

Standards of Service for Victims and Witnesses Annual Report on Performance 2016 – 2017



CROWN OFFICE
& PROCURATOR
FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

Scottish Courts
and Tribunals Service



SPS
SCOTTISH
PRISON SERVICE



Parole Board for Scotland

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Introduction

This is the second report produced jointly by Police Scotland, the Crown Office and Procurator Fiscal Service, the Scottish Courts and Tribunals Service, the Scottish Prison Service and the Parole Board for Scotland. We each established standards of service for victims and witnesses in April 2015 and the first report set out our progress and experience of our first year. This report provides an update on not only how we have performed against these standards over the second year, but our experience and learning, both good and where we could have done better. Some agencies have reviewed their standards and made changes and all have continued to seek to embed the Standards to improve the experience of victims in the justice system.

We all share a vision that those affected by crime should be at the heart of the Scottish justice system. The people who are affected by crime and involved in criminal proceedings should know that the criminal justice system is there for them and we want to make sure that their voice is heard.

The principles that victims and witnesses can look to are clear - they have the right to information about their case, their safety should be ensured, they should be supported and that they should be able to participate effectively.

What has happened during the year from April 2016 to April 2017?

We have continued to embed the Standards of Service and in light of Victims' Rights (Scotland) Regulations 2015 and some agencies have revised their standards in consultation with victim's organisations. Representatives of the justice agencies met with The Victims Organisations Collaboration Forum Scotland (VOCFS) on 21 February 2017 to receive feedback on the Standards of Service. The agencies are grateful for the valuable opportunity to discuss their respective Standards, and wider victims issues, with Forum members and their feedback.

Where can I find the original Standards of Service document?

Police Scotland, the Crown Office and Procurator Fiscal Service, the Scottish Courts and Tribunals Service, the Scottish Prison Service and the Parole Board for Scotland each play a part in the overall justice process. As such, you can find the original standards document on each of our websites and they are available in alternative formats if required. The original document contains more information, including a flowchart, which sets out what you can expect from each organisation at each stage of the process if you are a victim of crime.

The Standards of Service

The Standards of Service are based on the main principles of the Victims and Witnesses (Scotland) Act 2014, set out in Section 1. These are:

- **That a victim or witness should be able to obtain information about what is happening in the investigation or proceedings;**
- **That the safety of a victim or witness should be ensured during and after the investigation and proceedings;**
- **That a victim or witness should have access to appropriate support during and after the investigation and proceedings; and**
- **That, in so far as it would be appropriate to do so, a victim or witness should be able to participate effectively in the investigation and proceedings**

In relation to obtaining information you can also expect that:

- You should have access to relevant information at an early stage and at appropriate points in the process. This should include information on procedures, your role in them (if any), reports on progress (giving an explanation of any delays) and outcomes of criminal proceedings, and where, if possible, you can get further information and assistance;
- You should be able to understand the information that is given to you. The language should be easy to understand and the information should be available in alternative languages or formats if required; and
- You should be told who to contact if you want to discuss the information that has been provided and anything you do not understand will be explained to you.

We have all written standards based on these principles.

Our Standards of Service and Annual Report

Being a victim of crime, or witnessing a crime, can be a very upsetting and difficult experience. We each appreciate this, and we will all:

- Ensure you have fair and equal access to services throughout and are treated with dignity and respect at all times regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation. Where required, additional support will be provided and any reasonable adjustments made to ensure that you have access to information and support services;
- Work together and in partnership with victim and witness support organisations to ensure you are provided with the best service possible; and
- We will each ensure that we comply with our respective Complaints Policies details of which are found on the following pages.

Our Standards, and our reports on how we continue to implement them, can be found on the following pages:

| | |
|--|-------------|
| Police Scotland | pages 6-10 |
| Crown Office and Procurator Fiscal Service | pages 11-14 |
| Scottish Courts and Tribunals Service | pages 15-20 |
| Scottish Prison Service | pages 21-25 |
| Parole Board for Scotland | pages 26-28 |

Police Scotland

Standards

- We will discuss with you how you will be kept informed of progress in your case; we will also explain how we will deal with your case and what we may ask you to do to help us.
- If you are a victim or witness, a person who has given a statement in relation to a crime, or a family member of a victim who has died as a result of a crime, you can make a request for information. When we receive your application we will respond within 40 days.
- If you are a victim of one of [these crimes](#) you will have the option to let officers know whether you want a male or female officer to interview you. We will try to meet your request wherever possible.
- We will consider your particular needs to decide whether you are a vulnerable witness. We will then, with our partners, try to ensure your needs are met.
- We will ensure you receive a Victims' Care Card if you are a victim of crime which provides you with the details of your enquiry officer, the crime you report and information on how you can access victim support and the Scottish Government's Victims' Code.

Report

General

Police Scotland is responsible for the investigation and detection of crime which includes providing a high standard of care to victims and witnesses during their contact with the police.

Part of this care is ensuring that the needs of all victims of crime are considered and that access to victim support services is made available throughout the process, from the initial report to any subsequent court proceedings. This involves us working closely with our criminal justice partners to ensure you are, and feel you are, being supported within a streamlined, joined up, process.

The following information summarises what we have done in the past year in relation to the Standards of Service:

We will discuss with you how you will be kept informed of progress in your case; we will also explain how we will deal with your case and what we may ask you to do to help us.

We continue to be committed to keeping victims informed of progress of their case. Our monthly User Satisfaction Surveys continue to provide us with your valuable feedback on our performance which includes whether you have been kept informed of the progress of your case. These responses are closely monitored and afford us the opportunity to make informed decisions on actions required to rectify any identified issues.

Police Scotland - Standards

If you are a victim or witness, a person who has given a statement in relation to a crime, or a family member of a victim who has died as a result of a crime, you can make a request for information. When we receive your application we will respond within 40 days.

Victims and witnesses have the right to enquire with us as to why we are not investigating a crime or why we have stopped an investigation. We will provide this information as long as it is not held in confidence and it is not considered inappropriate to disclose.

The joint protocol '[Working Together for Victims and Witnesses](#)', assists victims and witnesses to know where, and from whom, to get the right information at the right time.

Between 1st April 2016 and 31st March 2017 we received 8 requests for such information, all of which were responded to on time.

If you are a victim of one of [these crimes](#) you will have the option to let officers know whether you want a male or female officer to interview you. We will try to meet your request wherever possible.

Between 1st April 2016 and 31st March 2017 we identified 44,019 Victims of these crimes and 37,573 of them were given the opportunity to specify the gender of the interviewing officer. The reasons for those victims, who were entitled to specify the gender of the interviewing officer, but were not able to, are as follows:

- 33 of the cases it was deemed prejudicial to the criminal investigation; and
- 6413 cases it was deemed not reasonable practicable to do so.

Over and above giving victims the choice of a female or male police interviewing officer, we continue to be dedicated to fully supporting them which includes working closely with our partners to achieve this. In relation to the following crimes, we commit to:

Sexual Crime

- Review national training to ensure responses to reports of sexual crime are victim-focused.
- Monitor compliance with the Victim Strategy.
- Work in partnership with Rape Crisis Scotland to introduce the 'Support to Report' advocacy service across Scotland.
- Increase third party reporting mechanisms across Scotland.
- Challenge negative attitudes to sexual crime through joint partner campaigns and encourage confidence to report.

