

A VICTIM-CENTRED APPROACH TO JUSTICE IN SCOTLAND: SCOPING AND MODELLING PROJECT

Acknowledgements

Executive Summary

1. Introduction

- 1.1 Project Aim
- 1.2 Context

2. Methodology

- 2.1 Design Thinking Approach
- 2.2 Stage One: Discover
 - 2.2.1 Familiarisation and review
 - 2.2.2 Learning from examples of good practice
 - 2.2.3 Understanding the current system - "As Is" mapping
 - 2.2.4 Gathering first hand experiences of victim-survivors
 - 2.2.5 Summary of the outputs from Discover stage
- 2.3 Stage Two: Define
 - 2.3.1 Exploring and prioritising propositions for change – Governance Group
 - 2.3.2 Exploring and prioritising propositions for change – victim-survivors and victim support organisations
 - 2.3.3 Exploring predominant propositions
 - 2.3.4 Distillation of the outputs from Define stage

- 2.4 Stage Three: Develop
 - 2.4.1 Co-creating solutions
 - 2.4.2 Modelling overview
 - 2.4.3 Assessing costs

3. Findings

- 3.1 What the System Looks Like Now – "As Is" Mapping
 - 3.2 What Criminal Justice Agencies Highlighted About the Criminal Justice System
 - 3.3 What Victim-survivors Told us About the Criminal Justice System
 - 3.3.1 Issues highlighted by victim-survivors
 - 3.3.2 System changes suggested by victim-survivors
 - 3.4 The Current Context for Providing Victim-survivor Support
 - 3.5 What We Learned from Models Elsewhere
 - 3.5.1 Supporting and engaging victim-survivors
 - 3.5.2 Strengthening the network of victim support organisations
 - 3.5.3 Enhancing the criminal justice system
 - 3.5.4 Barriers to a victim-centred approach
-

4. Proposed Solutions

- 4.1 Propositions for Change
- 4.2 Prioritised Propositions
- 4.3 Proposed Solutions Overview
- 4.4 Solution One: Opt-out Referral Process
 - 4.4.1 The Challenge
 - 4.4.2 The Solution – Opt-out referral process overview
 - 4.4.3 Outputs
 - 4.4.4 Outcomes
 - 4.4.5 Impact
 - 4.4.6 Enabling conditions
 - 4.4.7 Funding requirements to develop the solution
- 4.5 Solution Two: Single Point of Contact
 - 4.5.1 The Challenge
 - 4.5.2 The Solution – Single point of contact overview
 - 4.5.3 Outputs
 - 4.5.4 Outcomes
 - 4.5.5 Impact
 - 4.5.6 Enabling conditions

- 4.5.7 Funding requirements to develop the solution
- 4.6 Solution Three: Victim Passport
 - 4.6.1 The Challenge
 - 4.6.2 The Solution – Victim Passport overview
 - 4.6.3 Outputs
 - 4.6.4 Outcomes
 - 4.6.5 Impact
 - 4.6.6 Enabling conditions
 - 4.6.7 Funding requirements to develop the solution
- 4.7 Implementation Phase Costs

5. Conclusion

6. Recommendations

References

Appendices

1. Exemplar Interviews
2. Interconnections Between Propositions
3. "As Is" Map
4. Descriptions of Approaches A to D

Figures

- Figure 1: UK Design Council's Double Diamond
- Figure 2: Overview of Project Approach
- Figure 3: Personas
- Figure 4: Collaborative Approach Across Stakeholder Groups
- Figure 5: Theory of Change for Opt-out Referral Process
- Figure 6: Opt-out Referral Process Flowchart
- Figure 7: Theory of Change for Single Point of Contact
- Figure 8: Single Point of Contact Flowchart
- Figure 9: Theory of Change for Victim Passport
- Figure 10: Victim Passport Gateway Flowchart –
Police contacted and an incident is reported
- Figure 11: Victim Passport Gateway Flowchart –
Before an incident is reported
- Figure 12: Victim Passport Journal Flowchart

Tables

- Table 1: Governance Group Representatives
- Table 2: Crime Types and Victim Support Organisations
Represented at Workshops
- Table 3: Overview of Propositions
- Table 4: Crime types recorded
- Table A: Summary of elements costed –
Opt-out Referral Process
- Table B: Summary of elements costed –
Single Point of Contact
- Table C: Summary of elements costed –
Victim Passport
-

The project team would like to thank all who participated in and helped shape the outputs of this project.

We offer a special thank-you to victim-survivors for their generosity in sharing their experiences with a view to enhancing interactions with the system for victim-survivors in the future. We are grateful to the staff of each of the many victim support organisations and criminal justice agencies for their time, expertise and collaborative efforts. We offer a special thanks to Dr Tirion Seymour, Service User Engagement Officer at Victim Support Scotland, for her assistance throughout the project. The commitment and continued engagement of stakeholders throughout the duration of the project was both encouraging and reassuring and affirmed the collective will to ensure the needs of victim-survivors are addressed. The insights and contributions gathered are highly valued and offered a solid foundation for exploring how the criminal justice system can be more victim-centred.

We thank the Scottish Government's Victims' Taskforce¹ who commissioned this work. We are also indebted to the project Steering Group who provided resolute support and guidance throughout. The members were:

- Kate Wallace, Victim Support Scotland
- Colin Spivey, Parole Board for Scotland
- Dr Emma Forbes, Crown Office & Procurator Fiscal Service
- Rebecca Aitken, Scottish Government (observer)
- Kiran Saggu, Scottish Government (observer)
- Lucy Smith, Scottish Government (observer)

Past members included:

- Sandy Brindley, Rape Crisis Scotland
- Alisdair Macloed, Crown Office and Procurator Fiscal Service (interim member)
- Moira Price, Crown Office and Procurator Fiscal Service

The findings presented in this report do not represent the views of the individual organisations involved, but have been developed through the rigorous and extensive process outlined.

1. Victims' Taskforce role and publication details are available at: <https://www.gov.scot/groups/victims-taskforce>.

Journey Associates is an independent consultancy with specialist expertise in design innovation leading to practical outputs to help organisations achieve strategic change. Our approach is people-centred, participatory and co-creative. We apply creative techniques to capture, share and create knowledge in a collaborative way and to enable diverse stakeholders to actively contribute to the process and have their voices heard. The project team were:

- Catherine Docherty, Director
 - Dr Helen Mullen, Senior Associate
 - Jonathan Ball, Senior Associate
-

Introduction

It is widely recognised that the criminal justice system is complex, difficult to navigate and can be insensitive to the needs of victim-survivors, impeding their effective engagement with the system. This project sought to explore how a more victim-centred approach could be realised by identifying a small number of tangible solutions that have the potential to address shortcomings in the system and that apply across all crime types.

The call for the system to adapt and better serve the needs of victim-survivors is not new. While many changes have been implemented over the years, persistent and long-standing issues have been identified in a number of widely recognised reports suggesting a range of possible improvements. The aim of this project was to build on earlier work and to identify potential solutions with illustrative models and indicative costs to support systemic change.

Methodology

This project used a design innovation approach incorporating person-centred approaches, participatory workshops, interviews, secondary analysis and bespoke collaboration tools to support data collection. Stakeholders included

victim-survivors, criminal justice agencies, victim support organisations and other key national and international contributors. The range of data sources provided a comprehensive perspective on the current victim-survivor experience and points of failure in the system, and helped identify opportunities to address these. Participants were facilitated to work collaboratively, and in an integrated way, to create practical solutions. There was evident willingness from all participants to work collectively as there was consistent engagement throughout the process.

Key Findings

The project findings highlighted the poor experiences of victim-survivors and the points of failure in the system that negatively impacted on their experience of the justice process. Many of the issues experienced align with the findings of previous reports and reviews although some, such as delays in the process and poor communications from criminal justice agencies, have been amplified and appear more entrenched following the Covid-19 pandemic.

Criminal justice partners found the system to be more complex than generally recognised and with clear areas for improvement

There was recognition amongst criminal justice partners that the victim-survivor journey through the criminal justice system is difficult and complex. The "As Is" visual map of the current system exposed the previously unrecognised level of interaction and navigation expected of victim-survivors. This highlighted a number of intricacies associated with dealing with each agency, and an acknowledgement that, in practice, the system does not always operate as intended. It also revealed a lack of understanding within agencies about how victim-survivors are supported at each stage.

There were clearly parts of the system where improvements could be made. These included how criminal justice agencies communicate; the frequency of contact by agencies with victim-survivors, who suffer long periods with little or no contact; and particular stages that are trigger points for victim-survivors, where greater sensitivity is needed. Victim-survivors experienced inconsistencies in interactions with individual agencies and with different agencies as they journeyed through the system.

Victim-survivors are not consistently referred for vital support to guide them through a complex system that feels uncaring

Victim-survivors feel that the criminal justice system is outdated, biased towards the accused, and has little consideration for those impacted by crime. The assistance provided by victim support organisations was considered a vital resource. However, victim-survivors were not routinely referred for support. This was the case for five of the nine interviewees who contributed to this project.

There is a general lack of understanding by the public of the criminal justice process. The feeling of ignorance is intensified for victim-survivors, who find there is no clear pathway to guide them through the system. Victim-survivors suggested a number of changes to the criminal justice system that would enhance their interactions and experiences. These included having consistent support throughout their journey via an allocated single point of contact, and making specialist support available in the case of sexual offences. They proposed that criminal justice agencies be more considerate in their interactions with victim-survivors, improve their communications and provide accessible and relevant information when requested. Additional suggestions included providing a visual pathway to guide victim-survivors through the system; reducing delays in the process, which have been intensified following the Covid-19 pandemic; providing

a straightforward mechanism for feedback to improve the system; and ensuring that victim-survivors are protected from intrusive media reporting.

The effects of the Covid-19 pandemic have amplified system failings

The impact of the Covid-19 pandemic has had a significant and detrimental impact on victim-survivors. Delays in the system, including adjournments, have increased backlogs of cases, prolonging the stress and trauma for the victim-survivor. As a result, staff within support organisations are required to provide support for longer periods, increasing pressure and negatively impacting their wellbeing, at a time when resources are noted to be already stretched. For victim-survivors, communications with criminal justice agencies have also deteriorated, often through inadequate contact, a lack of continuity of contact, and staff who appear stressed.

There is a range of good practice that can be drawn upon to facilitate a victim-centred approach

A range of mechanisms that can facilitate a victim-centred approach were identified through exemplar organisations in the UK and overseas. These mechanisms related to victim-survivors, victim support organisations, and criminal justice

agencies. These included: maximising referrals to victim support organisations; allocating a consistent contact who can provide the appropriate level of support and guide the victim-survivor through the system, regardless of the crime type experienced; streamlining access to information for victim-survivors; enabling effective sharing of necessary data across criminal justice agencies; and raising the profile of victim support organisations within the system and in society generally. It is important to note that some of the suggested requirements already exist, to a greater or lesser degree, within the current system.

It was acknowledged that the system is complex and the involvement of multiple agencies in delivering criminal justice services can lead to a disjointed approach to the service provided to victim-survivors. It can also act as a barrier to change. Other barriers noted include technology related challenges over sharing information, and a lack of understanding among criminal justice agencies of the victim-survivor experience.

Propositions for change were distilled from the findings across data sources

The findings across all stakeholder groups, combined with secondary data, were distilled into 14 propositions for change that would facilitate a more victim-centred criminal justice system. These were:

- Implement a shared purpose across criminal justice agencies
- Move to an opt-out referral process
- Enhance the profile and activities of victim support organisations
- Create a single point of contact (SPOC)
- Enhance standards of service across criminal justice agencies
- Introduce a Victim Passport to enable data sharing
- Humanise the criminal justice system
- Enable victim-survivors to give their best evidence
- Support victim-survivors after the trial
- Create a pathway through the criminal justice system
- Protect victim-survivors from the adverse effects of the media
- Reduce time to court
- Review parole and release processes
- Balance the criminal justice system

Through a collaborative and collective process, five propositions were prioritised. These were:

1. Implement a shared purpose across criminal justice agencies
2. Move to an opt-out referral process
3. Create a single point of contact (SPOC)
4. Introduce a Victim Passport to enable data sharing
5. Humanise the criminal justice system

Propositions 1 and 5 were considered more suited to a positioning paper. The remaining three, propositions 2, 3 and 4, were developed as potential solutions. Each solution was modelled using a Theory of Change approach accompanied by a detailed narrative and a visual flowchart. Indicative costs were also provided, although these will require further development to generate the final investment figures.

The solutions generated are presented in Table 1.

Table 1: Overview of Proposed Solutions

	Opt-out referral process	Single point of contact (SPOC)	Victim Passport
Challenge addressed	Where victim-survivors are just given information so they can opt-in to support services, some can fall through the net leaving them without support and susceptible to further exploitation. The absence of support can have catastrophic consequences for victim-survivors.	Victim-survivors find the criminal justice system to be complex, opaque and inefficient. It is difficult to navigate, with no clear pathway through it, leading to feelings of uncertainty and confusion.	The absence of centralised information that is accurate, up-to-date and accessible across criminal justice agencies can lead to victim-survivors having to retell their story repeatedly. This impedes their engagement in the system, and can see them distressed or retraumatised.
Solution proposed	Opt-out referral simplifies the process. Data sharing agreements and protocols enable police, and any other criminal justice agency, to connect the victim-survivor to a victim support organisation. The person can opt-out (or opt back in) at any time.	The SPOC comprises three complementary and interconnected elements: 1) an online portal for information; 2) designated contact/s in victim support organisations providing support, independent of criminal justice agencies; and 3) designated contact/s in each criminal justice agency who provide information as the case progresses.	The Victim Passport provides: 1) an online gateway enabling a free flow of relevant, accurate and timely information between criminal justice partners and victim-survivors; and 2) an online journal for victim-survivors to log relevant information.

	Opt-out referral process	Single point of contact (SPOC)	Victim Passport
Measurable outputs	<p>Increased number of referrals to the appropriate VSOs as the referral process is easier and quicker to administer.</p> <p>Increased take-up of support nationally and across all crime types through consistent access to victim support organisations.</p> <p>Attrition rates are reduced as victim-survivors remain engaged in the system.</p> <p>Time is saved through reduced demand for information from police, and from all criminal justice agencies, as victim-survivors are guided through the process.</p> <p>Fewer complaints and less negative feedback on criminal justice agencies as victim-survivors have support through the system.</p> <p>Fewer ineligible compensation applications as victim-survivors are signposted to the relevant information early in the process.</p>	<p>Reduced contact with criminal justice agencies from victim-survivors as they know who to ask, or how to access the information they need, whether in person or online, enabling them to engage more meaningfully in the process.</p> <p>Reduced demand on resources in criminal justice agencies including chasing information or people and managing complaints.</p> <p>Reduced complaints/criticism of the criminal justice system as victim-survivors are supported throughout their journey.</p> <p>Reduced attrition rates and improved participation of victim-survivors in the system as they feel supported through the process.</p>	<p>Reduced demand on criminal justice agencies as easy access to consistent information minimises the number of times a victim-survivor needs to make contact.</p> <p>Reduced duplication and administration errors as the victim-survivor's experience is told once and reliable data is shared across criminal justice agencies and with victim support organisations.</p> <p>Complaints about criminal justice agencies are reduced as victim-survivors have easy access to the information they require.</p> <p>The number of times a victim-survivor has to retell their experience is minimised, reducing harm to them.</p>
Development costs	£445,320	£617,640	£664,800

Recommendations

The following recommendations are proposed to enhance the experience of victim-survivors as they engage with the criminal justice process. There are four principal recommendations. Three relate to the solutions summarised in the table above, and the fourth combines propositions 1: Implement a shared purpose across criminal justice agencies; and 5: Humanise the criminal justice process. The remaining recommendations are considered as enabling and are required to further support the development of the solutions and facilitate system change.

