the most ground-breaking developments in recent years was the introduction of a new domestic abuse criminal offence in 2019 which has better allowed police, prosecutors and the courts to hold domestic abusers to account for their actions. This includes ensuring psychological abuse was better reflected in how domestic abuse cases were progressed given many abusers carry out abuse to cause such emotional harm.

The Scottish Government has published [two reports](#) on the introduction of the domestic abuse offence.

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We have made significant reforms through the Victims, Witnesses and Justice Reform (Scotland) 2025 and implementing part two of the Criminal Justice Modernisation and Abusive Domestic Behaviours Reviews (Scotland) Act 2025 which creates the statutory framework for domestic homicide and suicide reviews.

We intend to undertake targeted engagement to inform the legislative changes required to part one of the Domestic Abuse (Protection) (Scotland) Act 2021 which provides protection for people at risk of domestic abuse for a up to three months and provide a period of breathing space to consider their longer-term living situation. We will continue to work closely key stakeholders (including Police Scotland, COPFS and Scottish Women's Aid) to ensure we can operationalise this legislation without unintended consequences.

More generally, the Scottish Government keeps laws under review to help ensure they remain fit for purpose as well as considers new laws where they may be considered necessary.

Post-legislative Scrutiny and Implementation

Bail and Release from Custody (Scotland) Act 2023

The Bail and Release from Custody (Scotland) Act 2023 introduced reforms to bail, remand and release from custody. Part 1, implemented in May 2025, created a new bail test intended to ensure remand is used only where necessary for public safety or where there is a significant risk to the interests of justice. The Act reinforces that bail should be the default position, while preserving the independence of courts in making decisions. A statutory report assessing the impact of the reforms will be published after May 2028.

Part 2 focuses on improving reintegration by strengthening release planning, throughcare and access to support such as housing, healthcare and employability services. Several provisions have already been implemented, including emergency early release (EER) powers, victim information measures and the development of national throughcare standards, with remaining reforms being introduced in phases.

Fireworks and Pyrotechnic Articles (Scotland) Act 2022

The Fireworks and Pyrotechnic Articles (Scotland) Act 2022 introduced a package of measures intended to reduce harmful and antisocial use of fireworks and pyrotechnic articles, while supporting the safe and responsible enjoyment of fireworks.

Four of the six measures provided for in the Act have been implemented. These focus on:

Encouraging Safe and Responsible Use of Fireworks

- A prohibition on providing or making available fireworks or pyrotechnic articles to children;

Reducing Harmful and Antisocial Use of Fireworks

- A statutory aggravation for courts sentencing offenders where fireworks were used to attack emergency workers;
- New discretionary powers for local authorities to designate firework control zones; and

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- New offences of possession of pyrotechnics in public places and at designated events.

The remaining two measures have not yet been commenced. These are:

- A firework licensing system: whereby anyone who wishes to buy, use or possess fireworks will be required to apply for a licence. As part of the licence application process, applicants will be required to complete a mandatory training course on the safe, lawful and appropriate use of fireworks.
- Restrictions on the days fireworks can be supplied to or used by the public.

Implementation of these measures were paused in light of the financial context, and operational and resource implications associated with their introduction. These pauses remain under review as the Scottish Government continues to consider how existing measures are impacting the nature and pattern of disorder.

Using the powers provided by the Act, many local authorities have considered the appropriateness of Firework Control Zones for their communities and Firework Control Zones have operated in some areas of Edinburgh since 2024 and in Glasgow since 2025. These designated zones represent the first use of the powers provided by the Act and form part of the wider package of measures aimed at reducing firework-related harm.

The onset of Bonfire night period typically sees a marked rise in highly disruptive and dangerous anti-social activity and associated criminality across the country. Due to the partnership approach led by Police Scotland and other organisations there were no incidents of serious disorder reported between 31 October and 4 November in 2025 and during the Bonfire Night period, Police Scotland recorded an almost 37% reduction in calls relating to fireworks offences, compared to the previous year.

The two pyrotechnics possession offences in the Act were designed to ensure appropriate and proportionate action is taken in response to the misuse of pyrotechnics in public places and at designated sporting and music events. While it was already a criminal offence to take, or attempt to take, pyrotechnics, including fireworks, into football stadiums, the 2022 Act has provided Police Scotland with further measures to deter pyrotechnic misuse and to intervene at an earlier stage. The legislation is being used. However, there have been calls to ensure that Football Banning Orders (FBOs) can also be applied as an appropriate disposal available to the courts for this offence, as well as other criminality relating to football such as the throwing of missiles and pitch invasions. In July 2026, we announced our intention to legislate to strengthen FBOs to improve safety and behaviour at matches.