What we have done

One of our main priorities is to ensure our response to reports of sexual crime is victim focused. This is reinforced through our training products and communications. We are working in partnership with COPFS in relation to monitoring our compliance with the Victim Strategy and the Advocacy Support Service is now implemented and in place across Scotland. Mechanisms are also in place to support third party reporting from Rape Crisis Scotland.

We have reinvigorated the 'We Can Stop It' Campaign and via our monthly key messages meeting have undertaken a programme of planned external activity through social media in an effort to improve confidence and encourage reporting.

Police Scotland - Standards

Human Trafficking

- Develop measures to raise awareness and prevent labour exploitation within 'at risk' industries
- Collaborate with European counterparts through Joint Investigation Teams.
- Ensure all National Recording Mechanism referrals result in a police Crime Report and associated investigation being raised.
- Implement a Human Trafficking and Exploitation Organisational Learning and Development process to identify good practice and improvement opportunities.
- Continue to develop sexual exploitation investigation guidance.
- Monitor 'off-street' prostitution activity and undertake local risk assessments focusing on threats and risks, proportionately prioritising enforcement activity.
- Engage with community representatives to create problem solving opportunities, while avoiding 'displacement only' options.
- Work with local and national statutory and non-governmental organisations to improve the safety and wellbeing of individuals and enable easier access to available support, including exit services.
- Endeavour to build trust and confidence by improving relationships with victims by encouraging the reporting of criminality directly to Police Scotland or via third party reporting mechanisms.

What we have done

We continue to work with partners to identify opportunities to prevent all aspects of Human Trafficking and have had recent successes in the detection and disruption of such crimes both in this country and abroad.

We have developed a national process in relation to the recording of crimes of human trafficking and will monitor compliance of this process to ensure consistency of practice across the country.

In conjunction with the Scottish Government, we are working with our partners to develop an online national human trafficking training product which can be utilised by all partners or organisations who may come across incidents of human trafficking.

In line with our policy, we continue to support persons who may be at risk from harm through prostitution and human trafficking. Support Health and Wellbeing (SHaW) visits have also been purposely created to deliver a multi-agency response to individuals involved in Prostitution as an alternative to immediate enforcement.

Working groups have been established to create a learning environment to ensure local policing is supported, best practice shared and long term strategy is implemented to the benefit of vulnerable individuals and communities.

We now work in partnership with National Ugly Mugs (NUM) which is a recognised third party reporting mechanism for persons involved in prostitution to highlight those that pose a risk.

Our policy for protection of individuals and communities from threat, risk and harm, in relation to prostitution, is in place. It provides national guidance on investigating those who abuse, exploit or coerce; the investigation and disruption of organised criminality activity; and support or creation of effective partnerships to help minimise or eliminate harm.

Police Scotland - Standards

Domestic Abuse

We will reduce harm caused by domestic abuse by supporting victims through targeting perpetrators, working with partners to better share information and implementing best practice. To do this we will:

- Use best practice to inform a guidance framework for staff, to ensure a consistent national approach.
- Improve the standard of domestic abuse prosecutions reports to the Crown Office and Procurator Fiscal Service (COPFS).
- Engage with local stakeholders to proactively tackle domestic abuse perpetrators and increase victim safety.
- Develop a robust process to enable third sector organisations to securely share intelligence on domestic perpetrators.

What we have done

We continue to work with partners to ensure victims, or potential victims, have access to appropriate information to allow early identification of risk and increase safety. The Disclosure Scheme for Domestic Abuse Scotland (DSDAS) enables relevant information to be shared proportionately with certain people. This information allows those who may be at risk of domestic abuse to make an informed decision about whether or not to remain in a relationship.

Police Scotland continues to draw from best practice and learning points in order to influence national guidance. The revised version of the Joint Protocol between Police Scotland and Crown Office and Procurator Fiscal Service, '[In partnership challenging domestic abuse](#)', was launched on 24 March 2017. Our national Standard Operating Procedures, Toolkits, Guidance and Multi-Agency Tasking and Coordinating (MATAC) Framework are all currently being reviewed and updated. National training courses have also been reviewed and updated.

Along with the Crown Office and Procurator Fiscal Service (COPFS), we have developed a Domestic Abuse Standard Prosecution Template (SPR2) which is mandatory for all officers to complete when submitting a report of domestic abuse. It contains additional information on vulnerability along with history of both the victim and perpetrator. This development will assist in improving standards of reporting and sharing of information to Procurators Fiscal to facilitate informed decision making when marking cases to ensure the needs of victims are addressed.

We continue to engage with local stakeholders to proactively tackle domestic abuse and increase victim safety through chairing national and local meetings and forums which relate to Domestic Abuse.

The process by which third sector organisations can share intelligence concerning perpetrators of domestic abuse with Police Scotland has been made more robust and secure with the development of the External Partners Portal for Intelligence Collection (EPPIC). The secure online portal provides an official process for external agencies to share intelligence relating to perpetrators of domestic abuse with Police Scotland and removes the risk of intelligence being lost or intercepted.

Police Scotland - Standards

We will consider your particular needs to decide whether you are a vulnerable witness. We will then, with our partners, try to ensure your needs are met.

What we have done

We continue to, through our developed processes, ensure children and vulnerable witnesses have access to standard and non standard special measures in all relevant Sherriff and High Court hearings.

We have been working towards achieving a consistent practice model for the way our Divisional Concern Hubs triage, research, access and share (where relevant) wellbeing concerns with our partners. This project is within its final stages of roll out with 11 out of our 13 Divisions having gone live with the remaining 2 Divisions going live on 5th April 2017.

Job descriptions have been standardised to ensure consistent roles and responsibilities and are supported by bespoke training packages for staff within our Hubs. A standard business process has then been introduced with staff encouraged to use the Resilience Matrix to assess each wellbeing concern report by considering all available information as part of the chronology in terms of Vulnerability, Adversity, Resilience and Protective Factors. This standardised assessment is used for both adults and children and is then used to consider the needs of the individual and justify sharing relevant and proportionate information with partner agencies in accordance with the Data Protection and Human Rights Acts.

We will ensure you receive a Victims' Care Card if you are a victim of crime which provides you with the details of your enquiry officer, the crime you report and information on how you can access victim support and the Scottish Government's Victims' Code.

Through consultation with partners we learned we were not performing as well as we could with regards to the issuing of Victims' Care Cards to every victim of crime.

What we have done

We currently do not have an IT facility which can produce accurate figures in relation to this. However, we have considered the feedback and circulated further guidance and reminders to every Division on the requirements, which are being progressed. We will continue to liaise with you and our partners to obtain further feedback on our performance.

Our Standards of Service 2017 / 2018

We have reported on the significant changes we have made to improve our processes and procedures in relation to our commitment to providing a high standard of care to victims and witnesses during their contact with the police. We recognise we require monitoring the effectiveness of these changes which will be reflected upon within the Victims and Witnesses Standards of Service Annual Report 2017/18.

We reviewed our standards within the Standards of Service for Victims and Witnesses 2016 –17 and felt an amendment was required to the wording of the following standard to provide you with better clarity of what we mean in terms of assessing vulnerability:

*We will consider your particular needs to decide whether you are a vulnerable witness.
We will then, with our partners, try to ensure your needs are met.*

This standard will now read, within the Standards of Service for Victims and Witnesses 2017-18:

To assess your vulnerability as a witness, we will consider, with our partners, your particular needs, and thereafter try to ensure those needs are met.