Principal recommendations

1. **Introduce an opt-out referral process.** Replace the current opt-in referral system with an opt-out referral process. Victim-survivors, with the exception of those who have experienced domestic abuse, would be connected with one of a small number of victim support organisations, with the number of organisations kept small to minimise bureaucracy and build on existing good practice. This would ensure that all victim-survivors can exercise their legal entitlement to, and that no one is inadvertently excluded from, support.
 2. **Make having a single point of contact a standard service.** Provide victim-survivors across all crime types with a single point of contact (SPOC) from a victim support organisation which can provide the appropriate level of support and offer continuity of contact across all stages of their case. SPOCs should also be identified in criminal justice agencies as the go-to contacts for information on particular aspects of their case. Good practice already exists within the SPOC roles across the sector, which should be built upon. This service should be complemented by a single point of access through an online portal containing accessible and comprehensive information about the criminal justice system.
-

- 3. Enable streamlined data sharing through a Victim Passport (Gateway and Journal).** Introduce a single repository of information with data-sharing facilities to minimise the number of times a victim-survivor must tell their experience and to streamline access to information. The formation of a Victim Passport Gateway should be undertaken to enable effective and efficient data-sharing with victim-survivors and across criminal justice partners, advancing a joined-up approach to service provision. It is proposed that a staged approach is taken via an initial proof of concept to ensure the viability of sharing data across the system. The Victim Passport Journal should be independent of criminal justice agencies and provide victim-survivors with a resource to record their experiences in their own words and to log information pertinent to their situation.
- 4. Co-create a shared purpose aimed at “humanising” the criminal justice system.** Leaders within criminal justice agencies should create a document detailing the collective aim of their agencies to humanise the system and deliver a victim-centred approach to criminal justice. The actions to be taken by each agency should be clearly stated, with regular feedback sessions scheduled to monitor progress, share best practice and capture the impact of changes.

Enabling recommendations

- 5. Capitalise on the interconnectivity of the three proposed solutions.** The three solutions should be developed in close sequence to accelerate a joined-up approach to supporting victim-survivors. This would ensure an integrated approach that responds to the issues raised by victim-survivors. Furthermore, criminal justice agencies would be able to respond to the needs of victim-survivors in a more efficient and effective way, potentially maximising the benefits to be gained from a unified system.
 - 6. Gather baseline data to demonstrate return on investment.** Individual agencies should identify a range of indicators to quantify the anticipated savings from introducing the solutions and to assess the wider impact of the changes. Data should then be gathered before and after the implementation of the solutions to validate assumptions and demonstrate the return on investment.
-

7. **Review capacity in the sector to ensure adequate support for victim-survivors.** An assessment should be undertaken of the capacity within key victim support organisations to cater for the projected increase in demand. This needs to consider the anticipated increase in the number of victim-survivors who will take up support as a result of opt-out referrals, and the introduction of the SPOC service across all crime types. The review should also determine if there are sufficient staff who are trained to competently respond to victim-survivors of sexual offences and domestic abuse.
 8. **Ensure a victim-centred design approach to developing solutions.** The valuable contributions of victim-survivors, victim support organisations and criminal justice partners should continue to be sought to shape the development of the solutions by maintaining a victim-centred design innovation (or service design) approach.
 9. **Maintain momentum through continued engagement of stakeholders.** The motivation and commitment of stakeholders across the criminal justice system to co-create solutions should be sustained through their continued engagement in developing a victim-centred justice system. This would continue the excellent collaboration and participation valued across stakeholder groups.
 10. **Digital resources must complement in-person support.** Victim-survivors should always have the option of contacting a person with queries or to access information. While many victim-survivors would value online access to information at a time and place that suits them, it is vital that personal choice is respected. Some people do not use digital media and they should not be excluded from the information and support that they require.
 11. **Act now/act with urgency to demonstrate intention.** System changes should be introduced as soon as possible to address the persistent and widely recognised problems encountered by victim-survivors across the system and exacerbated by the Covid-19 pandemic. Such action would demonstrate to victim-survivors that the criminal justice system recognises their poor experiences of the system and is committed to delivering a more compassionate and considerate experience.
 12. **Increase understanding across the criminal justice system.** Staff within criminal justice agencies would benefit from a programme of cross-agency interaction, such as “show-and-tell” sessions, to improve understanding of the support that each provides to victim-survivors. This would enable staff to work more effectively and in a more integrated way, and with a broader understanding of the journey of the victim-survivor.
-

13. **Progress the non-predominant propositions.** The nine propositions that were not progressed in this project should be reviewed with a view to determine if, how and when they can be advanced. This is important as they were developed from the insights of stakeholders with a view to enhancing the journey of the victim-survivor through the criminal justice process.

Conclusion and next steps

The long-standing issues and points of failure across the criminal justice system in engaging with victim-survivors require genuine attention and prompt action. The implementation of the changes to the criminal justice system proposed in this report would ensure that victim-survivors have access to the support they are entitled to, and ensure their journey through the system is as streamlined as possible. Criminal justice agencies would also benefit from a modernised system and process efficiencies and, by taking a more collaborative approach, would realise the aspiration for a joined-up approach to service provision for victim-survivors. Transforming these aspirations into action aligns with the Scottish Government's Transformational Change Programmes outlined in "The Vision for Justice in Scotland", and would build confidence and nurture trust in a system that has at times neglected the needs and voices of victim-survivors.

The proposed solutions now need to be endorsed and further developed. This includes identifying strategic leads to drive the development of each solution. Each solution should be supported by a full business case providing more detailed information including the economic case for investment; capital and revenue costs for implementing and maintaining the service; potential governance and delivery teams; potential risks; ways of monitoring benefits and impact; and timeframe for delivery. The proposed solutions should be developed with the continued engagement of victim-survivors and criminal justice partners to ensure workable solutions that meet the needs of those impacted by crime. The solutions are interconnected and, building on existing good practice within the sector, will provide a more considerate victim-survivor experience enabled by a streamlined and efficient system.

If leaders within the criminal justice system are serious about listening to victim-survivors, ensuring they feel safe and supported in their interactions with its agencies, then it is imperative that new approaches are adopted with urgency.

INTRODUCTION

01

Journey
Associates

*“Fair access to justice must be underpinned by a justice system which allows victims of any crime to fully participate and give evidence, without this process contributing further trauma or harm. It is fundamental to the rule of law and our democracy, and without it we risk the safety and trust of our communities.”*²

Angela Constance, Cabinet Secretary for Justice and Home Affairs

1.1 Project Aim

The aim of the “Victim Centred Approach to Justice in Scotland: Scoping and Modelling Project” was to explore potential models of service delivery that could enable a victim-centred approach for victim-survivors³ as they journey through the criminal justice system. A small number of practicable options were to be modelled and costed. The project placed the needs of victim-survivors across all crime types at the centre of service delivery, with a view to easing their interaction with the system, minimising their distress and the potential for re-traumatisation, in line with the aspirations of the Victims’ Taskforce:

“Our vision is that victims and witnesses will be treated with fairness, compassion and in a trauma-informed manner in which their safety and well-being is a priority. They will have

*access to consistent, appropriate and timely information and support. They will be able to understand their rights, have confidence that these rights will be upheld and be able to participate effectively.”*⁴

It is important to note that children and victim-survivors of civil justice cases were considered outside of the scope of the current project. However, the significance of their experiences in shaping a victim-centred approach is recognised and it is hoped that additional work focusing on these particular groups will take place and complement and extend the outputs of this project.

A design thinking approach was used to explore and develop opportunities to enhance the victim-survivor experience of the Scottish criminal justice system. A staged, co-creative and collaborative process was designed specifically to engage those with lived experience as well as staff within victim support organisations and criminal justice agencies who were involved in the delivery of elements of the service. In total 146 people were involved in the various aspects of this project. Data and insights drawn from these multiple sources offered a range of perspectives on the interactions of victim-survivors with the criminal justice system.

2. NHS Education for Scotland (2023a). Trauma Informed Justice: A Knowledge and Skills Framework for Working with Victims and Witnesses. In partnership with the Scottish Government, p.5.

3. The word victim-survivor is used to refer to any person impacted by any crime type, including witnesses and family members bereaved by crime.
4. The Scottish Government (2022a). Victims’ Taskforce papers: November 2021. Papers from the meeting on 24 November 2021.

The project has generated the following outputs:

- A review of a range of victim-centred approaches in existing organisations and other jurisdictions – referred to as exemplars
- Mapping of the current system to identify challenges and opportunities for improvement – referred to as “As Is” mapping
- Detailed descriptions and models of three potential solutions to enhance the experience of victim-survivors
- Indicative costings to support the development of the three potential solutions

1.2 Context

The criminal justice system in Scotland is not consistently victim-centred in its approach. Previous reviews have identified points of failure where the criminal justice system does not serve victim-survivors well.^{5,6} Widely acknowledged contributions from Thomson⁷ and Lady Dorrian’s Review⁸ proposed adaptations that take cognisance of the needs of victim-survivors, such as having “one front door” or a single point of contact through the system.

While aspects of the system are considered to work well for some, for many victim-survivors it is recognised to be overly complicated and, with multiple organisations providing services at different points in the journey, it can be difficult to navigate. These complexities, and the requirement for victim-survivors to retell their experiences multiple times, can lead to distress and re-traumatisation^{9,10,11} and can hinder the participation of victim-survivors in the justice system.¹²

5. Thomson, L. (2017). Review of Victim Care in the Justice Sector in Scotland. 1 January 2017. Crown Office and Procurator Fiscal Service.

6. Scottish Courts and Tribunals Service (2021). Improving the Management of Sexual Offence Cases: Final Report from the Lord Justice Clerk’s Review Group. March 2021. Scottish Courts and Tribunals Service.

7. Thomson, L. (2017). Op. cit.

8. Scottish Courts and Tribunals Service (2021). Op. cit.

9. Thomson, L. (2017). Op. cit.

10. Scottish Courts and Tribunals Service (2021). Op. cit.

11. Brooks-Hay, O., Burman, M. and Bradley, L. (2019). Justice Journeys: Informing policy and practice through lived experience of victim-survivors of rape and serious sexual assault. Project Report. The Scottish Centre for Crime & Justice Research, Glasgow.

12. NHS Education for Scotland (2023a). Op. cit.

Indeed, it is recognised that the experience of the justice system in some cases was more traumatic than the offence itself, impeding the effective engagement of victim-survivors in the justice process.¹³ It is also notable that victim-survivors have less confidence in the criminal justice system than those who have not experienced a crime.¹⁴

Significant contributions to the understanding of the victim-survivor's experience have been published in an array of reviews and reports. These include those focusing on the criminal justice sector across multiple crime types;¹⁵ specific crime types such as sexual offences^{16,17,18} and domestic abuse;^{19,20} discrete aspects of the system such as the Victim Notification Scheme;²¹ the potential for digital technology;²²

and reports collated for the Victims' Taskforce.²³ While the specific focus or purpose of each review varied, there were consistent themes regarding the challenges faced by victim-survivors in Scotland that have endured across the decades. The "Independent Review of the Victim Notification Scheme",²⁴ noted recurring themes in feedback from victim-survivors and victim support organisations on the scheme, under which victim-survivors can be notified of offenders' parole hearings, release dates etc. These themes included a lack of understanding of the criminal justice process, inadequate access to information and communication, and concerns around safety; themes also evident in this project.

-
13. Ibid.
14. Justice Analytical Services (2023a). Scottish Crime and Justice Survey 2021/12: Main Findings. The Scottish Government. p.106.
15. Thomson, L. (2017). Op. cit.
16. Scottish Courts and Tribunals Service (2021). Op. cit.
17. Brooks-Hay, O., Burman, M. and Bradley, L. (2019). Op. Cit.
18. Yaqoob, T. (2023). Delivering sexual violence support services that work for survivors of colour. Rape Crisis Scotland.
19. HM Inspectorate of Prosecution in Scotland (2024). The prosecution of domestic abuse cases at sheriff summary level. April 2024. Glasgow: HM Inspectorate of Prosecution in Scotland.
20. Forbes, E. (2021a). Beyond Glass Walls. How Domestic Abuse Victims Experience the Criminal Justice Process in Scotland. A Scottish Justice Fellowship briefing paper. The Scottish Government, The Scottish Centre for Crime and Justice Research (SCCJR) and Scottish Institute of Policing Research (SIPR).
21. Macdonald, A. and Young, F. (2023). Independent Review of the Victim Notification Scheme. May 2023. The Scottish Government
22. Thrive (2020). Transforming Services for Victims and Witnesses. July 2020.
23. The Scottish Government (2019). Victims' Taskforce papers: September 2019. Papers from the meeting on 11 September 2019. Paper 10: Victim-centred approach – scoping review of the literature.
24. Macdonald, A. and Young, F. (2023). Op. cit.

Some progress has been made including changes to the system over the 15 years to 2017, as outlined in the Thomson Review,²⁵ as well the changes that have been implemented since then, as summarised by Victim Support Scotland.²⁶ Recently, the National Trauma Transformation Programme has published a roadmap²⁷ to build capability and embed a “trauma-informed and responsive approach across policy and practice”²⁸ in organisations, systems and workforces in Scotland. In addition, there is a knowledge and skills framework for working with victims and witnesses within the justice system.²⁹ This aims to minimise the potential for re-traumatisation of victim-survivors and to minimise the barriers to accessing support, and was overseen by the Victims’ Taskforce’s Trauma-informed Workforce Workstream.

A number of system-level changes that enhance the experience of victim-survivors interacting with the criminal justice system include the roll out of pre-recorded evidence, the application of evidence by commissioner, the use of

remote facilities for giving evidence and the launch of the Bairns Hoose. There are also a number of changes currently at pilot stage or planned for introduction which are hoped to have benefits for victims and witnesses including the national roll out of summary case management, video recorded interviews for sexual offences, the introduction of body-worn video by police, and the Witness Gateway. Improvements are also anticipated following the Scottish Government’s Response to the “Independent Review of the Victim Notification Scheme”.³⁰ However, persistent challenges continue to impact victim-survivors. More recent recommendations to address points of failure in the system include those proposed in Lady Dorrian’s Review³¹ in relation to sexual offences and HM Inspectorate of Prosecution in Scotland³² regarding domestic abuse cases. The Victims, Witnesses, and Justice Reform (Scotland) Bill, which is currently before the Scottish Parliament, aims to improve the experiences of victims and witnesses within the justice system in Scotland, especially the victims of sexual crime.³³

25. Thomson, L. (2017). Op. cit.

26. Victim Support Scotland (2019). Victim-Centred Approach. Update from Victim Support Scotland. July 2019.

27. The National Trauma Transformation Programme (2023). A Roadmap for Creating a Trauma-Informed and Responsive Change: Guidance for Organisations, Systems and Workforces in Scotland.

The Scottish Government and COSLA.