The Act also includes a statutory requirement for the Scottish Ministers to report to the Scottish Parliament on its operation as soon as practicable following the end of the reporting period on 10 August 2027. We are monitoring the impact of these measures, and this report will provide an assessment of the operation of the Act and will include information on proceedings and convictions for relevant offences, incidents involving fireworks and pyrotechnic articles, and the views and experiences of people in relation to the use of fireworks within their communities.

Police (Ethics, Conduct and Scrutiny) (Scotland) Act 2024

The Police (Ethics, Conduct and Scrutiny) (Scotland) Act 2025 is not yet fully implemented. A number of key provisions have been commenced, including the statutory Code of Ethics

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for Policing in Scotland, the duty of candour, strengthened vetting arrangements with ongoing suitability checks, and enhanced investigatory and oversight powers for the Police Investigations and Review Commissioner (PIRC).

However, further elements of the Act require commencement through secondary legislation. This includes reforms to the police conduct framework, such as accelerated misconduct procedures for all officers, independent panels for senior officer misconduct hearings, procedures for former officers, and the introduction of barred and advisory lists. The necessary secondary instruments are expected to be brought forward during 2026-27, alongside commencement orders for the remaining provisions of the Act.

Given the phased implementation of the Act, it is too early to draw definitive conclusions about its overall effectiveness. A reasonable period will be required following full commencement to allow the new arrangements to bed in, for supporting regulations and guidance to be embedded in operational practice, and for sufficient evidence to emerge regarding outcomes and impact. Success is likely to be assessed through a combination of operational data, scrutiny and assurance activity and stakeholder feedback.

It is anticipated that, once the legislation has been fully implemented and operating for a sufficient period, an independent assurance review of implementation and operation would provide Scottish Ministers and the Parliament with an objective assessment of whether the reforms have achieved their intended aims of strengthening police accountability, ethics, transparency and public confidence.

Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2024

The Act has two primary objectives:

- modernising criminal court procedures through making permanent some temporary justice measures first introduced through COVID related emergency legislation, as well as providing for the further use of digital processes; and
- creating a robust review process for deaths linked to abusive domestic behaviour.

Currently, the policies that have been brought into force are:

- all of the COVID permanence measures: virtual attendance, electronic signatures, national jurisdiction for custody cases in the sheriff courts and the increased fiscal fines limit;
- the extension of national jurisdiction for custody cases to the Justice of the Peace courts;
- the requirement to carry out a review of virtual attendance at court; and
- provisions in Part 2 of the Act relating to Domestic Homicide and Suicide Reviews) to enable reviews to be carried out from 1 April 2026.

Further implementation of the remainder of the Act is being phased to manage the impact on the justice system and a multi-agency implementation group has been established to manage and co-ordinate progress. We are working with partners to agree commencement dates for the next tranche of provisions.

Prisoners (Early Release) (Scotland) Act 2025; and Prisoners (Early Release) (Miscellaneous Amendment and Transitional Provisions) (Scotland) Regulations 2026

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Changes introduced through the Prisoners (Early Release) (Scotland) Act 2025 reduced the automatic release point for certain short-term prisoners from 50% to 40% of their sentence, with further regulations in 2026 reducing this to 30%. These measures were taken to help manage prison population pressures and support a more sustainable prison estate.

Early evidence suggests a limited impact on public safety, with only 5% of those released under the 2025 changes returning to custody before their original release date. Prison population projections indicate numbers would otherwise have been 260-390 higher. The Scottish Government and SPS worked closely with justice, public and third-sector partners to implement these changes, and statutory reviews of their impact will be undertaken in due course, supported by published SPS data and analysis.

Victims, Witnesses and Justice Reform (Scotland) Act 2025

Information has been provided above in relation to the progress on implementation. In addition, there is a statutory review process written into [Section 111](#) of the VWJR Act which requires two reviews.

As part of the review, Scottish Ministers are also required to consult various interests including the Lord President and persons representing the views of victims and/or victims and witnesses themselves.

The operation of this review mechanism will provide in due course relevant information to help all those with an interest including of course the Scottish Parliament to consider how the Act has operated.