Crown Office and Procurator Fiscal Service - Standards

Crown Office and Procurator Fiscal Service (“COPFS”)

Standards

- We will treat you fairly and with respect, we will listen to you through our Comments and Complaints Policy and the review of our decisions, and we will communicate with you clearly and effectively;
- We will make sure that you have access to the relevant and appropriate information that you are entitled to, and in situations where we cannot provide that information we will explain the reasons why;
- We will ensure that you are given the help you need to give evidence in court. We will assess your vulnerability and explain the special measures available to you under the law. When special measures are available to you, we will apply for you to be supported with the most appropriate measures; and
- We will take decisions in cases reported to us in line with our [prosecution code](#), and continue to review the training needs of our staff to ensure that they have the appropriate skills.

Report

General

COPFS is responsible for the investigation, prosecution, and disruption of crime, the seizing of proceeds of crime in Scotland, the investigation of deaths that require explanation, and the investigation of allegations of criminal conduct by police officers. We work closely with our partners in the criminal justice system to help make Scotland a safer place.

The following outlines some of the work which has been done in the past year by COPFS in relation to the Standards of Service, which have not changed, or been modified, in the past year.

We will treat you fairly and with respect, we will listen to you through our Comments and Complaints Policy and the review of our decisions, and we will communicate with you clearly and effectively.

What we have done

The COPFS complaints procedure is now called the '[Comments and Complaints Policy](#)'. We aim to address complaints quickly and informally wherever possible. When formal complaints are submitted we monitor recurring issues so that common themes may be addressed.

A victim can ask for the review of a decision not to prosecute or continue with a case made on or after 1 July 2015. The Lord Advocate has published rules on the Victim's Right to Review, which are [available on the COPFS website](#).

Crown Office and Procurator Fiscal Service - Standards

The first annual report on the Victim's Right to Review, for 2015-16, was published on 8 March 2017. The annual report on the Comments and Complaints Policy 2015-16 was published on the same date. Both reports are [available on the COPFS website](#).

COPFS received 225,537 criminal reports in the financial year 2015-16. Between 1 July 2015 and 30 June 2016 COPFS received 139 applications from victims for a review of the decision not to prosecute or not to continue with a prosecution. The 139 applications were carefully considered.

In 100 applications, the original decision made was upheld or the review request withdrawn. In fifteen applications, the original decision was overturned and proceedings raised. Three of the fifteen applications related to the same case. In 24 applications, the reviews are ongoing.

The total number of review applications is therefore less than 0.1% of the total number of criminal reports COPFS received in a year. In a number of the cases in which our decision was changed, victims provided additional information and further inquiries were instructed during the review process. This involved obtaining information which was not provided to COPFS when the case was first marked.

What we will do

A new customer service strategy is being built around the journey of victims and witnesses through the justice system, including their interaction with COPFS.

A complaints toolkit will be developed to help staff handle complaints appropriately.

A survey of users of the COPFS website is planned to improve accessibility for users. In connection with the new customer service strategy, the COPFS website and related corporate materials will be subsequently revised.

We will make sure that you have access to the relevant and appropriate information that you are entitled to and in situations where we cannot provide that information we will explain the reasons why.

What we have done

The COPFS Family Liaison Charter ("the Charter") was laid before Parliament on 1 September 2016 and published on 14 September 2016. As required by section 8 of the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016, the Charter details how COPFS will communicate with bereaved families during a death investigation.

The Charter applies to any death reported, or Fatal Accident Inquiry held, on or after 1 September 2016.

What we will do

We will monitor and record compliance with our commitments under the Charter with a view to making statistics available over the next year.

We are in the process of updating and amending the content of template Victim Information and Advice ("VIA") letters to ensure that they are as helpful as possible to those who receive them.

Crown Office and Procurator Fiscal Service - Standards

We will ensure that you are given the help you need to give evidence in court. We will assess your vulnerability and explain the special measures available to you under the law. When special measures are available to you, we will apply for you to be supported with the appropriate measures.

What we have done

Where child and deemed vulnerable witnesses do not proactively engage with VIA services, we apply for the default special measures for them in line with the Working Together for Victims and Witnesses Protocol to assist them in giving evidence in court.

We have updated our internal guidelines to ensure that COPFS staff are aware that special measures are available in the Justice of the Peace Courts for vulnerable victims and witnesses with the aim of having cases involving vulnerable victims and witnesses heard in the most appropriate forum.

What we will do

We will continue to assess the vulnerability of victims and witnesses and ensure that they have relevant information and access to the most appropriate special measures available to them.

We will ensure that vulnerable victims and witnesses are aware of all special measures available to them and will seek to ensure they are supported by the special measures which best meet their needs, where considered appropriate by the court.

We will take decisions in cases reported to us in line with our prosecution code and continue to review the training needs of our staff to ensure that they have the appropriate skills.

What we have done

Prosecutors who deal with cases of children being abused in institutions are being given bespoke training. This training was created and quality assured by stakeholders with expertise in this field, and has been refined following a pilot course. Since the publication of the last annual report, a further 47 members of staff have received this training.

Since 2009, COPFS staff who prepare serious sexual offence cases must be trained and accredited to do so. The training and accreditation process has been reviewed both internally and with external stakeholders, and new training and accreditation will be rolled out in the coming year. During this period of review staff continued to receive training in relevant areas, including the “Sexual Offences core” course, which was attended by 48 staff, and “Evidential Interviewing of Children”, which was attended by 21 staff.

In 2015, in-depth domestic abuse training for prosecutors and VIA staff was implemented. In the period 2016-17, 76 prosecutors and case preparers, and 26 VIA staff received this training. The training will continue to be provided to ensure staff who deal directly with victims and witnesses in domestic abuse cases have been trained in areas such as the typology and dynamics of abuse, our prosecution policies, and addressing issues that arise in the presentation of domestic abuse cases in court.

In addition to the domestic abuse training specifically aimed at prosecutors and VIA staff, we have also redeveloped our core “Domestic Abuse Awareness” course, which is designed for all COPFS staff, and which was introduced in May 2016. To date 45 members of staff have attended this training, but we aim to have this training undertaken by all staff.

Separate training for VIA staff is now completed, with new VIA colleagues attending the appropriate day of the full training course along with prosecutors and case preparers.

Following the relaunch of the “Joint Protocol between Police Service of Scotland and the Crown Office and Procurator Fiscal Service – in partnership challenging domestic abuse” (“the Joint Protocol”), and the introduction of the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (“the 2016 Act”), COPFS is

Crown Office and Procurator Fiscal Service - Standards

rolling out training for all legal staff, case preparers, and appropriate VIA and administrative staff in Procurator Fiscal offices across the country. This training focuses on how the Joint Protocol and the 2016 Act are expected to impact on our response to domestic abuse. The “train the trainer” programme has already started, with 19 local trainers now trained, and more due to receive training. These local trainers will then deliver the training to colleagues across our offices.