28. Ibid., p.2.

29. NHS Education for Scotland (2023). Op. cit.

30. The Scottish Government (2024a). Victim Notification Scheme - Independent Review: Scottish Government response.

31. Scottish Courts and Tribunals Service (2021). Op. cit.

32. HM Inspectorate of Prosecution in Scotland (2024). Op. cit.

33. The Scottish Parliament (n.d.-a). Victims, Witnesses, and Justice Reform (Scotland) Bill.

Consistent with previous reports, the current project found that for many victim-survivors, their experience of the criminal justice system was disappointing, distressing and at times deeply frustrating and re-traumatising. The needs of victim-survivors are often not understood and not responded to with compassion or with the expert support expected from criminal justice agency staff. The lack of an accessible pathway through the system and inconsistency in referrals to victim support organisations hinder victim-survivors and represent a disservice to their active engagement with the system. These prevailing issues, and the long-standing frustrations experienced by victim-survivors in their interactions with criminal justice agencies, have been amplified by the Covid-19 pandemic. This is particularly evident in relation to adjournments and delays in progressing through the system,³⁴ inconsistency in contact, and poor communications from criminal justice agencies with victim-survivors having to retell their experiences. These issues, we found through this work, are now more deeply embedded and exacerbate the shortcomings in the system. As a result, there is diminished trust among victim-survivors that the system can, or is willing to, change. An important finding of this

review is that change is long overdue and that urgent action is needed for victim-survivors to feel they are being heard,³⁵ to win their trust that the system cares about their needs and upholds their rights as victim-survivors, and to support them to engage effectively in the justice process.

"..Everyone deserves a fair trial... our society would be losing something if that wasn't given. But victims deserve something as well. And that's what's completely missing."

"I don't trust the system. I have limited trust that it [this work] will bring change".

This project builds on and extends the recommendations from previous reviews focused on how the criminal justice system can adapt to be more sensitive and effective in responding to the needs of victim-survivors.

34. Burman, M. and Brooks-Hay, O. (2021). Delays in Trials: the implications for victim-survivors of rape and serious sexual assault: an update. July 2020. The Scottish Centre for Crime & Justice Research.

35. The Scottish Government (2021a). Victims' Taskforce papers: December 2020. Papers from the meeting on 9 December 2020. Paper 1 – Victims' Voices – key themes.

METHODOLOGY

02

Journey
Associates

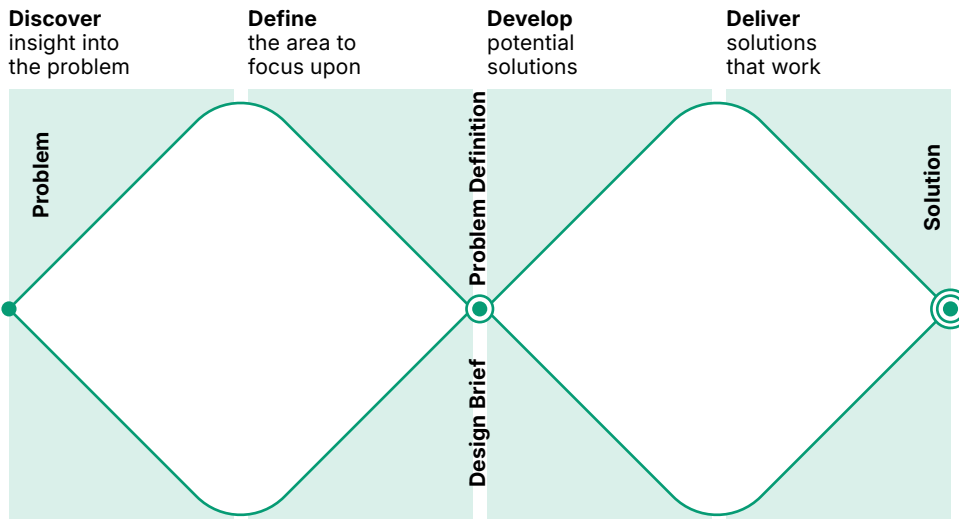
2.1 Design Thinking Approach

The project took a design thinking approach structured around the UK Design Council's Double Diamond³⁶ design and innovation process (Figure 1), also referenced by the Scottish Government's Scottish Approach to Service Design. This approach enabled victim-survivors to be central to the process of articulating the issues and exploring potential solutions to a victim-centred criminal justice system. The composite parts of the project were designed as a sequential series of activities that were accessible and supported the participation of the different stakeholder groups who impact the success of the criminal justice system. This included people with lived experience, the staff who support them, and personnel from across the criminal justice system, to allow a comprehensive exploration of the experiences of victim-survivors as they journey through the system. A range of participatory activities was embedded in our approach to facilitate the gathering and sharing of knowledge and the creation of ideas in a collaborative way that generated solutions that align with the needs of victim-survivors.

Across the project, workshops and collaborative sessions were carefully tailored to elicit meaningful outputs to help enhance the victim-survivor experience of the criminal justice system. The activities were participatory and facilitated with a series of design tools used to generate discussion and ideas and to gather and assemble contributions. The level of continuity of input across the project was encouraging and highlighted a desire to work collaboratively and in a joined-up way across agencies and partners in the system. This was particularly reassuring as participants had never worked together before and many had not previously met. Indeed, of the 29 individuals who participated from across the Governance Group, 20 people attended more than one session, with 11 people attending three or more sessions. Over the duration of the project, two people changed position and one organisation switched their attendee. Similarly for the 13 victim-survivor participants, five attended three or more sessions.

36. Design Council. (2007) Eleven Lessons: Managing Design in Eleven Global Companies-Desk Research Report. London: Design Council.

Figure 1: UK Design Council's Double Diamond



The project addressed three stages of the Double Diamond namely, Discover, Define and Develop. The first two stages focus on clearly defining the problem or opportunity to respond to before developing possible solutions. The detailed activity comprising each stage is shown in Figure 2 and outlined below. It is anticipated that the solutions will be prototyped, tested and refined and implemented in the Deliver stage, subsequent to this project, building on the outputs from the Develop stage.

2.2 Stage One: Discover

This stage focused on gathering insights into the challenges faced and established the foundations for identifying potential solutions for a victim-centred approach. Data was collected from victim-survivors and other core stakeholders through interviews and bespoke workshops. As well as hearing directly from victim-survivors and mapping the current victim-survivor journey through the system, additional information was gathered relating to the Scottish context, and by exploring what works well in a number of other organisations and jurisdictions. The four categories of activity used to guide this work are presented in detail below and are summarised under the following headings:

- Familiarisation and review
- Learning from examples of good practice
- Understanding the current system – “As Is” mapping
- Gathering first-hand experiences from victim-survivors

Figure 2: Overview of Project Approach

Discover

Gathering insights into the challenges faced by victim-survivors across the criminal justice system

Familiarisation	Meetings with existing/planned initiatives	38 contributors 15 organisations
Learning from best practice	10 exemplars across the UK and internationally	22 interviewees 14 organisations
Mapping the current system	Governance Group workshop and 4 follow-up sessions	12 workshop participants 6 participants in follow-up sessions
Understanding the victim-survivor experience	One-to-one interviews 2 workshops	9 interviewees 5 workshop participants

- "As Is" Map of the current system
- 14 Propositions for Change

Define

Identifying specific challenges and opportunities to explore as possible solutions

Exploring and prioritising propositions for change	Governance Group workshop	12 participants
Exploring and prioritising propositions for change	Victim-survivor and VSOs - 2 workshops	8 victim-survivors 11 VSO staff
Exploring and prioritising propositions for change	Victims' Taskforce workshop	19 participants

- 5 Predominant Propositions

Develop

Scoping out models and costs for potential solutions

Modelling potential solutions	Governance Group workshop	14 participants
Modelling potential solutions	Victim-survivor and VSOs - 2 workshops	4 victim survivors 14 VSO staff 3 criminal justice agency staff
Costing potential solutions	Governance Group - 2 workshops and 5 follow-up sessions	12 participants

3 modelled and costed solutions:

- Move to an Opt-out Referral Process
- Create a Single Point of Contact
- Introduce a Victim Passport to enable data sharing

2.2.1 Familiarisation and review

A wide range of relevant reports and reviews were examined to establish current thinking, issues, and opportunities in relation to victim-survivors' experiences through the criminal justice system. Interviews were held with the leads of relevant projects or initiatives planned or in process to gather pertinent information and material that could inform this work. Interviews were undertaken with over 30 key staff involved in key organisations or initiatives including:

- Criminal justice initiatives: Lady Dorrian's Review; Trauma Informed Workstream; Victim Information and Advice Modernisation Programme; Victim Notification Scheme Review; Witness Gateway.
- Scottish Government: Victims and Witnesses Teams within the Criminal Justice Directorate; Digital Justice Team; Victims Charter; Victim Centred Approach Fund.
- Third Sector: Rape Crisis Scotland; Scottish Women's Aid; Support for Families Bereaved by Crime; Victim Support Scotland.

This preliminary research identified examples of best practice and raised awareness of the project, as well as connecting with current initiatives, mitigating the risk of duplication and nurturing connections to build on as the project progressed.

2.2.2 Learning from examples of good practice

To broaden our understanding of what works well for victim-survivors and how a victim-centred approach might work in practice, examples were sought of approaches taken by criminal justice agencies and third sector support organisations. To expedite the process, exemplars previously identified as victim-centred, or where a single point of contact operated, were sought. Interviewees were identified from across existing reports and publications (across crime types,^{37,38} on specific crime types,³⁹ and on particular aspects of the system⁴⁰), and through a stakeholder mapping activity with the project Steering Group.

37. Thomson, L. (2017). Op. cit.

38. The Scottish Government (2021a). Op. cit.

39. Scottish Courts and Tribunals Service (2021). Op.cit.

40. MacDonald, A. and Young, F. (2023). Op. cit.

Ten exemplars were identified in the UK and abroad, namely:

- England: Care Nottinghamshire / Catch 22
- Northern Ireland: Victim Support Northern Ireland
- Spain (Catalonia): Ministry of Justice and Office of Attention to the Victim of Crime
- Croatia: Victims and Witness Support Service, Directorate of Criminal Law, and Women's Room (Centre for Victims of Sexual Violence)
- New Zealand: Victim Support, and Chief Victims Advisor to Government, Ministry of Justice
- Scotland: Rape Crisis Scotland, National Advocacy Service
- Scotland: ASSIST, Glasgow City Council
- Scotland: Victim Support Scotland, Support for Families Bereaved by Crime
- USA: New York Witness Aid Services Unit, District Attorney's Office
- England: London Victims' Commissioner, Mayor's Office for Policing and Crime

A summary of the exemplar organisations, locations and the roles of the interviewees is provided in Appendix 1.

Two additional exemplars of where a person-centred and joined-up approach was taken to delivering services were suggested and interviews conducted. Bairns Hoose was visited as a cutting-edge example of easing the journey of children and young people through the justice process, assisted by their direct input into the creation of safe space and justice procedures shaped to their needs.⁴¹ Looking outside of the sector, a successful model demonstrating a person-centred, "one front door" approach to the complex issue of addressing child poverty in an area of high deprivation in Dundee was also reviewed.

Contacts were approached for interview either directly or, where based outside the UK, with the assistance of Victim Support Europe. The purpose of the interviews was not to identify models that can be replicated in the Scottish context, but to build an understanding of what works well in other organisations and jurisdictions as well as what requirements and structures are needed to be in place to enable the approach. Interviewees were asked to share relevant insights and learning relating to a victim-centred, "single point of contact" or "one front door" approach to supporting victim-survivors through the criminal justice system.

41. <https://www.children1st.org.uk/help-for-families/bairns-hoose/>

A topic guide was used to ensure consistency in the questions asked, with flexibility to explore avenues specific to particular organisations. A total of 14 interviews with 22 professionals was completed with each lasting between 60 and 120 minutes. Data was organised using thematic analysis to elicit key requirements, enablers for and barriers to a victim-centred approach in the criminal justice system.

2.2.3 Understanding the current system – “As Is” mapping

An initial workshop was undertaken to map out the current criminal justice process – the “As Is” situation. The Victims’ Taskforce’s Victim-Centred Approach workstream has a Governance Group. The group’s chief officers were invited to nominate representatives to participate in this and a subsequent series of workshops. The participation of Governance Group members allowed a collective and comprehensive exploration of the criminal justice system. Participants brought a wealth of information and experience and helped ensure a joined-up approach to mapping out the current victim-survivor experience and exploring opportunities for change. A total of 12 participants from eight criminal justice partners⁴², as shown in the Table 1 below, attended this session.

Table 1: Governance Group Representatives

Criminal Justice Agencies	Victim Support Organisations
<ul style="list-style-type: none"> • Criminal Injuries Compensation Authority • Crown Office Procurator Fiscal Service • Parole Board for Scotland • Police Scotland • Scottish Courts and Tribunals Service • Scottish Prisons Service 	<ul style="list-style-type: none"> • ASSIST (West of Scotland) • Victim Support Scotland

Participants were allocated to one of three teams and assigned a specific stage of the criminal justice system to collaboratively map out from the victim-survivor perspective. This activity generated an extensive and detailed visual map of the criminal justice system as it currently operates and identified pain points, gaps and opportunities to enhance the victim-survivor experience.

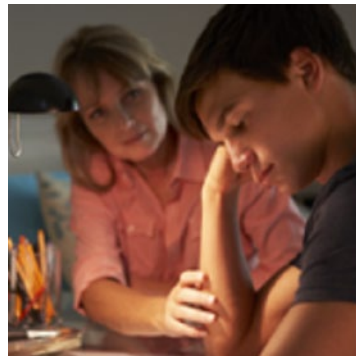
42. Justice partners is used to refer to criminal justice agencies and victim support organisations collectively.

A series of five “personas” ⁴³ (Figure 3) were created and shared with the teams to assist them in the “As Is” mapping activity. The personas were based on previous research undertaken by Victim Support Scotland, which was complemented with data from desk research to build out different scenarios that illustrate the situations of a variety of victim-survivors.

Figure 3: Personas



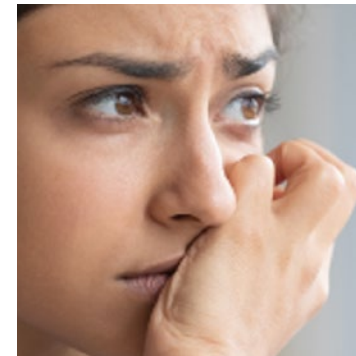
John – a young man with an autism diagnosis who was the subject of an unprovoked physical attack



Jenny – a middle-aged single woman whose brother was murdered and is now looking after her nephew



Gayle – a second year university student who was raped on her way home from a night out



Shazia – a young Asian-Scot who is a mother or two children and has experienced sustained domestic abuse



The Nowak family – a Polish family who have been the subject of sustained racial harassment, vandalism and threats of violence

43. A persona is a fictional character based on research and that represents a particular group of people and their circumstances. Multiple personas illustrating different groups are often used in service design activities.

The workshop outputs were refined through a series of smaller working groups to complete the detail of the victim-survivor interaction with the current process. The finalised map was subsequently overlaid with feedback from victim-survivors to provide a comprehensive understanding and visual image of the system, highlighting shortcomings and identifying where improvements could be made. Feedback from some of the Governance Group participants is placed below.

“[We] found the workshop very insightful and it was impactful to see the mapped journey of a victim at the different stages and the number of processes involved.”

“The session...was very informative and gives us real vision to go forward with possible solutions. Great for overall networking and collaboration also.”

