

Review of Scottish Strategic Police Priorities Consultation



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response.

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

Victim Support Scotland

Phone number

0141 404 7124

Address

15/23 Hardwell Close
Edinburgh

Postcode

EH8 9RX

Email

Nicola.merrin@victimssupportsco.org.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (anonymous)
 Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
 No

CONSULTATION QUESTIONS

We are seeking views on the revised Strategic Police Priorities and in particular we are inviting views on the following questions;

1. Do the revised Strategic Police Priorities sum up your ambitions for your police service?

Yes No

Victim Support Scotland welcomes the revised Strategic Police Priorities in setting the strategic direction for the future of the Police Service of Scotland. VSS calls for victim and witness issues and interests – as set out in our Manifesto¹, the EU Directive Establishing Minimum Standards for Victims of Crime² and the Victims and Witnesses (Scotland) Act 2014 – to feature prominently in the content of strategic policing priorities, principles, and local police plans.

Police Scotland performs an essential role in ensuring that victims of crime can access support quickly and easily, and are aware of their rights. We both urge and welcome the opportunity to contribute to the detailed development of the national and local policing plans, to help ensure the new police service delivers positive outcomes for victims, witnesses and ultimately our communities across Scotland.

Detail is provided below on our ambitions for the police service and how we would wish to see the rights and interests of victims and witnesses reflected within the Strategic Police Priorities:

Prevention

This priority correctly reflects the need to address the vulnerability towards victimisation of certain groups in our society. Victimisation is generally experienced disproportionately in Scotland, with 4.4% of the adult population experiencing 58% of all Scottish Crime and Justice Survey crime. Socio-economic status also affects victimisation, with those living in the most deprived areas of Scotland at a much higher risk of victimisation (21% compared to 13%) than those living elsewhere; the general decline in the risk of being a victim of crime across Scotland is not reflected in this section of society, with no change in risk since the previous SCJS. Although men are more likely to be victims of crime (especially violent crime)³, women are most commonly the victims of domestic⁴ and sexual abuse⁵. Lastly, young people are more likely to experience crime, with the risk of victimisation decreasing with age⁶.

¹ Victim Support Scotland (2015), 'VSS Manifesto 2015-2019'

² Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime

³ Scottish Government (2016a) 'Scottish Crime and Justice Survey 2014/15: Main Findings', p.20

⁴ Scottish Government (2016b) 'Scottish Crime and Justice Survey 2014/15: Partner Abuse', p.5

⁵ Scottish Government (2016c) 'Scottish Crime and Justice Survey 2014/15: Sexual Victimisation and Stalking', p.6

⁶ Scottish Government (2016a), p.40

The majority of victims do not report the crime to the police, with only 38% of violent and property crimes reported; this figure drops even further for crimes of domestic abuse, stalking/harassment, and sexual crimes. Young people are also less likely to report to the police, with many failing to recognise their experience as a crime⁷.

There is a clear need to ensure that victims of crime have access to support, regardless of whether they have reported the crime to the police. We are pleased to see within this priority a reference to education, as VSS believes that there is a need for greater levels of understanding amongst our young people (and society in general) of what constitutes a crime, what is involved in reporting a crime, what the signs are of an unhealthy relationship, and how to access support. Now that victims have a number of statutory rights in Scotland (see the Scottish Government's Victims' Code document), it is essential that awareness is raised of these rights, and how to access them. We believe that Police Scotland has a major role to play in preventing future victimisation through education, awareness raising and providing proactive access to support.

Response

VSS is reassured by the statement within this priority that "it is also important that... victims and witnesses will be supported." Although effective investigation of a report is important to victims and witnesses, we know from supporting thousands of people affected by crime each year that their treatment by criminal justice agencies and the support they receive is of equal or even greater importance to them.

Access to support is crucial for victims and witnesses to recover from their experience as quickly as possible, and for them to be prepared and informed as to future criminal justice processes that they may be involved in. Providing victims with access to help and support helps Police Scotland fulfil its obligations under the Victims and Witnesses (Scotland) Act 2014, and helps ensure compliance with published standards of service for victims and witnesses.

Victims of crime have told us that support should be available for them without them having to ask for it. The innovative partnership work undertaken in a number of geographical areas between Police Scotland and Victim Support Scotland to ensure automatic data referral is in place has provided a much welcome move forward. To ensure that the rights of victims to support is in place, as outlined in Article 8 of the EU Directive, we believe that automatic referral to victim support services should be in place on a national basis, and feel this should be reflected in the national strategic priorities.

The provision of support to victims and witnesses is not solely concerned with emotional support and access to victim support services, but rather encompasses a variety of needs in the aftermath of crime, e.g. regarding information and protection from repeat and secondary victimisation.