Our Victims and Witnesses course was reviewed in September 2016, ensuring staff have the most up to date position, with particular consideration paid to amendments implemented by the Victims and Witnesses (Scotland) Act 2014. From April 2016 to date, a total of 42 members of staff have attended the Victims and Witnesses course. Nine of those attended the pre-September 2016 course, and the remaining 33 attended the course as updated in September 2016.

What we will do

COPFS remains dedicated to providing the best possible training to all staff, including for our trainee solicitors and new deposes under our Trainee and Depute Accreditation programmes. We will continue our review of both of these programmes to ensure they equip our staff to follow our prosecution policies and to allow them to develop as prosecutors.

We will continue to update our training on stalking to keep it current, and to ensure staff are fully prepared to deal with the challenges stalking cases can present and are able to provide a good service to victims.

In anticipation of the new Criminal Justice (Scotland) Act 2016, “train the trainer” courses (as above) are now complete and training will be subsequently cascaded to all staff. A guidance manual and e-learning course are currently being developed and will be available in the near future to COPFS staff.

In response to recent Sheriff and Jury reforms, a guidance manual is being drafted and will be made available to all staff when completed. In the meantime, training “road shows” aimed at Sheriff and Jury Managers are currently being run throughout Scotland

A “train the trainer” course relating to the Prosecution Policy Review is now complete, and this training will be provided to all legal staff, investigative assistants, and precognition officers. Two e-learning modules have also been published on the COPFS intranet to support this training.

The Standards of Service in the coming year

COPFS will continue to monitor the effectiveness of procedures and policies, and will work to make improvements if and when they become required, to ensure that the Standards of Service meet the needs of victims and witnesses. COPFS does not intend to amend or modify the current Standards of Service but to continue to improve our implementation of the existing Standards of Service as set out above.

Scottish Courts and Tribunals Service - Standards

Scottish Courts and Tribunals Service

Standards

- If you are a witness, we will update you on the progress of the court case at least once per hour and advise you when you can leave the court;
- We will provide separate waiting rooms for prosecution and defence witnesses, and access to refreshments;
- If you are entitled to give your evidence to court by live TV link, we will meet you on the day and explain the process for giving your evidence to court;
- We will respond to requests received on behalf of witnesses, for court familiarisation visits, within 3 working days of receipt; and
- If you want to know what support is available to you when you arrive at court, we will direct you to the Witness Service or other support services which are present in the court building.

Report

General remarks

The Victims and Witnesses (Scotland) Act 2014 (“the 2014 Act”) extended the availability of special measures to support giving evidence in court. Over the following two years we have witnessed a significant increase in the number of applications and notices for special measures being presented to court. While the number of applications for giving evidence by way of live TV link has remained relatively stable during this transition, we have seen a threefold increase in relation to the use of screens and supporters in the summary courts between the years 2015 and 2016.

The following tables illustrate the volumes over 2016 and some comparison with equivalent totals witnessed in 2015.

All Solemn Special Measure Applications Received (High Court & Sheriff Court Solemn)

| Special Measure- Application | 2016 | | | | | | | | | | | | 2017 | | | 2015 Total | 2016 Total | 2017 YTD Total ¹ |
|------------------------------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|------------|------------|-----------------------------|
| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | | | |
| Video In court | 7 | 8 | 14 | 15 | 20 | 14 | 16 | 21 | 18 | 18 | 17 | 16 | 19 | 16 | 10 | 132 | 184 | 45 |
| Screens | 93 | 122 | 99 | 85 | 92 | 122 | 179 | 126 | 104 | 144 | 135 | 112 | 126 | 113 | 168 | 939 | 1,413 | 407 |
| Video between courts | 11 | 7 | 7 | 15 | 7 | 5 | 1 | 3 | 8 | 5 | 5 | 0 | 0 | 5 | 9 | 128 | 74 | 14 |
| Video remote | 4 | 6 | 6 | 4 | 7 | 11 | 12 | 6 | 4 | 12 | 12 | 9 | 4 | 4 | 16 | 82 | 93 | 24 |
| Supporter | 141 | 168 | 136 | 140 | 140 | 183 | 236 | 178 | 160 | 221 | 226 | 164 | 198 | 172 | 250 | 1,302 | 2,093 | 620 |
| Other Applications | 4 | 8 | 18 | 10 | 8 | 12 | 18 | 14 | 8 | 7 | 18 | 4 | 11 | 20 | 32 | 34 | 129 | 63 |
| Total | 260 | 319 | 280 | 269 | 274 | 347 | 462 | 348 | 302 | 407 | 413 | 305 | 358 | 330 | 485 | 2,617 | 3,986 | 1,173 |

All Summary Special Measure Applications Received (Sheriff Court & JP Court Summary)

| Special Measure- Application | 2016 | | | | | | | | | | | | 2017 | | | 2015 Total | 2016 Total | 2017 YTD Total ¹ |
|------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------|------------|-----------------------------|
| | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | | | |
| Video In court | 107 | 76 | 72 | 72 | 72 | 93 | 75 | 106 | 73 | 68 | 64 | 82 | 95 | 96 | 62 | 775 | 960 | 253 |
| Screens | 1,027 | 1,171 | 1,135 | 1,160 | 1,160 | 1,081 | 996 | 1,166 | 1,073 | 865 | 953 | 924 | 1,174 | 987 | 1,022 | 4,090 | 12,711 | 3,183 |
| Video between courts | 21 | 11 | 13 | 12 | 12 | 13 | 5 | 21 | 11 | 5 | 6 | 15 | 18 | 12 | 6 | 143 | 145 | 36 |
| Video remote | 55 | 15 | 34 | 41 | 41 | 36 | 40 | 44 | 25 | 34 | 51 | 30 | 24 | 23 | 29 | 450 | 446 | 76 |
| Supporter | 1,276 | 1,350 | 1,310 | 1,354 | 1,354 | 1,327 | 1,198 | 1,467 | 1,270 | 1,100 | 1,176 | 1,127 | 1,401 | 1,216 | 1,201 | 5,325 | 15,309 | 3,818 |
| Other Applications | 50 | 53 | 39 | 44 | 44 | 63 | 43 | 51 | 58 | 37 | 29 | 55 | 45 | 25 | 27 | 141 | 566 | 97 |
| Total | 2,536 | 2,676 | 2,603 | 2,683 | 2,683 | 2,613 | 2,357 | 2,855 | 2,510 | 2,109 | 2,279 | 2,233 | 2,757 | 2,359 | 2,347 | 10,924 | 30,137 | 7,463 |

1. YTD 1 January 2017 – 31 March 2017

Scottish Courts and Tribunals Service - Standards

Source: Scottish Courts and Tribunals Management Information Reports. The Scottish Courts and Tribunals Service uses a live operational case management system for the processing of court business. The information held on the system is structured for these operational needs, rather than for statistical reporting or research purposes. The information provided is based on the best information available from the case management system as at 7 April 2017.

SCTS works closely with support organisations and welcomes an ongoing dialogue on the way in which improvements can be brought about for the benefit of the justice process, and victims and witnesses in particular. Prior to the collation of this report, the key justice agencies involved were once again able to attend a meeting of the Victim Organisations Collaboration Forum Scotland (VOCFS) and SCTS is grateful to the member groups present for the helpful and constructive feedback provided in relation to delivery of services and how these might be further developed.