“I really enjoyed the “As Is” Mapping workshop and felt it was a worthwhile exercise to further understand the journey that a victim may encounter.”



Teams working on developing the “As Is” Map

2.2.4 Gathering first-hand experiences of victim-survivors

Qualitative data was collected via nine one-to-one interviews and two workshop sessions, creating a safe space for the victim-survivors to share their experiences. Interviewees represented a range of crime types including four murder-related cases, two cases involving rape and domestic abuse, and one case each relating to stalking, unlawful entry, and fraud/cybercrime. Interviews generated a breadth of in-depth information about the experiences, and perspectives on the criminal justice system, of people with lived experience, complementing the findings of previous research, as noted previously. Direct engagement with victim-survivors allowed them to share, first-hand, their positive and negative experiences and to directly contribute to the recommendations for future improvements of the system.

Interviewees were identified in collaboration with victim support organisations and their associated victim-survivor reference groups, namely Victim Support Scotland's Support for Families Bereaved by Crime family reference group, and Rape Crisis Scotland's survivors reference group. The invitation to participate was sent to potential interviewees containing details about the project, the purpose of the interview, the questions that would be asked, the participation fee provided and expenses that would be covered. An essential consideration in the project design and delivery was to minimise any distress or the risk of re-traumatisation of victim-survivors. The contributions sought were therefore focused on the victim-survivor's experience of the criminal justice system specifically, rather than on the crime committed. Once participation was confirmed, interviewees were asked to review and complete a consent form.

Interviews were conducted mainly in person (in Glasgow, Edinburgh, and Perth), with online being the preference of one participant and another submitting their contribution via email. An interview topic guide was used for consistency and to guide the conversation, with interviews lasting between 50 and 139 minutes. To ensure appropriate safeguarding, participants could choose to be accompanied by a support worker⁴⁴ and to have follow-up support if required. The interviews were recorded, transcribed and anonymised. Thematic analysis was undertaken to establish patterns and key insights from the data generated. On completion of data analysis, interviewees were invited to attend one of two workshops to validate the themes identified. Five interviewees participated and were given the choice of attending an in-person session in Glasgow (two people attended) or an online session (three people attended). Each workshop had a duration of two hours, during which time, the main findings were discussed with the interviewees, who confirmed their accuracy. Participants were grateful they could contribute to the project and have their voices heard, and that they continued to be involved, stating that the opportunity to continue to input into projects and reviews was unusual and appreciated.

44. Support worker is the term used to describe a person from a third-sector organisation who provides support and includes terms such as case worker and advocacy worker.

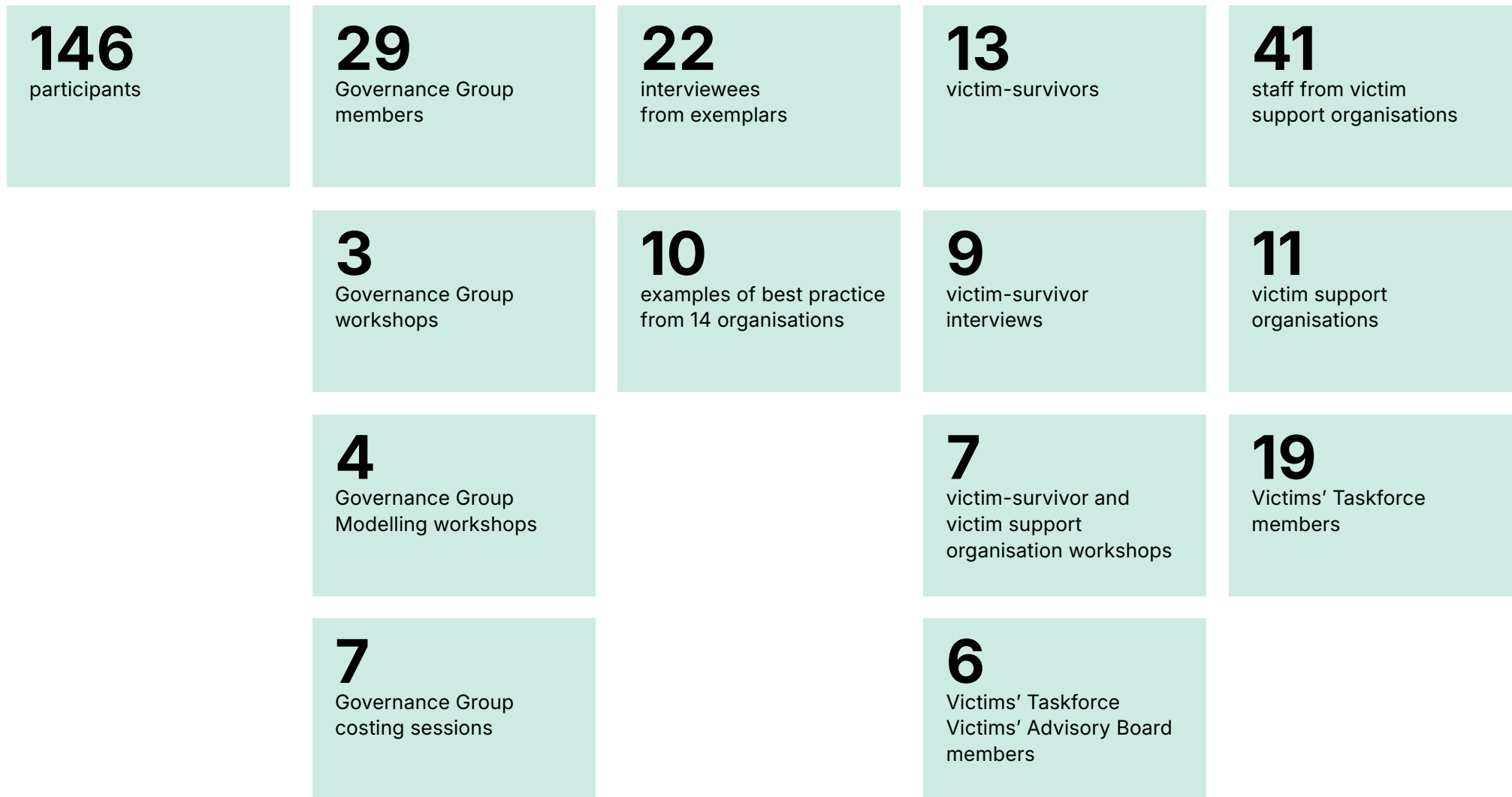
“Without you beginning...[this project], people here couldn’t voice opinions except to a counsellor – whereas you [the researchers] are being an advocate and gathering information and can be a voice for them.”

“Good to have a chance to hear the feedback as often this is not the case [...] Sometimes [I] give comments but don’t hear anything else”.

The in-depth information generated about the experiences of victim-survivors across a range of crime types was used to complement the “As Is” map and to inform the Define stage, as outlined in section 2.3 below. Given the diverse range of victim-survivors, crime types and criminal justice system journeys experienced by participants, the intention was not to generalise the findings to the wider population of victim-survivors, but rather to provide insights about the experiences and perceptions of a group of individuals that can be further considered alongside data from the broader project and previous research.

“I participate in these things all the time (some good, some not so good) and just wanted to touch base and say yours was brilliant. It was clear you’ve really listened to us and put forward tangible solutions. I hope the right people see them and implement these changes. Thank you for doing this work.”

Figure 4: Collaborative Approach Across Stakeholder Groups



2.2.5 Summary of the outputs from Discover stage

The data generated through the activities in the Discover phase were collated and distilled into a series of 14 Propositions for Change (Propositions), that is, possible actions that the criminal justice system should adopt to ensure a more victim-centred approach. The propositions encapsulated the consistent and recurring themes drawn from across the various data sources as well as specific requests gathered from contributions across stakeholder groups. The propositions describe the main requirements to achieve the proposed change, and are presented in section 4.1. The propositions were developed to provoke thought, stimulate discussion and encourage critique in collaborative working sessions, where they were further developed with options identified to take forward as potential solutions for modelling and costing.

2.3 State Two: Define

The Define stage focused on critiquing and further developing the outline propositions, building on the insights gained in the Discover stage, and prioritising a small number of possible solutions to take forward for modelling and costing. The main activities are summarised below.

2.3.1 Exploring and prioritising propositions for change – Governance Group

The first step in the process was to explore and review the propositions in detail before narrowing the focus of inquiry. To aid deeper exploration of the propositions in participatory

workshops, a visual reference was created in the form of a “strawman”. This was presented as a graphic interpretation of the four stages of the criminal justice system that emerged from the “As Is” mapping workshop, with each proposition numbered and mapped onto the relevant stage. The second workshop with the Governance Group focussed on co-creating potential solutions for a more victim-centred justice system through deeper exploration of the propositions for change. The 12 participants were divided into three teams and invited to critique both the strawman and detailed descriptions of the propositions. Participants commented that the visual qualities of the strawman clearly illustrated the complexity of the system. They also considered the mapping of each proposition, showing where it fitted within and across the relevant stages of the criminal justice system, was helpful for aiding discussion and enabled, “constructive engagement across all participants”. Participants commented that the outputs were “genuinely useful and informative” and had the “potential for positive achievable change”.

The final workshop activity involved the prioritisation of possible solutions. This was conducted initially within each team, then across the group in relation to which would have the greatest impact on victim-survivors and according to the level of difficulty or complexity in delivering the solution, and finally used individual dot voting. The detailed critique was incorporated into the revised and expanded descriptions for the propositions.



Team working on a section of the strawman and propositions

2.3.2 Exploring and prioritising propositions for change – victim-survivors and victim support organisations

The propositions were revised following the feedback from the Governance Group workshop and were used in two subsequent workshops with victim-survivors and victim support organisation staff. A diverse sample⁴⁵ of victim support organisations was asked if any of their clients or staff would like to attend one of the sessions, as were victim survivors and victim support organisations who had previously contributed to the project. Seven organisations agreed to participate, in addition to those who had engaged previously. All participants were invited to be critical friends and to act as a sounding board for the development of the propositions as possible solutions. In total, 19 individuals attended across the two sessions. This included eight victims-survivors (three of whom were new to the project), four of whom were members of Victim Survivor Advisory Board of the Victims' Taskforce, and 11 staff from nine victim support organisations including three who are members of Victims' Taskforce Victim Survivor Advisory Board.

The range of crime types and organisations who participated in the workshops is shown in Table 2.

45. Victim support organisations were identified through a maximum variation purpose sampling approach to increase diversity of contributions, including broadening the range of crime types.

Table 2: Crime Types and Victim Support Organisations Represented at Workshops

Crime Types	Victim Support Organisations
<ul style="list-style-type: none"> • Attempted murder/ violent crime • Cyber crime • Domestic Abuse • Hamesucken • Homicide • Human Trafficking • Rape & Sexual Assault • Stalking • Traffic Crime • Unlawful entry 	<ul style="list-style-type: none"> • Abused Men in Scotland • Action Against Stalking • Amina Muslim Women’s Resource Centre • Brake • Central Advocacy Partners • Rape Crisis Scotland • Scottish Women’s Aid • Shakti Women’s Aid • Support for Families Bereaved by Crime • Victim Support Scotland • West of Scotland Regional Equality Council

Each of the 14 propositions was introduced during the sessions and, in agreement with participants, a smaller number, considered to be victim-survivor facing⁴⁶, were

made the focus of discussion and critique. In this way, discussions centred on topics within the direct experience of victim-survivors and avoided those related to the operational aspects of criminal justice agencies (for example, having a shared purpose across agencies). The victim-survivor-facing propositions also aligned with many of the priorities identified in the Governance Group session outlined above.

Five predominant propositions emerged from the combined activities and outputs across the workshops with the Governance Group and with victim-survivors and victim support organisations. These were:

- Implement a shared purpose across criminal justice agencies
- Move to an opt-out referral process
- Create a single point of contact (SPOC)
- Introduce a Victim Passport to enable data sharing
- Humanise the criminal justice system

The remaining nine propositions continue to be explored for possible placement within initiatives outside of the project.

46. These were: move to an opt-out referral process, create a single point of contact, create a feedback loop, humanise the criminal justice system, provide access to information online, introduce a victim passport, create a pathway through the system.

2.3.3 Exploring predominant propositions

The predominant propositions were explored further to support subsequent modelling and costing activities. A workshop with the Victims' Taskforce, was attended by 18 members and the Cabinet Secretary for Justice. During the workshop, participants were allocated to one of three teams. Two propositions, namely implementing a shared purpose, and humanising the criminal justice system, were discussed by each of the three teams. These propositions were considered to be closely connected and not linked to any specific stage or partner across the criminal justice system and were regarded as foundational for taking forward a victim-centred approach in a joined-up way. They therefore required the support and participation of all Victims' Taskforce leaders. It was proposed that a clearly articulated shared purpose that is underpinned by values that demonstrate kindness, compassion and understanding will influence the shape and progress of all future activities and accelerate the achievement of a more victim-centred criminal justice system. The remaining three propositions were each explored by one team, using the following prompts to facilitate the discussions.

- What needs to happen for the proposition to be taken forward?
- What resources are needed?
- What are the enablers?
- What are the barriers? How might they be overcome?
- What else do we need to know?

2.3.4 Distillation of the outputs from Define stage

The activities in the Define stage identified and verified five predominant propositions across all stakeholder groups. The predominant propositions represent potential solutions to the current shortcomings of the criminal justice system that would have the greatest impact on the experience of victim-survivors. While the primary focus of this project centres on the victim-survivor experience, it is recognised that changes to enhance the interaction of victim-survivors with the justice system can also result in business efficiencies for agencies involved in delivering criminal justice services,⁴⁷ including addressing failure demand.⁴⁸

47. Thomson, L. (2017). Op. cit.

48. HM Inspectorate of Prosecution in Scotland (2024). Op. cit.

2.4 Stage Three: Develop

This third stage of activity centred on taking forward the five predominant propositions as potential solutions to be modelled and costed. For the purposes of modelling and costing, three were progressed and further developed with indicative costs. The two remaining were not considered suitable for this approach as the costs could not be quantified or the impact measured in a meaningful way. Instead, it is suggested that they form the basis for a positioning paper, as outlined in section 4.2. It is important to note that each predominant proposition also connects with a number of other propositions in the series, highlighting the interconnectivity between each of the proposed changes. An indication of the links between them are summarised in Appendix 2. The remaining nine propositions, while not developed further in this project, are important changes that would enhance the criminal justice system for victim-survivors. Because of this, activities are underway to identify existing or planned initiatives across the justice system that the proposed changes connect with. The Develop stage included the following activities which are described below:

- Co-creating solutions
- Modelling overview
- Assessing costs

2.4.1 Co-creating solutions

The predominant propositions provided the core content to explore in detail how the solutions might work, and the investment required to develop them. Detailed descriptions of the potential solutions were developed from the outputs in the Define stage. These were used to inform discussion, gather feedback and capture relevant information to enable modelling and costing in the following stakeholder sessions:

Governance Group: The third workshop with the Governance Group focused on developing the solutions to the three predominant propositions. Three teams were formed from the 14 participants. Each team was assigned a proposition and worked collaboratively to develop an outline blueprint of a solution. Adapted versions of the pen personas used in the “As Is” mapping workshop assisted the teams to consider the journey of the victim-survivor as the blueprint was drafted. Each team presented its key highlights to the whole group for feedback and further input. The final workshop activity included the completion of an outline action plan for each solution using a template to capture key information, including how it might work; who needs to lead and develop the solution; resources required; and potential benefits.

