Justice Committee

Scottish Government’s Draft Budget 2014-15

Written submission from Victim Support Scotland

1. Victim Support Scotland is grateful to be given the opportunity to comment on the Draft Justice Budget 2014-15. We welcome the spending priority areas of the Justice Portfolio as set out in the Draft Budget (pp.71-73), all of which are conducive to our vision of ‘no more victims’, and to our mission of ‘supporting individuals and communities, helping to rebuild lives and keeping people affected by crime at the heart of justice in Scotland’. In particular, we welcome the Government’s commitment to ensuring victims and witnesses have positive experiences of, and confidence in, the justice system and are supported in their engagement with justice agencies. The Victims and Witnesses (Scotland) Bill is expected to come into force within the time period covered by this Draft Budget, and will therefore take into account the proposed financial implications of this Bill in our response.

Policing

2. Victim Support Scotland notes that the draft budget for the Scottish Police Authority (SPA) will decrease by £13.4m between 2013 and 2016; this is a relatively small decrease in percentage terms (1.2% of the 2013-14 budget). However, we note from Table 6:02 (p.74) a decrease in real terms of £52m between 2013 and 2016. We understand the rationale for this reduction to be in line with the recent police reform, under the Police and Fire Reform (Scotland) Act 2012, to improve efficiency and stop duplication of support services in order to “protect and improve local services despite financial cuts”\(^1\). We welcome Police Scotland’s commitment to the areas of domestic violence, sexual crimes and human trafficking (Equality Statement, p.54). However, in light of this real term decrease to the SPA budget would welcome further information from Police Scotland as to how they intend to fulfil this financial commitment. Furthermore, we would wish to understand the SPA’s plans to implement the anticipated requirements arising from the forthcoming Victims and Witnesses (Scotland) Bill, and would welcome more information on how Police Scotland will be able to fulfil the duties placed on them as detailed in the general principles of the Bill.

3. Victim Support Scotland and Police Scotland have worked in partnership for over 20 years in order to ensure that support is provided to people affected by crime; this partnership working allows police resources to be freed up in order to concentrate on the core activities of detecting crime and protecting the public. We would like to have assurances that any budgetary reductions that would not restrict the continuation and development of referral arrangements between Police Scotland and Victim Support Scotland. By working in partnership and enhancing the communication and

\(^1\)www.scottish.parliament.uk/S4_Bills/Police%20and%20Fire%20Reform%20(Scotland)%20Bill/Policy_Memo.pdf, p.1
referral mechanisms between our two organisations, the needs of victims and witnesses of crime can be met more effectively.

Prisons and Alternatives to Custody

4. Although we agree with the use of alternatives to custody in general to reduce reoffending, Victim Support Scotland believes that it is absolutely vital that **all sentences are proportionate and reflect the severity and the circumstances of the crime**; there will always be situations where a custodial sentence is the only option, for instance for very serious offences or prolific offenders. The criminal justice system must demonstrate to the victim that it recognises the victim’s position and the impact of the offence. It is also crucial when considering an alternative to custody that the victim, the offender and the general public clearly understand the reasoning and practical implications of such a disposal. Confidence in the criminal justice system has been shown to form an important part in the recovery process for many people affected by crime; the belief that justice has been done greatly aids recovery. The effects of unclear and disproportionate sentences undermine this concept and can have a damaging effect on both victims and communities.

5. We note that the budget for the Scottish Prison Service covers the operation of the Victim Notification Scheme (VNS) which provides information on the release of offenders to victims of crime. The Victims and Witnesses (Scotland) Bill proposes to expand the VNS to include all victims of crimes in which the offender was convicted to a custodial sentence of 12 months or more. This change is an important step forward in addressing some of the needs for victims of crime whose offender receives a custodial sentence; knowing that they will be informed of the release date of the offender and being able to make representations to the Parole Board could decrease levels of anxiety about the release of the offender while at the same time increasing levels of victim participation in the criminal justice system. **Victim Support Scotland would welcome dialogue with the SPS about working in partnership to improve the arrangements and delivery of this scheme, in order to improve the positions of victims who fall within the extended category of the scheme.**

Women Offenders

6. Victim Support Scotland is cognisant of the many issues surrounding female offending as compared to male offending, as is evident in the abundance of articles and reports published on this subject over the past number of years. We are particularly compelled by the report that “female prisoners have higher lifetime incidences of trauma, including severe and repeated physical and sexual victimisation than either male prisoners or women in the general population.”

2 In addition, women have higher rates of substance misuse both in general and in relation to their offending than men, and the link between alcohol and crime in relation to women has increased over recent years.

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7. It is therefore apparent that more work needs to be done to ensure that women who are victims of crime have access to the support that they need to overcome any resulting issues; it is important to remember that support can still be greatly beneficial to victims if accessed at a later stage. Victim Support Scotland is dedicated to providing support to people affected by crime, particularly when this could prevent future victimisation.

8. As part of our contribution to the wider Scottish Government Strategy for Justice, as well as the individual priorities of reducing reoffending and supporting victims and witnesses, Victim Support Scotland is keen to explore the possibility of working with women offenders. We feel that the proposed changes will present opportunities for us to work with partner agencies in tackling some of the core issues related to female offending, to directly assist in the reducing reoffending agenda. This could involve working with women offenders to understand the reasons for their offending behaviour, which may have been triggered by past experiences of abuse or victimisation; and providing support in the community to women offenders who are ready to access our services. In general, this kind of support represents a commitment not only to the wider strategy for Justice, but also in relation to education and health and wellbeing.

Crown Office and Procurator Fiscal Service (COPFS)

9. Victim Support Scotland is pleased to see that the Crown Office’s priorities are to “support victims of crime, vulnerable witnesses and bereaved relatives” and “maintain and improve...Information Technology systems to increase case-processing efficiency [and] improve communications with victims and witnesses”(p.156). However, we note the real-term decrease in the Draft Budget of £3.4m between 2013 and 2016 (Table 11.02, p.155), and would like to better understand how this decrease will impact on the deliverables in achieving these stated priority areas.

10. The Crown Office has also committed to meeting the challenges caused by additional work arising from ongoing changes such as planned legislation, e.g. the Victims and Witnesses (Scotland) Bill. The Crown Office has previously stated that although this Bill would result in recurring costs for them of between £300,000 and £324,500 per year, no additional funding will be required as this cost would be offset by streamlining the procedures for special measure applications for vulnerable witnesses. We would be particularly keen to receive reassurance on how the general principles of the Victims and Witnesses (Scotland) Bill will be protected and not affected by any real term cuts to the COPFS budget.

Revisions to the Domestic Abuse Protocol (COPFS and Police Scotland)

11. Victim Support Scotland provides support to people affected by ALL types of crime, and are particularly committed to helping those who have been affected by domestic abuse as this section of society often have increased support needs. As such, we are pleased to see a commitment from COPFS to ensuring that their domestic
abuse protocol with Police Scotland is up-to-date and fit for purpose. We believe that the changes made to the protocol indicate a deeper understanding of domestic abuse by the Crown Office.

**Criminal Injuries Compensation**

12. The draft budget for the Criminal Injuries Compensation is to decrease by £3m between 2013 and 2016, which is almost 17% of the existing budget. In the Draft Budget (p.77), the Scottish Government has committed to “consider options to review the current GB-wide Criminal Injuries Compensation Scheme and to ensure compensation arrangements relevant to the needs of victims in Scotland.” Victim Support Scotland acknowledges this commitment and would welcome further discussion as to how we can assist with this review to help victims of crime in Scotland.

Victim Support Scotland
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