Need for further legislative changes / operational or administrative solutions

Each policy issue that arises will carry with it specific context such as existing legislation, operational aspects etc. What ultimately determines any steps taken by the Scottish Government will be the policy intent on a particular issue and consideration of how best that policy intent can be achieved. This will, on occasion, require legislation while on other occasions the existing legal framework is deemed appropriate and the desired policy outcome can be delivered through operational or administrative levers. Much of the justice system operates independently of the Scottish Government which is relevant context for when policy solutions are being considered in specific areas.

Public Service Reform

The role justice services are expected to play within the public service reform programme

Justice services play a key role in the Scottish Government's Public Service Reform programme by responding to harm while also helping to prevent it. The justice portfolio is taking a whole-system, partnership-led approach focused on prevention, early intervention, rehabilitation, modern services, and long-term sustainability.

The Justice Board will provide senior leadership across the justice sector, bringing partners together to align reform activity, agree priorities, address cross-system challenges and support delivery of shared outcomes. This work will inform a Justice Portfolio Delivery Plan, providing a clear link between strategic outcomes, priorities and organisational delivery, while respecting the distinct responsibilities of individual justice bodies.

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How reform of justice services is expected to contribute to improved outcomes and prevention

Justice reform aims to improve outcomes through a whole-system approach that makes services more joined up, efficient and sustainable. Key priorities include enhancing public protection, improving victims' experiences, reducing delays and duplication, and making better use of digital technology, data and resources.

Prevention is central to this approach, with a focus on preventing offending and victimisation, intervening early when risks emerge, and reducing reoffending through rehabilitation, throughcare and reintegration. This includes investment in violence prevention, diversion from prosecution, alternatives to remand and custody, electronic monitoring, community justice and support for people leaving prison.

How justice agencies are working with health, social work and local government partners to address shared challenges

Many drivers of justice demand, including mental ill-health, substance use, homelessness, poverty and inequality, lie beyond the justice system. Addressing these challenges requires close collaboration between justice, health, social work, local government and third-sector partners.

This partnership approach supports community justice, public protection, alternatives to remand and custody, prison health and social care, throughcare, reintegration and responses to mental health distress.

The Scottish Government continues to promote person-centred, trauma-informed and preventative approaches that improve coordination across services and reduce the risk of crises and reoffending.

Any significant structural or service reforms currently under consideration

Justice has already undergone significant structural reform through the creation of Police Scotland and the Scottish Fire and Rescue Service in 2013, replacing eight regional police forces and eight fire and rescue services with national organisations.

This provides important context when considering opportunities for further structural efficiencies across the justice portfolio.

The current focus is on whole-system reform, collaboration and service redesign rather than major structural reorganisation of justice bodies. Key areas of reform currently under development or consideration include:

- Continuing to support digital initiatives and reforms across our justice services as set out in further detail below.
- the forthcoming review of the National Strategy for Community Justice, with a stronger focus on prevention, rehabilitation, reintegration and reducing reoffending
- reforms arising from the Sentencing and Penal Policy Commission, including strengthening community-based interventions and achieving a safe and sustainable prison population

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- the continued development of electronic monitoring, bail support, supported accommodation and other robust alternatives to remand and custody; and
- work with partners to identify opportunities for prevention and earlier intervention that can reduce avoidable demand over the longer term.

Digital Justice, innovation, and improving criminal justice system efficiency

Working closely with justice partners, the Scottish Government continues to modernise justice services to respond to changing societal needs, reduce duplication and make greater use of digital technology. The focus is on improving the efficiency, effectiveness and accessibility of the justice system while ensuring people can access information, support and services more easily.

The Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Act 2025 has provided a legislative foundation for a range of digital and technological improvements that support a more efficient, effective and trauma-informed justice system. These reforms build on wider public sector reform ambitions by promoting more joined-up services, improving information sharing and reducing unnecessary administrative burdens.

A number of innovation programmes are already delivering tangible benefits. Summary Case Management (SCM) is helping to reduce unnecessary hearings and support earlier decision-making, while the Digital Evidence Sharing Capability (DESC) is transforming how digital evidence is managed and shared securely between justice agencies from crime scene to courtroom. Together, these initiatives are helping to reduce delays, improve case flow and free up capacity to focus on the most serious and complex cases.

Looking ahead, the Justice Digital Front Door will provide victims and witnesses with a single, secure and trauma-informed digital entry point to information, support and services across Scotland's justice system. Designed around user needs, it will offer a more consistent and accessible experience regardless of which organisation is responsible for a particular aspect of a case. Collectively, these reforms are creating a faster, more resilient and user-focused justice system that better serves victims, witnesses, practitioners and communities.

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