The session outputs together with contributions from victim-survivor and victim support organisation workshops were collated and distilled to create a Theory of Change⁴⁹ overview and an outline model of how the solution might work. These resources were digitised and presented using the Mural⁵⁰ online collaboration platform. Online sessions were then held with each of the teams separately to further develop the outputs, and a final “sharing” session was organised where the drafted solution from each team was presented to the wider group for feedback and further refinement.

Victim-survivors and victim support organisations:

Two in-person workshops were attended by 21 participants, including four victim-survivors and 14 staff from victim support organisations each of whom were previously involved in the project, and three members of the Governance Group. The model for how each solution might work was attached onto the wall and introduced with reference to the challenge outlined in the Theory of Change. Participants worked in one of three teams to discuss each proposed solution. A facilitator was assigned to each team to ensure all voices were heard, to gather feedback and, if required, share the team’s considerations and comments with the wider group.

2.4.2 Modelling overview

The combined outputs of the stakeholder sessions above informed two key tools for each solution to enable modelling and costing:

- A refined Theory of Change providing an overview of the challenge, the proposed solution and key requirements to develop it, and the anticipated outputs and impact
- A visual model showing key elements of the solution and how they connect to support the victim-survivor’s journey through the system

The visual model was informed by integrating the detail contained in the Theory of Change and the information generated in the outline solution blueprint in the third workshop. The visual chart showing how the solution might work complemented the written description in the Theory of Change. Combined, they provided a solid foundation for projecting the costs of developing each solution.

49. Theory of Change is a visual tool used to summarise aims, intended outcomes, impact and delivery requirements.

50. See Mural: <https://mural.co>

2.4.3 Assessing costs

Each solution was costed in dedicated workshops with members of the Governance Group, continuing the collaborative and joined-up approach used throughout the project. Costing sessions centred around collectively building out the anticipated costs of developing the solution using the following prompts:

- Cost of investment – what finance/investment is required for the solution to be introduced? This may include costs for infrastructure, creating resources, staff time, and legal expenses.
- In progress – what activities are already in progress or planned that can accelerate and/or support the development of the solution?

- Changes to existing systems/roles – are there opportunities to reallocate resources, redeploy staff, or change priorities to minimise cost?
- Projected savings – where are anticipated savings, particularly the most impactful? And what agencies might benefit in the short, medium and long term?
- Potential funding opportunities – are there specific Scottish Government grants or initiatives that can be accessed?

The main findings from the activities outlined above are summarised in the following section.

KEY FINDINGS

03

The main findings from the project are presented in this section using the following themes:

- 3.1 What the system looks like now – “As Is” Mapping
- 3.2 What criminal justice agencies highlighted about the criminal justice system
- 3.3 What victim-survivors told us about the criminal justice system
- 3.4 The current context for providing victim-survivor support
- 3.5 What we learned from models elsewhere

3.1 What the System Looks Like Now – “As Is” Mapping

The “As Is” mapping activities generated a visual representation of how victim-survivors interact with the criminal justice system. The four stages of the system are as follows and are illustrated in detail in Appendix 3.

1. Reporting an incident and police investigation
2. Preparing for trial, the trial and giving evidence
3. The outcome
4. After the trial, release

The emphasis was to prioritise the victim-survivor perspective at each stage, in contrast to existing maps that

align to the criminal justice agency involved⁵¹, and to identify the pain points as well as opportunities to create a more victim-centred system. The initial mapping was augmented with the victim-survivor experiences shared during interviews. The findings indicated that there were:

- A number of known sources of delays in decision-making (indicated by red clocks in Appendix 3).
- Various points of failure within the system (indicated by red flags in Appendix 3), which were acknowledged challenges for victim-survivors and therefore presented opportunities for improvement.
- Inconsistencies in service delivery experienced by victim-survivors within specific agencies. For example, positive interactions with Police Scotland or the Crown Office and Procurator Fiscal Service were reported, while other victim-survivors found the dealings with the same agencies to be frustrating, distressing and traumatising.
- Inconsistencies in the service experienced as victim-survivors moved between agencies. For example, while a victim-survivor had a supportive, caring and professional experience with the Scottish Courts and Tribunals Service, their contact with the Parole Board for Scotland was poor.

51. The Scottish Government (2023a). Standards of Service for Victims and Witnesses, Annual Report 2022-23, pp.10-12.

“My experience is not unique. It’s like everyone I knew that had ever been involved [as a victim of a crime] in some way has had similar experiences. That was helpful to know... this isn’t personal. It’s just a failed system.”

Interestingly, the findings suggested that the current system has the potential to work well if it can achieve consistency in service delivery both within specific agencies, and across the various agencies involved. Section 3.2 provides an overview of additional insights gathered about the system and the understanding of the victim-survivor’s experience within criminal justice agencies.

3.2 What Criminal Justice Agencies Highlighted About the Criminal Justice System

The following insights were generated from the collaborative activities of the Governance Group’s mapping of the criminal justice system.

- **The criminal justice system is more complex than thought.** Criminal justice professionals asserted that visualising the system through the “As Is” map revealed that it operates at a much higher degree of complexity than had been previously recognised. This was a significant

revelation. Given its complexity, staff participants questioned how victim-survivors could be expected to find their way through it.

- **There is a need for a deeper understanding of the role of criminal justice agencies in supporting victim-survivors.** In the process of creating the “As Is” map, participants shared that they had gained a better understanding of the activities of other agencies. This challenges assumptions that agencies within the criminal justice system are familiar with the role of others in supporting victim-survivors. The lack of understanding, combined with the previously unanticipated complexity of the system noted above, align with suggestions that “the system does not know itself”⁵² as proposed in an evaluation of the Bairns Hoose. Participants suggested that staff would benefit from shadowing members of other agencies and/or having guest speakers for them to build understanding and to enable a more joined-up approach to support for victim-survivors. Indeed, following the initial workshop, one agency initiated cross-agency meetings to share approaches to victim-survivors’ support.

52. Mitchell, M., Warrington, C., Devaney, J., Lavoie, J. and Yates, P. (2023). North Strathclyde Bairns Hoose Evaluation: Phase One Report, March 2023. The University of Edinburgh, p.24.

- **There are identifiable points for improvement in the system.** There are known points across the system where long waits and little or no contact can negatively impact on the experience of the victim-survivor, for example, the time taken between the case being reported to the Crown Office Procurator Fiscal Service and a decision being made on prosecution. There are also particular trigger points where support is needed, for example, when there is an upcoming trial or parole hearing, or the offender is due for release. Victim-survivors tend to initiate contact with the agencies in Stage 4 of the current “As Is” process, rather than agencies proactively providing information.
- **The experience of the victim-survivor needs deeper understanding.** The “As Is” map provided a starting point to understand how the system should work in an ideal situation. It was acknowledged that greater detail was needed on the real-life experience of victim-survivors through the system to enhance this understanding.
- **Every journey is different.** The victim-survivor’s journey through the system, and the number and variety of agencies they connect with, will differ depending on the crime type, their location, how far their case progresses through the system and whether the case is summary or solemn.
- **The victim-survivor’s experience extends beyond the criminal justice system.** The victim-survivor’s needs exist from the point where the incident or behaviour/course of conduct takes place, whether reported or not, and whether the case goes to trial or not. The end of the criminal justice process is not the end of their journey, and the victim-survivor may continue to require support to move forward with their life.

3.3 What Victim-survivors Told Us About the Criminal Justice System

For many victim-survivors, their experience of the criminal justice system was disappointing, distressing, exasperating and re-traumatising. Their contributions highlighted the prevalence and persistence of barriers that undermine their effective engagement with the criminal justice system, despite previous recommendations for change, as noted above. Challenges that impede a victim-centred approach and need to be addressed to ensure victim-survivors have their needs met are outlined on the following section.

3.3.1 Issues highlighted by victim-survivors

The key issues experienced by victim-survivors were:

- **The criminal justice system is inconsistent, outdated and biased.** Victim-survivor experiences varied significantly in their contact with specific agencies as well as across agencies, highlighting inconsistencies in service delivery as noted previously. The system was considered outdated, prejudiced towards the accused and with little regard for the victim-survivor.

"I constantly felt I was an afterthought in this, and everything was about the defendant. [...] No one ever came to me and said, what's this like for you?"

- **Referrals for support need to be improved.** A referral takes place when some information about the victim-survivor is shared with the victim support organisation for them to make contact. Signposting is where the victim-survivor is expected to initiate contact having been given contact information. Victims-survivors were not always aware of the support available to them, and signposting or referral to victim support organisations by criminal justice agencies was not always made or made well, which could put vulnerable individuals at risk⁵³. Indeed, four of the nine interviewees had not been provided with information on a

victim support organisation and a fifth did not follow up on signposting as they did not fully understand the service being offered and how it was relevant to them. In some cases, victim-survivors were directed to support by friends, relatives or other professionals such as a therapist. Multiple ways of accessing support are required, consistent with a "no wrong door" approach.

- **Victim support organisations are a vital resource.** They provide a critical role in supporting victim-survivors. Indeed, some interviewees commented that they could not have managed on their own and that without the assistance of the victim support organisations, they may have "dropped out" of the system. The profile of victim support organisations and the understanding of their role and benefits should be enhanced across the criminal justice agencies as well as in society generally.
- **Appropriately trained staff are central to a victim-centred approach.** Staff in criminal justice agencies and victim support organisations should be trained in and demonstrate trauma-informed practice. This extends to language, communications (including the frequency, mode, and timing of contact), attitudes of staff, and processes that are sensitive to the needs and experiences of victims-survivors.

53. This was the case with one interviewee who, in the absence of support, was abused and exploited by an employee of Police Scotland, which resulted in a guilty verdict and imprisonment of the officer.

- **There is no pathway through the system.** There was a lack of understanding of the roles of specific organisations and some confusion between the services offered by the Crown Office and Procurator Fiscal Service's Victim Information and Advice (VIA) service, and Victim Support Scotland. Victim-survivors suggested that a flowchart or guide to how the justice system operates, and knowing where they were in the process at any point in time, would be helpful.

"There is so much stuff. It's like tsunamis. You're dealing with a wee mini tsunami. Once you have [one] dealt with, you lock it away, then deal with the next tsunami, then the next tsunami, then the next one. Because you're not in control of any of that. You're not even informed, you don't know what the pathway looks like or what it [the criminal justice system] is going to be like."

- **Constructive feedback should be welcomed.** Victims-survivors want the opportunity to provide criminal justice agencies with feedback on their experience of the system on an ongoing basis, without having to raise a formal complaint. They are keen to ensure that the system is improved for future victim-survivors.

"Every interaction I ever had with [the Crown Office and Procurator Fiscal Service] led to me making a complaint, which I didn't see as a complaint. I saw it as giving feedback about my experience. But another of the archaic things that they hold is that they don't listen to feedback. They treat it as a court event and whether it's upheld or whether it's not upheld, is dependent on them."

- **Repeat adjournments cause distress.** Repeat adjournments, often without explanation, lead to delayed trials and exacerbate the stress and trauma experienced by the victim-survivor. There is a perception that the conduct of defence lawyers compounds the situation.

3.3.2 System changes suggested by victim-survivors

Interviewees were asked what three changes would make the biggest difference to the experience of victim-survivors as they journey through the criminal justice system. Contributions were collated into the following eight themes.

- **Provide a single point of contact.** A consistent and named individual, or group of individuals, should provide guidance and support to the victim-survivor throughout their journey.

“What would have been helpful was to have a dedicated caseworker that is a human being that you can have a meeting with at some point early on in the stages, so that they can address any concerns and explain the process that you are now involved in.”

- **Enhance communications and interactions with criminal justice agencies.** This encompasses:
 - Ensuring staff demonstrate trauma-informed practice including in relation to the mode and frequency of communications, how they interact with the victim-survivors, and the language used
 - Providing victim-survivors with access to accurate and up-to-date information when required
 - Having access to online information to complement in-person support
 - Having access to the witness statement in advance of the trial
 - Having the choice on how to give evidence and whether or not to take up special measures, without judgement

“The language they use is a language of their own bubble and their own system. I remember the first one was countermand. I don’t know what that is, countermand... And they consistently used language that you would have to have done a law degree to understand.”

“I just didn’t get information when asked for it...They just didn’t communicate. It was always me. Oh, they would say, we’ll phone you back. But they never did it. It was me all the time phoning, like a dog with a bone.”

- **Improve the profile of victim support organisations.** Ensure that criminal justice agencies, especially police and the VIA service within the Crown Office and Procurator Fiscal Service, signpost victim-survivors to support that is appropriate to their needs.

“I did have support...and I still was traumatised by this experience. If someone didn’t have any of that, I don’t know. You know, because... that came because I sought it. And I’m sure there’s people that go through this thing [criminal justice system] that don’t.”

- **Specialist provision in sexual offence cases.** Specialist rather than generic support was suggested for victim-survivors of sexual offences. This included meeting the prosecutor in advance of the trial, having a choice of how to give evidence, having legal representation, and the use of specialist courts.

"It's just the institution, it's the systems that are in place that automatically just stereotype and stick everybody into this one box: this is what happened to you, so this is what you're gonna choose. Or, it doesn't look good on you to go to court."

- **Provide a pathway through the criminal justice system.** Information should be provided in a consistent and accessible way, with an explanation about each stage of the process to inform victim-survivors and help manage their expectations from the outset.

"I think it's very significant having gone through it [the criminal justice system], that I'm not very clear about the whole thing either."

"I feel like every single court case is almost like a learning experience. You just kind of learn as you go along. But I think there's a lot more they need to [do] to manage expectations at the very beginning."

- **Reduce the time to court.** There is a pressing need to speed up the process of getting cases to court and for courts to ensure the necessary preparations are in place to assist this. Court adjournments and floating trials in the High Court – where the commencement trial date is not fixed and may be held within a range of dates – contribute to the stress experienced by victim-survivors and extend the time that the person is living with trauma.

"I see the nerves, I see the terror in their eyes, I see the stress factor, you know, the sense of urgency to get it [attending the trial] over and done with and having to explain [they may not be seen that day]"

"It's... baffling to me... why they couldn't just confirm that court case, but ahead of time... I don't think that they understand or remember the impact that [a delay] actually has on real people's lives [organising childcare, taking leave from work, etc]."

- **Safeguard victim-survivors through offenders' parole hearings and release from prison.** Where a Parole Board hearing is planned, victim-survivors requested the choice of whether or not the perpetrator has access to their written statement (Representations). An agreed safety plan should be in place across the key agencies and before the release of a person previously known to be dangerous into the community and of whom victim-survivors might be frightened.

"That system of allowing the prisoner to read the victim's statement [representations] at parole hearings is tipped with the balance favoured with prisoner."

"My attacker has a parole hearing every year now and I have the anxiety and fear that someone new who doesn't know him, or the story, will let him out! Imagine yourself living with this!"

- **Protection from press/media exposure.** Victim-survivors should have choice about engaging with the media and what information is published about them. Having

information published about their situation, whether true or false, can feel like "victimising the victim again". There should be an embargo on press reporting until victim-survivors have been informed about decisions, such as sentencing and appeals.

"Perhaps there is case in the public interest to report on the outcome of the trial but why do I as a victim of crime need to be identified, named and details publicly revealed of my experience as well as a photo of me?"

3.4 The Current Context for Providing Victim-survivor Support

It is important to take cognisance of conditions that might impede a more victim-centred approach. As noted previously, the impact of the Covid-19 pandemic has amplified issues that existed previously, putting additional stress on a system already fraught with challenges.