Individual standards

If you are a witness, we will update you on the progress of the court case at least once per hour and advise you when you can leave the court.

What we have done

It is important that victims and witnesses receive information in the form of regular updates during their attendance at court in order to manage the stress and anxiety which can be brought on by such an experience. On occasion it may be necessary for those attending to have to wait some time for the relevant case to commence.

SCTS has undertaken to provide updates on the progress of proceedings at hourly intervals and in most instances the court officer will leave the courtroom to visit the witness waiting area to share what information may be available at that time. Where possible witnesses will be given an indication of how much longer they may be required to wait. In some courts the use of new technology allows information to be relayed to witness areas through wall mounted display screens.

Every effort is made to minimise the period witnesses are kept waiting, and to communicate when they may leave at the earliest opportunity.

What we will do

As several cases may be due to be heard on the day, it may not always be possible to provide detailed information in relation to the likely calling time of the particular case in which the witness has an interest. The court is however aware that witnesses are in attendance and waiting. To this end SCTS remains committed to ensuring that there is engagement with witnesses on an hourly basis to share what information on progress may be available, to ensure that witnesses are able to access any additional support they may require and to answer any general questions.

We will be conducting our biennial Court User Satisfaction Survey during 2017 and this will help us gauge how effective our efforts have been and where there is need to do more to ensure that witnesses receive the requisite information during their stay.

Scottish Courts and Tribunals Service - Standards

We will provide separate waiting rooms for prosecution and defence witnesses, and access to refreshments.

What we have done

SCTS appreciates attendance at court as a witness can be a particularly stressful experience. The fear of confrontation or intimidation while in the court building can only add to that anxiety. Every effort is made to minimise the threat of intimidation by providing separate waiting areas for prosecution and defence witnesses. In fulfilling the previous standard above, we also seek to ensure that witness areas are monitored on an hourly basis during the period the witness is required to be in attendance.

The court building is however a public building and in many locations there will remain the possibility that witnesses and accused persons will encounter each other, for example, when entering or leaving the building or when using other public services such as catering or restaurant facilities.

Last year's report highlighted that some witnesses had experienced difficulty in locating or obtaining access to refreshments while at court. While some courts have dedicated catering or restaurant facilities, refreshments in other locations may be provided through access to vending machines and fresh water dispensers. Additional signage has been provided in witness areas to ensure that those in attendance are aware of the facilities available, and their location in the building.

What we will do

Some court buildings are of some vintage and there can be challenges or limitations as to alterations that can be made to their fabric. SCTS nonetheless continues to ensure that best use is made of accommodation in the interests of the security and comfort of those required to attend.

The design stage is underway in relation to a new justice centre which is to be constructed in Inverness during 2017-18. This will replace the existing Sheriff and JP court facility. This project provides an excellent opportunity to scope the individual needs of court users and to introduce innovative ways to help improve their experience. To this end there has been wide consultation on what is currently perceived as being the requirements of a modern court building, including with those organisations which provide valuable support to victims and witnesses.

If you are entitled to give your evidence to court by live TV link, we will meet you on the day and explain the process for giving your evidence to court.

What we have done

SCTS has invested heavily in recent years to ensure that we are able to fulfil our obligations under legislation to provide fit for purpose facilities to help witnesses give their best evidence to court. This investment includes improvements to the quality of live TV link equipment and also the network and infrastructure which supports this.

Where witnesses elect to attend at a site remote from the court building, we have provided relevant members of staff with training which helps them manage both the facilities at those remote sites and also the expectations of those witnesses in attendance there. In most instances this will involve confirming information the witness may have obtained during a familiarisation visit, in relation to how the process will unfold when the witness is called upon to give evidence. Health and safety procedures will also be explained in relation to those particular premises.

Scottish Courts and Tribunals Service - Standards

What we will do

SCTS continues to monitor demand levels on TV link facilities including those remote from the court. We are currently auditing those sites selected for this purpose to ensure we have a broad network of sites which are fit for purpose and able to meet the individual needs of those who require to use them.

In one particular site various matters were brought to our attention which were having an impact on the sites effectiveness and the experience of the witness. Following consultation with Victim Support Scotland colleagues (who oversee the operations of the Witness Service and associated volunteers who attend court) who were able to convey the experiences of various witnesses, we have mapped out an action plan with a view to addressing various issues. This has included engaging with the principals who own and manage the building concerned who have proven most supportive in seeking acceptable solutions. With the joint co-operation of all concerned we are pushing ahead with some minor remedial works and look forward to affording the benefit of the site to more witnesses in the future, so they need not attend at the court building to give their evidence.

We will respond to requests received on behalf of witnesses, for court familiarisation visits, within 3 working days of receipt.

What we have done

Attendance at court to give evidence can prove to be a stressful experience for many people. One measure we can put in place in advance is affording the witness the opportunity to attend at the location to view the facilities or the courtroom and to obtain the necessary information to help manage their expectations. The familiarity on the day, should they still need to attend, should help them to better prepare and reduce the pressure slightly.

In such a process timing can be key and in order to expedite matters SCTS has undertaken to process all applications for a familiarisation visit within 3 days of receipt. Members of court staff then liaise closely with Victim Support Scotland (who conduct the visits) to facilitate access to the required courtroom, or TV link room, when the facility is not in use and at a time which is suitable to the witness.

What we will do

The figures in the previous table(s) illustrate the current demand for special measures to support vulnerable witnesses. While the higher preference currently appears to be for the use of screens in court and the services of a supporter, there also remains a constant demand for the use of TV links for the giving of evidence.

The ability to become familiar with the court experience in advance however remains a valuable asset to the witness regardless of the nature of the special measure applied for, and indeed on occasion where none is sought. The increase in applications for special measures has placed pressure on the system in terms of available manpower and the ability to facilitate access to courtrooms etc. at times suitable to the witness.

We have previously had tentative discussions with Victim Support Scotland (Witness Service) on the potential for creating visual “walk throughs” in the form of video footage of the court location etc. which might find favour with some witnesses who may have difficulty attending for a formal familiarisation visit. SCTS will now be scoping further work on this. We are also encouraged by offers of support received from various agencies, who would like to be involved in the work, during a recent meeting of the Victim Organisations Collaboration Forum (VOCFS).

Scottish Courts and Tribunals Service - Standards

If you want to know what support is available to you when you arrive at court, we will direct you to the Witness Service or other support services which are present in the court building.

What we have done

Though many witnesses will have had access to advocacy and support agencies at earlier stages in the process, for many some anxiety and stress may only manifest itself once the person is physically present and waiting in the court building. It is important that, where necessary, those persons who wish to access some support at this time are able to do so. SCTS staff, with the benefit of training which helps detect signs that someone may be in need of help, are able to ensure that those in need can be directed to support services available in the building.

What we will do

Members of front line staff will continue to be vigilant when engaging with witnesses during their time at court in order to ensure that support can be made available to those in need. This will include when witnesses are being checked in and directed to appropriate waiting areas. Court officers attending witness waiting areas in order to provide hourly updates during the day are also familiar with the support available within the building, and will be able to ensure that those who are in need of some help are able to make contact with relevant persons.

Access to Information

At the recent meeting of the VOCFS it was reported that some victims and witnesses had experienced difficulty in obtaining information regarding the progress and outcome of the case in which they were involved.

