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2015-05-07

VICTIM SUPPORT SCOTLAND'S RESPONSE TO THE PROPOSED SUPPORT FOR CHILDREN (IMPACT OF PARENTAL IMPRISONMENT) (SCOTLAND) BILL

Victim Support Scotland is the lead voluntary organisation in Scotland helping people affected by crime. We provide emotional support, practical help and essential information to victims, witnesses and others affected by crime in every Scottish local authority area, and in every Sheriff and High Court. The service is free, confidential and is provided by volunteers. With the interests of victims and witnesses at heart, Victim Support Scotland welcomes the opportunity to respond to this consultation, focusing our response on issues relevant to our remit.

Due to the comparison made within the consultation document between the proposed Child and Family Impact Assessments and 'Victim Impact Statements'¹, Victim Support Scotland would like to provide some clarity around the purpose and use of victim statements in Scotland. Before the introduction of the Victim Statement Scheme in 2009, victims of crime often felt that they were on the periphery of the criminal justice system as they were not given a chance to explain to the courts what impact the crime had had on them, even if they had given evidence in court as a witness. In an attempt to put victims at the heart of the system, victims or relatives of serious crimes are now given the opportunity to make a written statement that tells the court how the crime has affected them. In cases where there has been a finding of guilt, a victim statement is provided to the court **before** sentencing to be considered alongside the other circumstances of the case.

¹ Paragraph 6.7, page 22

[http://www.scottish.parliament.uk/S4_MembersBills/Consultation_Document_\(Website\).pdf](http://www.scottish.parliament.uk/S4_MembersBills/Consultation_Document_(Website).pdf)

A victim statement is not an 'assessment'² but rather a way of providing information directly from the victim to the court on the impact of the crime. For these reasons, we believe that there is a difference between victim statements and the proposed Child and Family Impact Assessments. The former is used to provide a voice to the direct victim(s) of the crime within the court process, whereas the latter is to be used to inform the relevant agencies of the support needs of children affected by the imprisonment of their parent.

We hope that you find this useful in the next stage of drafting a Bill on this issue.

² Ibid.