The nature of the issues shared by interviewees across victim support organisations and exemplars is summarised as follows.

- **Delays in the system impact on victim-survivor support provision.** While delays in the criminal justice system existed previously, they have been exacerbated by the Covid-19 pandemic. Indeed, some of the measures put in place to address criminal court backlogs due to the pandemic have recently sought to be extended.⁵⁴ The impact on victim-survivors, as well as criminal justice agencies and victim support organisations, is felt most acutely in the delay in cases reaching court. The protracted time for cases to reach trial compounds the uncertainty and trauma experienced by victim-survivors and puts additional pressure on the victim support organisations which must then provide support for longer. The result is increased or closed waiting lists⁵⁵ resulting in victim-survivors having to wait even longer for the support they need. Such delays stand in the way of justice, as summarised in Lady Dorrian's Review:

“Delay has significance for the gathering of and production of best evidence; the experience of, and stress upon, the complainer; the effect on the accused; and engagement and confidence in the criminal justice system generally.”⁵⁶

- **Capacity is stretched across the justice sector.** Services within the public sector and third sector are noted to be stretched in a way not previously experienced. It was suggested that both the criminal justice agencies (such the Crown Office and Procurator Fiscal Service's VIA service) and victim support organisations have struggled to meet demand, while also seeing an increase in the number of people requiring support. Indeed, staff in victim support organisations empathised deeply with criminal justice staff and recognised the increased pressure they have been under since the pandemic. As a result, people are experiencing trauma without support for longer periods of time, a situation compounded by a lack of NHS resource as seen, for example, in issues with accessing mental health services.

54. The Scottish Government (2024b). Coronavirus (Recovery and Reform) (Scotland) Act 2022 - proposed extension of the temporary justice provisions: statement of reasons. 23 September 2024.

55. One member of staff shared that the waiting list for victim-survivor support was closed due to overwhelming demand that was difficult to meet.

56. Scottish Courts and Tribunals Service (2021). Op. cit., p7.

- **The need for essential mental health support has intensified.** A victim-survivor may need professional, emotional, or psychological support to effectively engage with the criminal justice system in the first instance. When someone is experiencing trauma, it can be difficult for them to retain information. However, resources are limited, and demand is often high for NHS and free services from other providers. The mental health of a victim-survivor may change over their journey through the service and can be more fragile at the end of the trial as they “hold their breath”⁵⁷ until the case is over. It was suggested that the pandemic has intensified the need for mental health support, particularly for vulnerable people.
- **Lack of capacity impacts the wellbeing of staff in victim support organisations.** As the demand for victim support services outstrips the capacity to deliver, the stress on staff is heightened by the delays in cases progressing through the system. Consequently, staff are supporting victim-survivors for longer which intensifies the trauma experienced by victim-survivors and the potential for vicarious trauma experienced by staff. In victim support organisations staff burnout was identified as leading to

high staff turnover. Workforce recruitment and retention is an endemic issue across health, social care, education and other services in the public and third sector,⁵⁸ putting pressure on existing staff and propelling the need for new ways to meet the needs of victim-survivors. Supporting the mental health and wellbeing of staff within victim support organisations is vital to enable them to work on challenging and intense cases, and to mitigate the potential for experiencing vicarious trauma.

As noted above, the delay in progressing criminal cases, combined with the backlog from the Covid-19 pandemic led to victim-survivors holding trauma for longer. Longer waiting times to access mental health and emotional support compound the negative effect on the victim-survivor. Furthermore, workforce challenges put additional strain on public sector and victim support organisations, impacting on the timing and, potentially, quality of the services delivered to support the needs of victim-survivors.

57. Comment from an exemplar interviewee.

58. Armour. R. (2023). 'Third Sector faces staffing crisis despite spiralling demand for services.' TFN, 30 March 2023.

3.5 What We Learned from Models Elsewhere

A review of victim-centred approaches in other organisations and jurisdictions identified some key components that support victim-survivors on their journey through the criminal justice system. Barriers to delivering such approaches are also noted. The findings from interviews with exemplars are presented under the following four themes:

- 3.5.1 Supporting and engaging victim-survivors
- 3.5.2 Strengthening the network of victim support organisations
- 3.5.3 Enhancing the criminal justice system
- 3.5.4 Barriers to a victim-centred approach

3.5.1 Supporting and engaging victim-survivors

- **Extend support through a single point of contact.**

A single point of contact (SPOC) describes a consistent contact, a navigator or anchor, who can assist the victim-survivor throughout their criminal justice journey. The level of support provided should be proportionate to the needs of the individual and not be crime-type related. Enhanced support, which may extend over a number of years and

involve tailored support to meet the needs of the victim-survivor, may require increased staff capacity (rather than using volunteers) to ensure consistency of contact. Support provision should build on existing good practice (see 3.5.2 below) and extend across the whole journey rather than intervening at specific points in the system, for example, when preparing for and going to trial. In addition, access to support should be through multiple routes to ensure no-one is inadvertently excluded – a “no wrong door” approach.

- **Provide victim-survivors with relevant information to understand the process.** Information on the criminal justice process should be simple and easy to understand and made available to victim-survivors when requested. Victim-survivors should be given a choice about how they receive information and the frequency of communications, including the option for “no-update” updates when there is little to report. Contact with the system can be facilitated through online access to information, with the caveat that this should complement in-person support, such as the SPOC, and not inadvertently exclude those who chose not to use digital options.

- **Provide court advocacy.** Court-related support should be provided through a single, named contact, particularly for specific crime types such as domestic abuse and sexual offences. Court advocacy can provide the victim-survivor with “choice, trust and safety”. This can be facilitated by having the option to give evidence remotely and avoid attending court; accessing special measures⁵⁹ where appropriate; familiarisation with the court and its procedures; accessing their statement; and meeting the prosecutor before the trial.
- **Seek victim-survivor involvement.** To ensure a truly victim-centred approach, it is vital that people with lived experience are involved in the exploration and development of changes to the criminal justice system. However, it is acknowledged that regular involvement can be difficult to achieve.

3.5.2 Strengthen the network of victim support organisations

- **Enhance the profile of victim support organisations.** Victim-survivors lack awareness of their rights, which can act as a barrier to seeking support. Without support, some

victim-survivors may not see the case through. A deeper understanding of the role of victim support organisations can nurture trust and strengthen relations across the criminal justice system, and support joint working. This can be fostered by raising awareness of victim support services and benefits across criminal justice agencies; co-location of support services with police and other criminal justice and statutory teams, for example within local authorities; and sharing best practice on joint working.

- **Build on existing good practice.** Services with highly specialised and knowledgeable staff who provide a single point of contact (that is, an assigned, named contact) are well established for victim-survivors of high-level crime types including domestic abuse, homicide, and sexual offences. However, to ensure a victim-centred experience, these services must effectively and efficiently connect with other parts of the criminal justice system. This could be facilitated through a deeper understanding of the needs and experiences of victim-survivors across the criminal justice system; trauma-informed training and practice; protocols for sharing real-time information; and having access to specialist teams, for example in domestic abuse or sexual offence cases, as required.

59. Special measures are set in legislation and are ways to help vulnerable people give evidence including the use of screens, live TV links, having a named supporter accompany them, etc.

- **Formalise a network of victim support organisations.** Coordinate support across the diversity of local and specialist support organisations to enhance the referral process and connect victim-survivors with access to the services they need. It was suggested that referrals, where the support organisation receives some information about the victim-survivor and approaches them, work better than signposting, where the victim-survivor is expected to initiate contact. This can be assisted through a formal network of victim support organisations; agreeing a shared purpose; clear protocols for joint working; defined member roles; and sharing best practice across the network.

3.5.3 Enhancing the criminal justice system

- **Ensure accountability for a victim-centred approach.** The backing of political leaders and heads of criminal justice agencies, who have authority to implement changes and can hold their teams accountable for achieving the goals set, is vital. This can be facilitated by having a shared purpose, victim champions, regular reporting on progress and sharing best practice on delivering victim-survivor services.
- **Maximise referrals.** As police are often the first contact victim-survivors have with the criminal justice system, they

have a primary role in connecting them with appropriate support. The volume of referrals is significantly greater where referral is opt-out and/or where a victim support service is co-located with police (although this can also be a barrier to some people seeking support). Establishing referral protocols for police and all criminal justice agencies can help to provide victim-survivors with multiple routes to support (“no wrong door”), and will raise the profile of support provision and its benefits among criminal justice agencies.

- **Enable collaborative working.** Having a more joined-up approach across criminal justice agencies can reduce duplication and inefficiencies, enhance understanding, and smooth the journey of victim-survivors through the system. This can be facilitated with a shared purpose that centres on the needs of the victim-survivor (not the system); co-location of agencies and clear protocols on working together; and warm handovers⁶⁰ between agencies to help avoid a victim-survivor getting “lost” in the system.
- **Streamline information sharing.** Access to accurate and timely information is vital to support joined-up working across criminal justice agencies and helps minimise retelling of the victim-survivor’s experience. Decisions on bail should be shared with victim support organisations

60. A warm handover is where an agency shares relevant details about the victim-survivor and connects them with their key contact.

as a matter of urgency to allow appropriate action to be taken to safeguard the victim-survivor. This can be facilitated with protocols for sharing information, police-vetted victim support organisation staff who can access information, and collaborative working.

- **Assets to support a victim-centred approach.** Specific resources identified that can assist the approach included:
 - A Victim Passport containing pertinent information on the case that is shared across the criminal justice system and remains with the victim-survivor throughout their journey, minimising the need for them to retell their experience and ensuring consistent information is retained across criminal justice agencies;
 - A needs assessment that is updated over time, to ensure the appropriate support allocation for the individual throughout their journey;
 - Increased awareness of the rights of victim-survivors of crime;
 - Having the choice of giving evidence remotely, particularly for victims of sexual offences and domestic abuse.
- **Ensure staff are suitably trained.** Staff in criminal justice agencies must be appropriately trained and skilled to interact effectively, compassionately and appropriately with victim-survivors. This is particularly important to ensure a suitable response to those who are at risk from harm and in relation to specific crime types, such as domestic abuse

and sexual offences. This can be achieved by embedding trauma-informed practice across the criminal justice system to enhance the understanding of victim-survivor needs, views, and experiences, to ensure appropriate provision of services and to smooth their journey through the system.

3.5.4 Barriers to a victim-centred approach

- **The complexity of the system.** Barriers identified included where the system is adversarial, with changes tending to be unsystematic and taking place in a piecemeal way. Multiple agencies delivering discrete services at different points in the process can be confusing and overwhelming, making it difficult for victim-survivors to navigate their way through the system. Delays in getting to trial and floating trials in the High Court put additional stress on victim-survivors and support organisations who are required to provide support for longer periods, thereby impacting on their capacity to meet the demand for support.
- **Inadequate access to information.** A lack of access to accurate and timely information was recognised as an impediment to ensuring a victim-centred approach. This was compounded where victim support organisations cannot access information to update the victim-survivor, ensure their safety in relation to bail, or respond to other requests.

- **Lack of understanding of the victim-survivor experience and expertise within criminal justice agencies.** A general lack of understanding of the victim-survivor's needs, views, and experiences across criminal justice agencies, as well as staff specific expertise relating to domestic abuse, were highlighted as standing in the way of a victim-centred approach. Some interviewees suggested that the absence of specialist courts for sexual offences was a challenge to providing a victim-centred approach. Having an opt-in rather than opt-out model of subscribing to the Victim Notification Scheme was considered to disadvantage victim-survivors.
- **Challenges faced by victim support organisations.** Organisations that are stretched, unable to meet demand and with high rates of staff burnout and turnover, across the victim support sector, impact on the provision of sustained support. This is a particular issue where advanced support, such as through a single point of contact, is required. Insufficient and short-term funding can lead to inconsistency in provision and a "postcode lottery" of support. Funding restrictions can result in support ending abruptly once certain criteria are met and can leave the victim-survivor feeling deprived of assistance while still needing support.

The findings above present a diversity of challenges within the criminal justice system. However, common themes are evident across multiple stakeholder groups including the need for the system to be more joined-up and to enable access to relevant information, to reduce trauma, and to ensure victim-survivors are supported to effectively engage with the system. While barriers to introducing changes are acknowledged, there is existing good practice to build on and, as demonstrated through this project, a willingness among criminal justice partners to work together to find solutions. Suggestions for how the criminal justice system could be more victim-centred are introduced in section 4 below.

PROPOSED SOLUTIONS

04

This section presents the consolidated findings from this project that have informed the development of potential changes to enable a victim-centred approach to the criminal justice system. The potential solutions have evolved through a staged process described in the following three sub-sections:

- 4.1 Propositions for Change
- 4.2 Prioritised Propositions
- 4.3 Proposed Solutions Overview

4.1 Propositions for Change

The data generated from the project activities across the various stakeholder groups were collated and synthesised into a series of 14 propositions for change, listed below. Each proposition was also categorised according to the nature of change required within the context of the criminal justice system and its partners, consistent with previous suggestions presented to the Victims' Taskforce.⁶¹ More detailed descriptions of each approach can be found in Appendix 4.

61. The Scottish Government (2021b).

Victims' Taskforce papers: 10 March 2021.

- Approach A: Continuation of current position
- Approach B: Expansion of the current approach
- Approach C: Expansion of an existing service or new service
- Approach D: Transformational change of the criminal justice system

The following list introduces the propositions for change and the approach to change indicated by the information above.

Implement a shared purpose across criminal justice agencies	B, D
Move to an opt-out referral process	A,B
Enhance the profile and activities of victim support organisations	A,B,D
Create a single point of contact (SPOC):	A,B,C
Enhance standards of service across criminal justice agencies	A,B,D
Introduce a Victim Passport to enable data sharing	A,B,D
Humanise the criminal justice system	A,B,D
Enable victim-survivors to give their best evidence	A,D
Support victim-survivors after the trial	A
Create a pathway through the criminal justice system	B
Protect victim-survivors from the adverse effects of the media	D
Reduce time to court	D
Review parole and release processes	D
Balance the criminal justice system	D

An overview of each proposition is presented in Table 3 with a summary of the main changes required to enhance the experience of victim-survivors through the system.

Table 3: Overview of Propositions

Propositions for a Victim-Centred Approach to the Criminal Justice System	
<p>➔ Implement a shared purpose across criminal justice agencies. Key requirements include:</p> <ul style="list-style-type: none"> • Define a common goal across agencies: Criminal justice agencies should co-create a shared purpose for a victim-centred approach with victim-survivor needs, not the system, at the centre. This should be led by senior leaders nationally across the criminal justice agencies, representing a shared, transformational, project-led approach. • Collaboration: Senior accountable staff in criminal justice agencies, victim support organisation and politicians should work together to deliver the approach. A culture of openness and collaboration to improve the system should be nurtured and endorsed by the leadership. 	<p>There must be clearly defined roles for how each criminal justice agency supports victim-survivors to enable effective cooperation across agencies and victim support organisations.</p> <ul style="list-style-type: none"> • Actions are monitored and reported: To ensure the approach is implemented, regular meetings must be held with senior accountable staff to review progress, discuss challenges and share best practice. Clear lines of accountability should be articulated and agreed with changes monitored and reported. • Political backing: Political backing for a victim-centred approach should be visible and embedded, providing a solid foundation for the approach.