Section 6 of the Victims and Witnesses (Scotland) Act 2014 sets out clearly the qualifications required of those who may seek information in relation to a case, and the level of detail that should be made available on request. A [joint protocol](#) has been agreed by Police Scotland, COPFS and SCTS to aid applicants who wish to make a request and setting out forms and procedures where these may be required.

SCTS will issue a reminder to staff of the terms of both the legislation and the protocol in order that victims and witnesses have access to the information to which they are entitled.

Standards of Service for Victims and Witnesses 2017-18

It is not the intention of SCTS to amend the foregoing standards going into the next year. Those specific standards reflected above are considered to represent the key areas of a victim's or witness's journey when they will have a significant interaction with SCTS and its staff. SCTS will continue to work hard to further improve the level of service provided in these areas in order to enhance the experience of those whose participation is key to the justice process.

Going Forward

Evidence and Procedure Review

As well as progressing initiatives emerging from the above Standards of Service in the next reporting year, the SCTS is also working with justice partners to explore the manner in which evidence is currently presented to court and how we might improve the experience of those involved in that process. The Evidence and Procedure Review – [Next Steps Report](#) was published by SCTS on 26 February 2016 and is available on the SCTS website. It follows on from the [Evidence and Procedure Review Report](#) published by the Scottish Court Service (as it then was) on 13 March 2015. The Review was chaired by Lord Carloway (then Lord Justice Clerk), who in 2013 had called for “clear-sky thinking” to help modernise trial procedures and the giving of evidence. The Review was intended to initiate that thinking by exploring the best way to ascertain the truth in the context of the criminal trial, given developments in new technology. The principal recommendation of the Next Steps Report promotes that, initially for solemn cases, there should be a systematic approach to the evidence of children or vulnerable witnesses in which it should be presumed that the evidence in chief of such a witness will be captured and presented at trial in pre-recorded form; and that the subsequent cross-examination of that witness will also, on application, be recorded in advance of trial.

SCTS is leading a multi-agency approach in taking forward the recommendations of the Evidence and Procedure Review. In August 2016 two working groups commenced consideration of approaches to the visual recording of evidence in advance of trial. One working group has focused on current approaches to visually recording Joint Investigative Interviews undertaken by police and social workers with certain child witnesses. A number of recommendations have been developed which aim to improve the quality of Joint Investigative Interviews to enable prosecutors to seek to use them more often as children’s evidence in chief. The working group has also looked at how the visual recording of investigative interviews with, or the witness statements of other vulnerable witnesses can be rolled out to enable such recordings to be used as evidence in chief. The working group’s report will be published in 2017 and multi-agency work will commence to consider and, where appropriate, implement the recommendations. The second working group, chaired by Lady Dorrian, the Lord Justice Clerk, has focused on current approaches to the taking of evidence by commissioner. The Group has developed a new [High Court of Justiciary Practice Note](#), aimed at putting the witness’s needs at the forefront of applications for the taking of evidence by commissioner and introducing consistency to the way in which commission hearings are conducted. The Practice Note introduces a requirement for a Ground Rules Hearing at which approaches to questioning and cross-examining the witness will be considered and agreed by the court. The Practice Note comes into effect on 8 May 2017 and multi-agency work is underway to create an Operational Framework to ensure its terms are applied. The working group has also developed a future vision for taking the evidence of child and vulnerable witnesses in a way that enables their complete evidence to be captured as close as possible to the reporting of the alleged offence and removes them from the court process altogether. It is envisaged that the resource demand of the future vision will require it to be introduced in a phased way, beginning with child complainers aged less than 16 years who are alleged to be victims of the most serious offences. The report will be published in 2017 and wider consultation on the proposed vision will be required.

Scottish Prison Service

Standards

- For those who have joined the Victim Notification Scheme (VNS), information that you are entitled to receive under section 16(3) of the Criminal Justice (Scotland) Act 2003 will be provided to you by the Scottish Prison Service (SPS) within 48 working hours. This consists of the following:
 - The date of the prisoner's release (other than being granted temporary release);
 - If the prisoner dies, his date of death;
 - If the prisoner has been transferred out of our custody;
 - That the prisoner is, for the first time, entitled to be considered for temporary release;
 - That the prisoner is unlawfully at large; or
 - That the prisoner who was released or was unlawfully at large has been returned to custody.
 - If you write to SPS about any matter concerning the Victim Notification Scheme, they will respond within 10 working days.
 - Where a telephone enquiry cannot be answered by SPS at the time, they will call you back within one working day.
- For those of you who have joined the Victim Notification Scheme, and have expressed a desire to make representations in relation to licence conditions under section 17 of the Criminal Justice (Scotland) Act 2003, SPS will write to you no less than 2 weeks before any decision will be taken for release:
 - On Home Detention Curfew; or
 - On the first occasion that the prisoner is considered for temporary release.

Report

General

The Scottish Prison Service (SPS) is an Executive Agency of the Scottish Government and was established in April 1993. There are 13 publicly managed prisons and two privately managed prisons (HMP Kilmarnock and HMP Addiewell).

Learning

In the past year we continued to embed the recording and analysis systems for the Standards of Service which have been both informative and challenging. We have sought to record data to demonstrate that the Standards are being met and that we are meeting the needs and expectations of victims. The recording of the data that we considered would assist in evidencing delivery of the Standards has been more consistent and as a consequence the quality of the data we have captured is better. We are now

Scottish Prison Service - Standards

able to accurately record the number of letters we send to victims. Looking ahead we intend to explore changes to our IT systems to provide more qualitative information about the timing of our communications as well as what we communicate to victims. We also changed our recording systems to record some information by exception for example, where we do not meet timescales, this is recorded by exception.

We have consistently recorded the number of calls we receive from victims. There has been an increase in the number of calls received and this has encouraged us to focus on how best to manage the volume and nature of calls. We recognise the information that we provide to victims will almost invariably be unwelcome and be distressing in its nature (e.g. release or temporary release). Many victims call us to express their upset and dissatisfaction at such matters. These difficult phone calls are readily understandable and our staff try as far as is possible to assist victims at these difficult times. On occasions our staff are affected by the impact that information has on victims. To support our staff a joint training event took place in conjunction with Victim Support Scotland and the Parole Board for Scotland.

It is clear that victims need support when prisoners are released, either temporarily or at the end of the sentence, and that these are difficult times. Our staff do not have the experience or knowledge to fully support victims at these difficult times. On all occasions we seek to signpost victims to the relevant support organisations however it is clear that more could be done. In this regard we will continue to explore with our partners how best we can contribute to that aim.

Common Standards of Service

There are a number of common standards of service for the agencies and these are set out earlier in the document.

Complaints

The Scottish Prison Service received five complaints. The complaints were acknowledged within three working days and a response provided with 15 working days in accordance with the agreed timescales. The complaints did not concern the service provided by the SPS in relation to the Victim Notification Scheme but rather the decisions to release prisoners, either temporarily or on Home Detention Curfew. It is acknowledged that such decisions create significant anxiety in victims and the SPS consider that more support requires to be offered to victims at this key time. We will continue to raise this matter with key victim's organisations to explore whether, and if so how victims can be better supported at this time.

Request for Information in alternative format/language

There were four requests for information in an alternative format/language and this was provided on three occasions. An oversight resulted in one communication being issued in English in April 2016 for which no further information is held. Going forward we will ensure that we learn from this so that we can improve in this area.