Police Scotland has a number of statutory duties under the Victims and Witnesses (Scotland) Act 2014 which aim to ensure that victims and witnesses are adequately

⁷ Victim Support Scotland (2011), 'Young Victims Of Crime Project: Scoping a national service model for supporting young victims of crime in Scotland', Edinburgh.

supported and protected. These include:

- Ensuring that the victim can understand and is understood during their interactions with them
- Providing translation and interpretation services, where required
- Providing a written acknowledgment of any complaint made
- Publishing guidance on the return of property taken in the course of criminal investigations or proceedings (jointly with the Lord Advocate)
- Transmitting any complaint made to them about an incident that has occurred in another Member State to that Member State
- Facilitating referrals to victim support services
- Providing victims and witnesses with information on the progress of the investigation
- Providing victims of certain crimes the opportunity to specify the gender of the interviewing officer
- Protecting victims during criminal investigations (such as through keeping interviews and examinations to a minimum)
- Assessing whether a victim has any protection needs and would benefit from the use of a number of measures (such as ensuring the interviews are conducted by the same person)
- Enabling victims to avoid contact with the person suspected or accused of the crime
- Protecting the victim's privacy.

To ensure compliance with these duties, implementation of this legislation must be closely monitored, evaluated and enforced. It is essential that the 'Response' priority takes into account these duties when considering Police Scotland's role in supporting victims and witnesses.

Collaborative Working

Victim Support Scotland is a key partner of Police Scotland and we would highlight the need for ensuring continued appropriate referrals to our organisation, particularly as we have the infrastructure to provide onward referrals to other agencies with the agreement of the victim. Police Scotland and Victim Support Scotland have worked together to facilitate early access to support for those in need, and we hope to develop this relationship in order to deliver an integrated and efficient service to victims and witnesses in Scotland.

By establishing and maintaining well-functioning and meaningful partnerships, VSS can assist the police in delivering effective services to people affected by crime and our local communities across Scotland. Victim Support Scotland brings extensive knowledge and experience of how crime and victimisation affects different people throughout Scotland and what practices may be used to lessen the impact of crime. We regularly develop new approaches and improve what we do to ensure we continue to meet the needs of those we work with. We can assist in providing the skills and knowledge to ensure a skilled workforce within the police with the ability to identify and respond to victims appropriately, and to treat them in a respectful, professional and non-discriminatory manner (in line with the 2014 Act).

Accountability

As aforementioned, victims and witnesses are greatly affected by how they are treated by criminal justice agencies. In fact, it can take considerable courage to report a crime to the police, with Police Scotland often the first responder to a disclosure of victimisation. VSS therefore warmly welcomes this priority due to its emphasis on treating people with integrity, fairness and respect. This ties in with the duty for Police Scotland (alongside other criminal justice agencies) to have regard to the general principle “that victims should be treated in a respectful, sensitive, tailored, professional and non-discriminatory manner” through the 2014 Act.

We reiterate the Scottish Government’s assertion that the rights as provided through the Act (then Bill) “are not just about supporting victims and witnesses. They directly impact on confidence in the system and the willingness of people to come forward to report crime in the future. If people do not feel they are acknowledged and their contribution valued, they are unlikely to come forward or to provide accurate, coherent and comprehensive evidence. That cannot be in the interests of justice.”⁸

We believe that the respectful treatment of victims and witnesses will in turn positively impact on public confidence and trust in Police Scotland. It is essential that the public are confident in Police Scotland’s ability to achieve their purpose of ‘keeping people safe’, but also that there is a high degree of transparency in how Police Scotland operate to achieve this aim. Anyone can become a victim of crime, and the decision of whether or not to report a crime to the police can often depend on the victim’s views and perceptions of the police service.

If individuals do not feel that the police have been transparent and clear in their reasons for making certain operational decisions, there is a risk that they may then feel disconnected and distrustful of the organisation. This could result in low levels of reporting and engagement with the police when they are victims or witnesses to crime, which in turn means that opportunities to receive support in the aftermath of crime are restricted. We therefore believe there should be a focus on how and to what level Police Scotland must consult and communicate with other justice organisations, third sector organisations and other stakeholders in addition to the general public, when changes to operational policy are planned.

⁸ Scottish Government (2012), ‘ Making Justice Work for Victims and witnesses’, p.7

2. Do the revised Strategic Police Priorities reflect the needs of your local community or the communities you serve?

Yes No

We believe that the revised Strategic Police Priorities have the potential to reflect the needs of our beneficiaries, that is, victims and witnesses. Victim Support Scotland would welcome seeing direct and specific measurable outcomes relating to all victims and witnesses being integrated into all plans, including the national plans and local policing plans. We believe the standards of service for victims and witnesses and duties placed upon Police Scotland through the Victims and Witnesses (Scotland) Act 2014 need to be reflected in all regional, ward and policing plans and must be explicitly regarded as a priority for the delivery of successful services to local communities across Scotland.

3. Do you have anything to add to our impact assessments?

Yes No

VSS notes that the impact assessments recognise the varying extent to which crime affects different groups in society, and the role the police have to play in responding to this. We would point out that some rights afforded to victims of crime through the Victims and Witnesses (Scotland) Act 2014 may disproportionately affect certain groups; we refer specifically to section 8 of the legislation which provides victims of certain sexual crimes (the majority of which are female) the opportunity to specify the gender of their interviewing officer. The Scottish Government may wish to recognise such rights in the impact assessments as we believe that the monitoring, evaluation and enforcement of such rights is essential in ensuring that the rights afforded to particular individuals and groups have the desired impact.