Propositions for a Victim-Centred Approach to the Criminal Justice System

➔ **Move to an opt-out referral process.** Key requirements include:

- An opt-out approach should replace the current opt-in approach to referrals to victim support organisations from police, as they are often the first point of contact for victim-survivors. This would help ensure that no-one is inadvertently excluded from access to support and that there are multiple points where support can be reached. (See Section 4.4 for more information).

➔ **Enhance the profile and activities of victim support organisations.** Key requirements include:

- **Raised profile:** There must be greater awareness about the support offered by victim support organisations and the benefits this brings to victim-survivors across criminal justice agencies, and society generally. This could help ensure that victim-survivors know about the support and services available to them in a consistent and digestible way.
- **Collaboration across victim support organisations:** A network of approved victim support organisations

should be created with formal referral protocols in place that extend across the diversity of victim support organisations. Where support from more than one agency is required, victim support organisations should work together to provide a package of support. This could include connecting to multiple victim support organisations particularly where specialist support is needed for specific crime types or to suit individual characteristics. Victim support organisations could be quality-assured to ensure the workforce is appropriately trained and trauma-informed. Necessary qualifications should be agreed and in place to support consistent standards and accreditation/regulation of network members. In non-specialist support organisations, staff should be trained to be competent in dealing with sexual offence and domestic abuse cases.

- **Relevant skills and knowledge:** Staff in all approved victim support organisations must be skilled and knowledgeable with easy access to specialist expertise, for example, in the case of sexual offences, domestic abuse, and homicide. An example would be IDAAs (Independent Domestic Abuse Advisors) from approved victim support organisations who are accredited with the DACA (Domestic Abuse Court Advocacy) standard to provide court support in domestic abuse cases.

Propositions for a Victim-Centred Approach to the Criminal Justice System

National domestic abuse court advocacy standards and qualifications are currently in development. A community of practice should be established across victim support organisations to share knowledge and best practice, and to nurture a deeper understanding of different roles that support victim-survivors.

- **Multiple routes of access:** Various routes to accessing support should be available, aligned with having “no wrong door”. It is vital that victim-survivors can connect with victim support organisations independently of the criminal justice system, particularly where there is a reticence to engage through distrust or fear of criminal justice agencies or where victimisation has been by people in those agencies. This is particularly important, for instance, for women of colour who may not want to connect with criminal justice agencies due to insecure immigration status, racial stereotyping, and “difficult and discriminatory experiences of other agencies”.⁶² Where appropriate, staff from approved support organisations could be co-

located with criminal justice agencies (e.g. police, court) and wider organisations (e.g. social work and housing). This proximity could help streamline support, enhance collaboration and understanding across agencies and victim support organisations, and support referrals being made at various stages of the process.

- **Support for staff:** Staff within victim support organisations recognised that traumatised people can traumatise other people, and victim-survivors can be aware of this and feel guilty about sharing their stories with support workers. Emotional and wellbeing support should be available for staff in victim support organisations who are supporting victim-survivors and may be affected by vicarious trauma.
- **Appropriate capacity:** The number of staff within victim support organisations should be reviewed to ensure that increased demand can be met, to provide support for victim-survivors earlier in the process, and to extend support geographically.

62. Yaqoob, T. (2024). Op. cit.

Propositions for a Victim-Centred Approach to the Criminal Justice System

→ Create a single point of contact (SPOC).

Key requirements include:

- A SPOC is a named contact, or small number of contacts, providing continuity for victim-survivors as they journey through the criminal justice system. SPOCs should exist within key criminal justice agencies and within victim support organisations. (See Section 4.5 for more information).

→ Enhance standards of service across criminal justice agencies. Key requirements include:

- **Harmonised service:** Consistent standards of service should be implemented across criminal justice agencies to ensure victim-survivors' rights are upheld. To support this, regular meetings of accountable staff from criminal justice agencies and victim support organisations should be scheduled to share best practice and to discuss challenges and possible solutions in delivering a victim-centred approach. This builds on existing good practice related to court advocacy.

- **Victims' Champions:** Each criminal justice agency should nominate a named "Victims' Champion" to promote, implement and report on the delivery of a victim-centred approach.
- **Appropriate skills and knowledge:** Staff across criminal justice agencies must be skilled, knowledgeable and appropriately trained to give accurate and timely information when requested by victim-survivors. All staff who connect with victim-survivors should be trauma-informed and competent in dealing with victim-survivors of specific crime types such as sexual offence or domestic abuse, including relating to risk review and safety planning. The rights of victim-survivors to access information should be upheld with information and explanations provided as requested.^{63,64}
- **Appropriately trained VIA service officers:** VIA officers should be trained to answer technical and legal questions from victim-survivors and should be trained to competently respond to victim-survivors of complex cases such as sexual offences and domestic abuse.⁶⁵

63. Forbes, E. (2021b). Victims' Experiences of the Criminal Justice Response to Domestic Abuse: Beyond GlassWalls. Emerald Publishing Limited. p130

64. Thomson, L. (2017). Op. Cit.

65. It is recognised that some of the suggestions made by contributors are currently not within VIA's role.

Propositions for a Victim-Centred Approach to the Criminal Justice System

- **Smooth connections:** Warm handovers should take place when there is a change of personnel within any criminal justice agency, and at transition points where the victim-survivor moves from one agency to another as they progress through the criminal justice system. Such action would help ensure victim-survivors always have a named person to contact and are not “lost” in the system. This would represent an extension of the provisions in the Victim Strategy for sexual offences, to all crime types.
 - **Feedback loop:** Victim-survivors should have access to a straightforward process for giving feedback on any aspect of the criminal justice system. This would reduce bureaucracy and allow for more responsive action from criminal justice agencies without the need for victim-survivors to raise formal complaints. This crucial service could be linked to the referral process and operate across the various stages of the system.
 - **Support for staff:** Emotional and wellbeing support should be available for staff in criminal justice agencies who are supporting victim-survivors and may be affected by vicarious trauma.
 - **Appropriate capability:** Trauma-informed training should be mandatory for all VIA staff to ensure they are adequately prepared to assist victim-survivors. Trauma-informed training should be in line with the Knowledge and Skills Framework for Justice in Scotland.⁶⁶
-
- ➔ **Introduce a Victim Passport to enable data sharing.**
Key requirements include:
- A Victim Passport enables a free-flow of information between criminal justice partners and mitigates the need for victim-survivors to retell their experience. Accurate and timely information supports safety (e.g. over bail). Victim support organisations and victim-survivors should have view-only online access to information to streamline support and reduce gatekeepers. Online access allows victim-survivors to access information at a time and place that suits them and is not a substitute for human contact. (See Section 4.6 for more information).

66. NHS Education for Scotland (2023a). Op. cit.

Propositions for a Victim-Centred Approach to the Criminal Justice System

➔ **Humanise the criminal justice system.**

Key requirements include:

- **Humanise the criminal justice process:** This can be achieved through the embedding of empathic as well as trauma-informed approaches in relation to policy, process, physical space, and should be demonstrated in practice. A trauma-informed approach should apply to all criminal justice agencies and extend across all operational aspects where there is interaction with victim-survivors in each agency.
- **Humanised practice:** This should include the mode and frequency of communications with victim-survivors, the interaction between victim-survivors and staff, the language used in communications, and provision of explanations when decisions are made, or action is taken. The language, tone and structure of communications should be clear and accessible to support inclusion and to cater for different victim-survivor needs and abilities.
- **Humanised policy:** This should encompass the principles and ideas that guide the actions of the organisation.

Mechanisms that could support trauma-informed policy include:

- **Choice of communications:** Choice and control for victim-survivors are crucial when dealing with distress or trauma and should be provided where possible. The victim-survivor should be able to choose how they interact with the criminal justice system including the favoured mode of communication (for example, email or text may be preferable to letters, with two communications modes provided as necessary) and frequency of contact (for example, regular contact including “no-update” updates may be preferred over contact only where action is required, or a decision has been made). Communications preferences should be shared between criminal justice agencies and the victim support organisation to ensure consistency.

Propositions for a Victim-Centred Approach to the Criminal Justice System

- **Content and tone of communications:**

Victim-survivors have suggested that:

- The accused's name is not used as the reference for the case
- The meaning of content (e.g. bail) is explained
- A rationale is provided for decisions made (e.g. case not pursued, not proven verdict, hearing postponed)
- Language is jargon-free
- Letters are provided in the person's own language rather than receiving a text saying "if you want this in another language, let us know"
- Information is provided upfront about the Victim Notification Scheme and how it works. This will also help manage expectations about what it can provide
- Signposting to other organisations that can provide assistance

- **Follow-up:** A written summary of the initial conversation with criminal justice agencies should be provided to the victim-survivor in recognition that due to the impact of trauma, that they may not absorb information at the time it was given. A follow-up call after the initial meeting would be useful to check if victim-survivor has the information they need, and if they require anything else.

- **People and information should be easily accessible:** Victim-survivors should be able to easily contact their SPOC or contact team within each criminal justice agency and be provided with the information they request without a "struggle" or "fight". An information leaflet with contact details should be provided, although this may not be the best form of communication for people who are autistic or with additional support needs, where animations or videos would be preferred. Access to an interpreter (who should not be a community interpreter to ensure impartiality and confidentiality) should be provided where English is not the person's first language. The SPOC should explain how the criminal justice process works and help put the victim-survivor at ease.

Propositions for a Victim-Centred Approach to the Criminal Justice System

The victim-survivor's right to information and to have questions answered, such as explanations on procedures and decisions made, should be ensured. Agency-related information should be provided to clarify what each does and their relevance for victim-survivors. Improved communications between agencies should make it easier to "touch base" or "have a phone call".

- **Timing of information:** The point at which information is provided must align with the stage of the process the victim-survivor is at and prepare them for what is happening (e.g. giving ample notice if a case is dismissed).
- **Fair and equal recompense for court attendance:** Payment for attending court should be standardised for every witness regardless of their working patterns (e.g. they should get payment even if they would be on shiftwork outside of court hours on the day of the case).
- **Avoid court attendance:** Where possible, court attendance should be minimised to reduce the stress on the victim-survivor and to avoid the likelihood of meeting the accused or their family or friends. A stand-by system for witnesses should be introduced to avoid attending court when unnecessary.
- **Humanised processes:** Suggestions below relate to a range of actions that are required to complete particular parts of the process. These should include:
 - **Court start dates:** Trials should not start on a Friday to minimise the stress and trauma carried by victim-survivors over the weekend.
 - **Administrative systems:** Administrative costs should be minimised by introducing new policies such as providing victim-survivors with tokens to be used in the court canteen and having nursery spaces held in a number of childcare facilities. Such measures could help relieve pressure on victim-survivors over covering expenses, and ensure time is not needed out of their schedule to organise childcare.

Propositions for a Victim-Centred Approach to the Criminal Justice System

- **Smooth connections:** Warm handovers should be in place when there is a change of personnel within any criminal justice agency, and at transition points where the victim-survivor moves from one agency to another as they progress through the criminal justice system. This will help ensure victim-survivors always have a named person to contact and are not “lost” in the system. This builds on the provisions in the Victim Strategy for Sexual Offences and extends this to all crime types. In-person meetings with SPOCs may be restricted to case types to be feasible to deliver.
- **Feedback Loop:** Victim-survivors should have access to a straightforward process for giving feedback on any aspect of the criminal justice system. This would reduce bureaucracy and allow for more responsive action from criminal justice agencies without the need for victim-survivors to raise formal complaints. It would also support continuous improvement within the system, and partnership working.⁶⁷
- **Victim statements (representations) options:** Victim-survivors should be guided on the legal requirements concerning representations, including the potential for redaction of some information if approved by the Parole Board for Scotland Vice-Chair. They should also be advised on other options for their voices to be heard.
- **Third-party representation:** Victim-survivors should be able to nominate a victim support organisation SPOC, family member or friend to be a named person for criminal justice agencies to contact.
- **Humanised places/physical spaces:** The physical environment can have a significant bearing on the experience of the victim-survivor. Considerations should include:
 - **Separate access points:** Protocols should be introduced for victim-survivors attending court to avoid the stress and anxiety of meeting the accused or their family and friends. This could include having designated entry and exit points for victim-survivors to help ensure they can enter and leave the building without concerns.

67. HM Inspectorate of Prosecution in Scotland (2024). Op.cit., p.11.

Propositions for a Victim-Centred Approach to the Criminal Justice System

- **Signage:** Clear signage should be in place to guide victim-survivors through the court building.
- **Local context:** It is important to be sensitive to the local context where victim-survivors interact with criminal justice agencies, for example in rural areas privacy may be compromised if a victim-survivor has to give evidence in a police station.
- **Artwork:** The provision of artwork around the court building can make the space feel less daunting.⁶⁸
- **Consistent standards in trauma-informed training:** Trauma-informed, safeguarding and person-centred training should be embedded across the criminal justice system. Levels of training (courses and qualifications) should be defined for different roles and across all levels of seniority of criminal justice agencies. Content should include input and feedback from people with lived experience of the criminal justice system. This would help nurture empathy and a better understanding of the needs of victim-survivors, including those with protected characteristics, and to foster appropriate responses across all crime types. Key victim-survivor facing staff should be trained to be competent in dealing with domestic abuse and sexual offence cases to ensure victim-survivors are treated appropriately. Accreditation of training providers should align with the principles of the Knowledge and Skills Framework for Justice in Scotland.⁶⁹
- **Communities of practice:** Criminal justice agencies and victim support organisations should form communities of practice with regular meetings to share their humanised and trauma-informed approaches. Training programmes should be identified and shared across agencies to ensure consistency in approaches. Annual reporting on standards of service should ensure consistency of standards of service across criminal justice agencies and victim support organisations.
- **Support for staff:** Victim-survivors shared that traumatised people can traumatise other people. Victim-survivors can be aware of this and can feel guilty about sharing their stories with support workers. Emotional and wellbeing support should be available for staff in criminal justice agencies (and victim support organisations) who are supporting victim-survivors and may be affected by vicarious trauma.

68. Forbes, E. (2021b). Op. cit.

69. NHS Education for Scotland (2023a). Op. cit.

Propositions for a Victim-Centred Approach to the Criminal Justice System

- **Technology as an enabler:** Online access to information should complement in-person support, allowing victim-survivors to access information at a time and place that suits them. It should not replace human contact. Online access may be permitted to victim-survivors following a needs assessment.

➔ **Enable victim-survivors to give their best evidence.**

Key requirements include:

- **Choice on presenting evidence:** Victim-survivors should choose how they give evidence, whether it is in person, via video link, or is pre-recorded, to avoid attending court, and whether or not the use of special measures is applicable. Confirmation of the application of special measures should be provided soon after application to relieve the stress of an unknown decision. It should be recognised that the use of technology is critical to enabling some victim-survivors to give their best evidence.
- **Specialist provision for specific crime types:** In sexual offence cases, Evidence by Commissioner – a pre-recorded video of the victim-survivor’s evidence played to the court – should be standard practice, but complainers should also be given options on how they wish to give evidence. Cases should be heard in specialist courts (as proposed in the current Victims, Witnesses and Justice Reform (Scotland) Bill). This builds on existing gold standard measures provided to children and vulnerable witnesses using a range of locations and links, and encompasses summary and jury cases.
- **Flexibility in accessing statements:** Victim-survivors should be able to access their statements when they choose and in advance of the trial to allow them adequate time to prepare for giving evidence. Statements should be provided in a format that is accessible, legible and appropriate to the needs of the individual.
- **Support when preparing for court:** Victim-survivors should be offered an accompanied court familiarisation visit. Victim-survivors should meet with the prosecutor in advance of the day of the trial.