Scottish Prison Service - Standards

SPS Standards of Service

Context

The SPS delivers custodial and rehabilitation services for those sent to it by the courts. It achieves this by ensuring delivery of secure custody, safe and ordered prisons, decent standards of care and opportunities for prisoners to develop in a way that help them reintegrate into the community on release. This includes unescorted access to the community which many victims find difficult for understandable reasons. The SPS is acutely aware of this difficulty and we will continue to ensure that victim's views are taken into account when making such decisions.

There are currently 2259 (2283 on 31 March 2016) victims registered with the Victim Notification Scheme. 1094 (1124 on 31 March 2016) victims are registered against long term prisoners (sentenced to more than four years), 818 (786 on 31 March 2016) victims registered against life sentence prisoners and 347 (371 on 31 March 2016) victims registered against short term prisoners (those serving less than four years).

There were 350 applications to join the scheme received in the year. It is considered that this continues to represent around 20% of the number of forms issued. The number of applications received by SPS continues to be small when compared to the number issued. Care should be taken when considering these figures as victims may choose to join the Victim Notification Scheme some time after the perpetrator of the crime has been convicted and sentenced however it is reasonable to conclude that not all victims seek information. In our engagement with victim's organisations they agree that care needs to be taken in reaching concluded views on the reasons for the low uptake however we will continue to seek to explore how we might support and encourage victims to exercise their rights to receive information.

Written Enquiries

We recorded that 26 written enquiries were received and all were issued with a response within five working days of receipt in compliance with the Standard.

Provision of Information

We recorded that 1843 (1400 on 31 March 2016) letters were issued to victims providing information. Six letters were not issued within 48 hours of the circumstance in which the right to receive information arose and therefore did not comply with the Standard. This arose as a result of a misunderstanding by a new member of staff and the need to communicate license conditions. Remedial action was taken and no errors have occurred since July 16.

The number of letters returned undelivered by the courier service prompted a review of how we send communications to victims. In light of the review and a privacy impact assessment, we decided that all correspondence to victims should be sent by Royal Mail recorded delivery. This commenced in early 2017 and we will keep these arrangements under review to establish whether the number of letters returned remains the same or increases. The SPS currently has 89 (76 on 31 March 2016) victims with whom we attempted on multiple occasions to provide information but the letters have been returned. The reasons for this are unknown but experience suggests that this is most likely because the victim has moved address or no longer wishes to receive information.

Representations

A total of 83 (41 on 31 March 2016) letters were issued to victims who had expressed a desire to make representations about the release, including temporary or on home detention curfew, of an offender. On all occasions these letters were issued no less than 10 days before the date that a decision was to be

Scottish Prison Service - Standards

taken. The increase in the number of letters is attributable to the transfer of responsibilities from the former Scottish Government Parole Unit to the Scottish Prison Service. These responsibilities transferred on 5 December 2016 and are intended to reduce the number of justice agencies from whom a victim will receive correspondence. We have amended one of our Standards of Service in light of this change.

Telephone Enquiries

There were 268 enquiries received by telephone in the reporting year. All enquiries were responded to within one day with the majority able to be dealt with at the time of the call. A number of enquiries were received from victims of offenders sentenced to less than 18 months. The arrangements in place to provide victims of offenders sentenced to less than 18 months with information are working well. An arrangement with Scottish Courts and Tribunal Service to confirm that the victim is the victim of the offence committed by the offender has worked well and as agreed a review of the arrangement is underway.

Modification of Standards of Service

On the 8 November 2016 the SPS met with representatives of Victim Support Scotland, Rape Crisis Scotland and SWA to review our Standards of Service. The SPS is very grateful to those involved for their contribution and valuable feedback. The actions we have taken in light of the meeting go beyond the Standards of Service and include:

- A change to the SPS website to make clear to victims of offenders sentenced to less than 18 months do not require to register with VNS;
- The insertion of a reference to our Standards of Service into our introductory leaflet;
- The insertion of a box with “key dates” information into our “Low Supervision” and “First Grant of Temporary Release” letters; and
- Following further training of our staff we have decided that we will contact victims by phone in certain circumstances (abscond and escape). We asked the Victim Information and Advice Service to make some changes to the VNS application form which has now been completed.

The following changes have been made to our Standards of Service:

Change to introductory text:

For those who have joined the Victim Notification Scheme (VNS), information that you are entitled to receive under section 16(3) of the Criminal Justice (Scotland) Act 2003 will be provided to you by the Scottish Prison Service (SPS) within **two working days**.

Change to existing standard

If you write to SPS about any matter concerning the Victim Notification Scheme, we will respond within **5** working days.

New standard

The Victims’ Rights (Scotland) Regulations 2015 made provision for those victims of offenders sentenced to less than 18 months to be notified of the release or escape of an offender. We will therefore insert a new standard in to our “Standards of Service” for victims as follows:

Scottish Prison Service - Standards

“We will notify you of the date of release or escape of the offender within 2 working days of confirmation that you are an eligible victim. We will do this either in writing or by telephone where you have provided a current contact number.”

REVISED STANDARDS OF SERVICE

Our revised Standards of Service and Text for 2017 onwards will be as follows:

1. For those who have joined the Victim Notification Scheme (VNS), information that you are entitled to receive under section 16(3) of the Criminal Justice (Scotland) Act 2003 will be provided to you by the Scottish Prison Service (SPS) within two working days.
This consists of the following:
 - The date of the prisoner’s release (other than being granted temporary release);
 - If the prisoner dies, his date of death;
 - If the prisoner has been transferred out of our custody;
 - That the prisoner is, for the first time, entitled to be considered for temporary release;
 - That the prisoner is unlawfully at large; or
 - That the prisoner who was released or was unlawfully at large has been returned to custody.
2. If you write to SPS about any matter concerning the Victim Notification Scheme, they will respond within 5 working days.
3. Where a telephone enquiry cannot be answered by SPS at the time, they will call you back within one working day.
4. For those of you who have joined the Victim Notification Scheme, and have expressed a desire to make representations in relation to licence conditions under section 17 of the Criminal Justice (Scotland) Act 2003, SPS will write to you no less than two weeks before any decision will be taken for release:
 - On Home Detention Curfew;
 - On the first occasion that the prisoner is considered for temporary release; or
 - By the Parole Board for Scotland.
5. For those victims of offenders sentenced to less than 18 months, they will notify you of the date of release or escape of the offender within 2 working days of confirmation that you are an eligible victim. They will do this either in writing or by telephone where you have provided a current contact number.

