

Keith Brown MSP, Cabinet Secretary for Justice
Scottish Government
St Andrew's House
Regent Road
Edinburgh
EH1 3DG

3 August 22

Dear Mr Brown,

Vision for Justice in Scotland

SASW welcomes the opportunity to provide feedback on the proposals to improve victim's experiences of the justice system. Unfortunately, we do not have capacity to respond to the consultation on this occasion. This is primarily due to the extremely high volume of consultations from Government in recent months, coupled with staff leave.

Instead, we summarise our views on the proposals below.

SASW welcomes all measures to make practice trauma-informed and person-centred, in keeping with the national approach to trauma training. This will make a significant contribution to improving the experience of and promoting better recovery for victims of crime.

We support the introduction of additional special measures to help vulnerable parties in civil cases and any initiatives to improve the experience of people who have experienced domestic abuse. We frequently hear accounts of survivors of domestic abuse, including children, being subject to civil court processes that do not provide them with adequate protection from further abuse and trauma. Victims frequently have to provide accounts of their experience more often than is necessary, which increases the likelihood of further trauma.

To really achieve justice for victims, risk of further trauma must be minimised and the uncertainty of long delays in cases being heard addressed. On that basis, supports the proposal to make virtual trials the default practice for all domestic abuse cases within specialist domestic abuse courts.

We are also broadly in favour of the creation of a specialist court for serious sexual offences, including rape and attempted rape. Legal practitioners will be specially trained and trauma informed and processes will take account of the particular impact of judicial processes on people who have been the victim of sexual offences.



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Specialist courts trialled in other countries have been found to progress cases more efficiently, issue trial dates earlier and better prepare victims for the trial process, all of which reduce anxiety and trauma. The evidence therefore suggests that a similar model should be trialled in Scotland.

Lastly, SASW supports the establishment of a Victims' Commissioner for Scotland, independent of government but accountable to the Scottish Parliament. Their role must be to promote, protect and uphold the rights of victims. This would enable victims to influence decisions that impact on and improve the justice system. We agree that the Commissioner should not be able to intervene in individual cases or provide legal advice.

I hope you find this feedback useful in shaping these reforms. If you require any further information, please don't hesitate to get in touch. Meantime, I look forward to following progress made to implement these reforms over the course of this parliament.

Yours sincerely

Alison Bavidge
National Director
Scottish Association of Social Work