Parole Board for Scotland - Standards

Parole Board for Scotland

Standards

- If you are registered for part 2 of the Victim Notification Scheme, we will take account of your representations alongside other relevant information when deciding whether to approve release. Victim Support Scotland may be able to help you prepare your representations (contact number 0345 603 9213);
- If you are registered for part 2 of the Victim Notification Scheme, we will tell you when the Parole Board has made its decision. You will be offered the option of being told by telephone and, if release is granted, we will tell you about any licence conditions that are relevant to you. If you prefer to receive a letter, we will send this by 1st class post within 1 day of the Parole Board's decision;
- If you are registered for part 2 of the Victim Notification Scheme, we will give you the opportunity, where the prisoner has been given a life sentence, of making your representations in person to a member of the Parole Board (the Parole Board member will not be part of the Tribunal considering the prisoner's case). Please note that the meeting with the member of the Parole Board will normally take place between 12 and 8 weeks before the date set for the Tribunal and will not normally be at your home. The meeting will be at a time that is suitable for you;
- We will answer your letters, emails or telephone calls promptly. We will answer your letters or emails within 5 working days. If we are not able to fully answer your telephone enquiry at the time of your call, we will arrange to call you back; and
- We will normally contact you by letter clearly stating why we are contacting you and, if there is any action that we need you to take, we will set that out clearly. If we need to contact you by telephone, we will check that it is convenient for you to discuss the matter and we will explain why we are contacting you and, if there is any action that we need you to take, we will tell you what that is and why it is required.

Report

General

1. In some criminal cases, victims have a right to receive information about the release of an offender. They may also have a right to be told when the offender is being considered for release and to make written representations about the release of the offender.
2. The process that allows victims to be told about an offender's release and to make representations is known as the Victim Notification Scheme, or VNS.

Parole Board for Scotland - Standards

3. The VNS is in two parts, the first part allows victims to receive information about an offender's release. The second part allows victims to make representations to the Parole Board in advance of an offender being considered for release. The Board will consider these representations along with other information on the offender's case before reaching a decision.
4. The following provides information on what the Board has achieved in relation to the Standards of Service during April 2016 – April 2017.

What we have done

5. We have continued to update our processes to ensure that VNS part 2 letters are issued in accordance with the Standards of Service. If requested, we will also phone with the Parole Board's decision and this service has been requested on a number of occasions by victims. The Board will also communicate with a victim by email if they have stated that they are happy to do so.
6. Since 1 April 2016, we have met with 16 victims of life sentence prisoners to receive representations. There have been 25 meetings held and the majority of these have taken place in Victim Support Scotland (VSS) offices. Three meetings have been held in social work offices and one was held in the Board's office in Edinburgh. Three victims wished to give their representations by telephone. All of these meetings were held within 8 – 12 weeks of the prisoner's Tribunal subject to the date of the victim making initial contact with the Board to request a meeting.
7. Following implementation of the Victim and Witnesses Act 2014, the Board has met a total of 32 victims of life sentence prisoners and held 44 face to face meetings and 4 by telephone. Apart from making meeting arrangements based on the victims' needs, it is also responsible for preparing a draft victim statement following the meeting and agreeing it with the victim before it's put in the prisoner's dossier.
8. The Board has continued to develop its approach to receiving oral representations based on experience and feedback from victims. This includes victim preferences for meeting location and gender of the Board member. The format of the victim statement has been kept under constant review by Board members to ensure consistency.
9. Board members and its staff have undertaken victim specific training. This learning has proved to be very useful and has supported service delivery.
10. An additional 9 Board members have been trained to take oral representations from victims of life sentence prisoners. This gives a total of 16 trained members who are able to provide this service.
11. During the year there has been a major administrative restructure with the formation of Parole Scotland which is a single parole team focused exclusively on supporting the Board. As well as the Board, this new structure should provide an enhanced service delivery to stakeholders including victims. This restructure has meant that work on enhancing our Casework Management System has been delayed. However, improving our ability to extract management information on victim service delivery from the system is a high priority. In addition, we will explore whether other changes can be made to the system to aid victim service delivery.

What we will do

12. We will continue to review our methods of communication to ensure that they are fit for purpose. This will include a review of all letters that we use under VNS.

Parole Board for Scotland - Standards

13. We will continue to develop our approach to receiving oral representations based on experience and feedback from victims and VSS.
14. We will enhance our Casework Management System to improve our management information on victim service delivery. And also explore whether other changes can be made to the system to enhance our service delivery to victims.
15. We will continue to look at further victim specific training for Board members and its staff. We will also build victim specific training into our induction processes.
16. We will refine our process for offering the option of a phone call and/or email with the Board's decision.

What to do if you are not happy with our standard of service

How to complain

Police Scotland, the Crown Office and Procurator Fiscal Service, the Scottish Courts and Tribunals Service, the Scottish Prison Service and the Parole Board for Scotland, are committed to delivering the highest standards of service to you. We know that sometimes things go wrong and we will try to put things right if that happens. If you are not happy with the service you have received from one of these organisations, it is important that you let them know.

If the matter cannot be resolved, you should be offered information about the relevant complaints procedure, so that you can raise your concerns formally. Your complaint will be taken seriously and will be dealt with quickly and effectively, you should be able to complain without fear of victimisation.

Details of where to make a complaint for each organisation are found below:

POLICE SCOTLAND

www.scotland.police.uk

- Complete our online complaint form;
- Write to
Professional Standards Department
Police Headquarters Scotland
P.O. Box 21184
Alloa, FK10 9DE;
- Dial 101 and make a report of your complaint over the telephone; or
- Attend at a police station in person.

THE SCOTTISH COURTS AND TRIBUNALS SERVICE

www.scotcourtribunals.gov.uk

Our complaints procedure sets out how we will investigate and deal with your complaint and the timescales involved. The complaints procedure can be accessed:

- by clicking the Complaints and Feedback link at the foot of the home page of the SCTS website (above),
or
- by requesting a copy from your local court.

CROWN OFFICE AND PROCURATOR FISCAL SERVICE

www.copfs.gov.uk/about-us/comments-complaints

You can email RIU@copfs.gsi.gov.uk or write to:

Response and Information Unit
Crown Office and Procurator Fiscal Service
25 Chambers Street
Edinburgh EH1 1LA

From a landline, you can phone 0844 561 3000 557

From a mobile, you can phone 01389 739 557

SCOTTISH PRISON SERVICE

www.sps.gov.uk

- In person to the VNS Department at the SPS;
- By phone: 01312448745;
- By writing to:
 - Victim Notification Scheme
 - Room G14
 - Calton House
 - Edinburgh EH12 9HW; or
- By email to vns@sps.pnn.gov.uk

Please make it clear that you want the matter to be treated as a complaint. It will help us if you give as much background information as you can, for example why you are dissatisfied and your VNS reference number.

THE PAROLE BOARD FOR SCOTLAND

www.scottishparoleboard.gov.uk

You can either write to the Chief Executive at the address on our letter or telephone on the phone number on our letter. We will acknowledge your complaint within 3 working days and will normally discuss the matter with you before writing to you within 20 working days to let you know the outcome.

You can find out how to make a formal complaint [here](#).

Taking the matter further

If you consider that Police Scotland, the Crown Office and Procurator Fiscal Service, the Scottish Court Service, the Scottish Prison Service or the Parole Board for Scotland have not dealt with your complaint satisfactorily, you can ask the Scottish Public Services Ombudsman to adjudicate. You can contact them by telephoning 0800 377 7330 or at the following address:

SPSO,
Freepost EH641,
Edinburgh EH3 0BR.

Who you can contact for support or advice

- You can find further support, advice and guidance for victims and witnesses here:
<http://www.mygov.scot/victim-witness-support>

This document has been prepared by Police Scotland, the Crown Office and Procurator Fiscal Service, the Scottish Courts and Tribunals Service, the Scottish Prison Service and the Parole Board for Scotland working in partnership.

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