Propositions for a Victim-Centred Approach to the Criminal Justice System

- **Advocacy availability:** Advocacy should be available, for all victim-survivors who require it, through a member of the victim support organisation network. Support should build on existing best practice in court advocacy services. This could be one aspect of support provided by a SPOC.
 - **Integrated care support for the individual:** Wrap-around emotional support (relating to mental health and trauma recovery) should be made available to victim-survivors to allow them to effectively engage with the criminal justice system.
 - **Availability of aftercare:** Aftercare should be offered to victim-survivors after the trial, encompassing practical and emotional support for as long as is required.
- ➔ **Support victim-survivors after the trial.**
Key requirements include:
- **Clarity about next steps:** Clear and accessible information should be provided on what happens at the end of the trial. This should include explanations on sentencing, the Victim Notification Scheme, and the parole process. Such changes are being discussed by VIA. Informing victim-survivors of the next steps draws from existing best practice court advocacy services.
 - **Enhanced Victim Notification Scheme:** The scheme should be rebranded and modernised with enhanced communications and eligibility.

Propositions for a Victim-Centred Approach to the Criminal Justice System

➔ Create a pathway through the criminal justice system.

Key requirements include:

- **Accessible guide:** A visualised pathway of the criminal justice system should be created and used consistently by all criminal justice agencies and victim support organisations. The pathway should be provided in a clear and accessible format making the process transparent and easy to understand for victim-survivors, agencies and victim support organisations alike. It should contain information on which agency is involved at each stage, their role, key responsibilities and activities. A series of pathways should be made available, adjusted for specific crime types to help victim-survivors navigate the system. Each pathway should include information on the rights of the victim-survivor at each stage; points at which a named contact is assigned to their case; pertinent explanations to manage expectations, such as understanding the role of the prosecutor; and what information may be shared at the trial.

- **Format of the pathway:** The pathway should be illustrated and presented in a visual form with key stages highlighted and colour-coded, and specific timeframes indicated (e.g. the timeframe for specific offences to go to court). There should be supporting videos links, in a similar form to a bus-route map. For victim support organisations, regular training should be available about the pathway and communications about the process and the agencies that form it.

➔ Protect victim-survivors from adverse effects of the media. Key requirements include:

- **Victim-survivors should be protected from unwanted media exposure.** Victim-survivors should choose if and how they engage with the media. To avoid invasion of privacy, personal details should only be released/used by the media if express permission is granted in advance of publication. "Buy in" should be secured and clear guidelines developed in collaboration with other agencies such as the Judicial Institute, media organisations and defence lawyers.

Propositions for a Victim-Centred Approach to the Criminal Justice System

➔ Reduce time to court.

Key requirements include:

- **Time to court should be reduced to a minimum.**

This should follow deeper scrutiny and more careful management of adjournments, and to avoid unnecessary delays. This action would help minimise the negative impact and trauma experienced by victim-survivors and would let people get on with their lives.

- **Remove floating trials.** Floating trials in the High Court should be discontinued. They are particularly challenging for victim-survivors, as waiting for the case to go to trial but not knowing when this will happen compounds the stress and anxiety experienced.

➔ Review parole and release processes.

Key requirements include:

- **Dangerous prisoners should not be automatically entitled to routine parole hearings:** De facto regular parole hearings for dangerous prisoners should be reviewed to remove automatic entitlement to a hearing and to relieve

the recurring stress and uncertainty that victim-survivors face when routine parole hearings are scheduled.

- **Verify safety plans before release of prisoners:** Criminal justice agencies must coordinate activities and information to ensure safety plans are in place before the release of prisoners, previously known to be dangerous, and who could be feared by victim-survivors. A designated agency should be appointed to monitor the behaviour of released prisoners to minimise the risk to the public. In addition, risk review and safety plans should be in place to support the victim-survivor.

➔ Balance the criminal justice system.

Key requirements include:

- **Legal representation:** Victim-survivors would benefit from legal advice and/or representation giving them comparable rights to the accused within the process. In this way they would have more of an active role in the proceedings rather than feeling “disempowered” and an “afterthought” in the process.

The following sections provide an overview of propositions that were prioritised, and the proposed solutions taken forward for modelling and costing.

4.2 Prioritised Propositions

The propositions were filtered to identify solutions to enhance the experience of victim-survivors which should be prioritised. Five propositions were selected and were deemed as having a significant role in enabling a more victim-centred approach in the criminal justice system. These emerged via the workshops and in discussion with the project Steering Group. The five prioritised propositions are as follows:

1. Implement a shared purpose across the criminal justice system
2. Move to an opt-out referral process
3. Create a single point of contact (SPOC)
4. Introduce a Victim Passport to enable data sharing
5. Humanise the criminal justice system

This list of priorities was further reduced to three, after propositions 1 and 5 were considered to be more suitable for a positioning paper rather than modelling and costing. Both of these propositions were perceived as being closely connected and foundational across the whole criminal justice system and not exclusively in the domain of any specific agency or stage in the process. Combined, these

two propositions could inform a clearly articulated plan for improvement centred on the victim-survivor experience, supported by defined actions and responsibilities and underpinned by humanistic values (such as choice, compassion, respect, and safety) to bring together leaders across the criminal justice system.

Detailed information relating to the scoping of the remaining three proposed solutions is presented below.

4.3 Proposed Solutions Overview

The three remaining prioritised propositions were modelled and the outcomes are presented in this section. Each proposition is expanded and presented as a potential solution with accompanying details: challenge, outputs, outcomes, impact, enablers, and funding needs. An overall summary of each solution is captured on a "Theory of Change" chart and a high-level overview of the key elements needed to enable the solution and how they connect is provided using a flowchart. Outline costs for developing the solution including the investment required and anticipated benefits are also presented.

4.4 Solution One: Opt-out referral process

4.4.1 The Challenge

In Scotland, the Victims' Code⁷⁰ sets out the rights of victim-survivors aligned with the legislative requirements of the Victims and Witnesses (Scotland) Act 2014.⁷¹ One of those rights is a right to access support services. Often, however, victim-survivors do not know they have rights and are entitled to support. Scotland is not unique within the UK, in England and Wales, less than one fifth of those surveyed were aware of the Victims' Code.⁷² In Scotland, the Victim's Care Card is provided by the police and is the main way that victim-survivors are made aware of the Victims' Code. It also includes details about the crime and how to access victim support services. However, only 14% of victims or witnesses of crime said they were offered a Victim Care Card.⁷³ The lack of access to support for victim-survivors with the current process is exacerbated by two things. Firstly, referrals are not made consistently or as a matter of course by police, and secondly, an opt-in referral process does not recognise that the emotional state of the

victim-survivor may be a barrier making an informed choice and to taking up support.

Victim Support Scotland (VSS) is the leading national organisation supporting and advocating for people affected by any type of crime. Even although VSS is acknowledged as a key partner of Police Scotland,⁷⁴ referrals to VSS have significantly reduced from around 100,000 in 2016-17⁷⁵ to around 7,000 in 2023-24.⁷⁶ This is despite VSS working closely with Police Scotland to improve referral rates.⁷⁷ VSS has been highlighted here, not to the exclusion of other vital and specialist support services, such as Rape Crisis Scotland (where there has been an increase in referrals),⁷⁸ Scottish Women's Aid and ASSIST (or other local services offering support for domestic abuse victim-survivors), but because of their national reach and the fact that they support victim-survivors of all crime types. The table below illustrates the types of crimes recorded in Scotland during 2022-23. It is worth noting that the percentage of all crimes reported to the police fell to 29% in 2021/22, the lowest level since 2008/09.⁷⁹ In the previous 14 years, crimes reported hovered at just less

70. The Scottish Government (2018). Victims' Code for Scotland.

71. The Scottish Parliament (n.d.). Victims and Witnesses (Scotland) Act 2014.

72. Murray, S., Welland, S., and Storry, M. (2024). Annual Victims' Survey 2023. Victims Commissioner. p31

73. Police Scotland in partnership with Victim Support Scotland (2021). We Asked, You Said, We Did – Police Scotland Citizen Space.

74. Police Scotland (n.d.). Available at: <https://www.scotland.police.uk/contact-us/victim-support-services/>

75. Victim Support Scotland Data Management System

76. Victim Support Scotland Data Management System

77. Victim Support Scotland (2019). Op. cit.

78. Notes from meeting with Rape Crisis Scotland reported increased direct police referrals to the helpline totalling 753 in 2023, representing increases of 13% from 2019 and 17% from 2022.

79. Justice Analytical Services (2023a). Op. cit., p.37.

than 40% of the total, with the drop in reporting potentially due to a number of factors including the impact from the Covid-19 pandemic and a drop in confidence in the police, although interpretation should be made with caution.⁸⁰ Police Scotland suggested that some people phone the contact centre looking for the contact details for a victim support organisation only and do not want to report a crime.

Table 4: Crime types recorded

Breakdown of crime types	
• Crimes of dishonesty	36%
• Non-sexual crimes of violence (of which domestic abuse accounts for 3%)	24%
• Crimes against society	21%
• Damage and reckless behaviour	15%
• Sexual crimes	5%

Source: Recorded Crime Scotland 2022-23⁸¹

The low level of referrals suggests that many victim-survivors are not receiving the support to which they are entitled. Indeed, crimes recorded by Police Scotland totalled 297,425 in the year ending September 2023,⁸² with 18,301 people supported by VSS and VSS Court Services (2022-23),⁸³ around 7,000 of whom were referred by the police. Without an opt-out referral system, victim-survivors can fall through the net, leaving them deprived of support and, in some cases, susceptible to further exploitation. The absence of support can have catastrophic consequences, particularly for those considered vulnerable; those who experience crime types where there is no obvious path to support (for example, honour-based crime); those who have experienced crimes considered “low-tariff” but which may indicate insidious behaviour or patterns of behaviour (for example, hate crime and anti-social behaviour); and for people coming from outside of the UK. For some groups (for example, men) there can be stigma associated with reaching out for support, deterring them from accessing services.

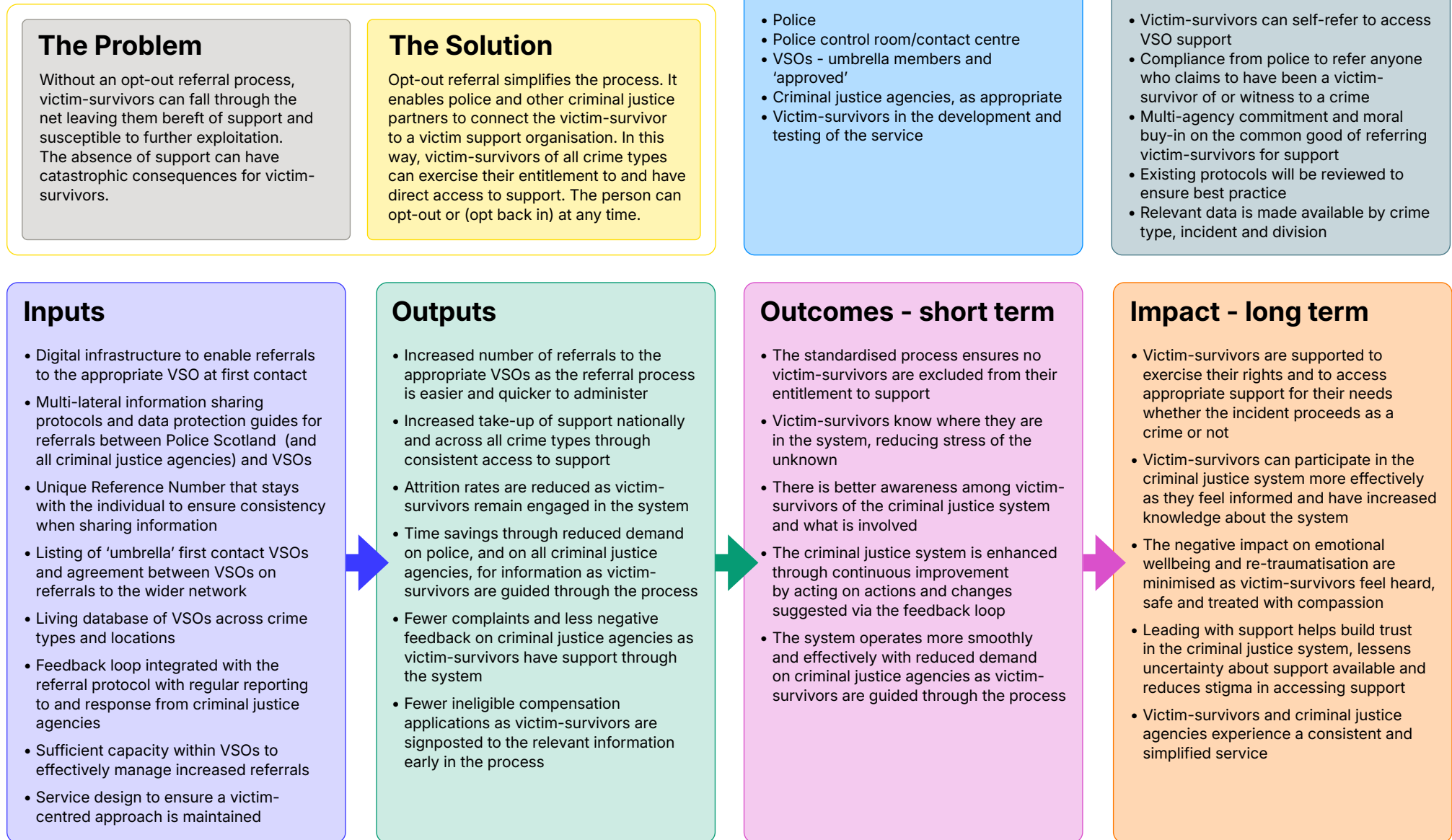
80. Ibid.

81. Justice Analytical Services (2023b). Recorded Crime in Scotland, 2022-23. The Scottish Government, p.7.

82. Justice Analytical Services (2023c). Recorded Crime in Scotland: year ending September 2023. The Scottish Government, p.5.

83. Victim Support Scotland (2024). Annual Report and Accounts 2023/24, p.4.

Figure 5: Theory of Change for Opt-out Referral Process



4.4.2 The Solution – Opt-out referral process overview

No victim-survivor should be inadvertently excluded from access to support. The current opt-in process should therefore be replaced with an opt-out referral process that enables police and other criminal justice partners to ensure victim-survivors can exercise their entitlement to, and have direct access to, support through a simplified process. The critical requirements to develop the solution are outlined below and summarised in Figure 5.

Enhance referrals from Police Scotland: Police officers and the police contact centre have a primary role in making referrals as they are often the first point of contact for victim-survivors. The opt-out referral process to a victim support organisation should be available to victim-survivors of all crime types to ensure equity for all, to eliminate value judgements on who might be entitled to, or require support, to reduce stigma on reaching out for support (particularly among men) and to connect potentially vulnerable individuals into the system. It is proposed that existing approaches to referring victim-survivors of particular crime types, such as sexual assault and domestic abuse, should be upheld to ensure the safety of the individual. There is no obligation to take up support and victim-survivors can opt out (and opt in at a future point) at any time. This could be from the moment they are informed by the police that their information will be referred to a victim support organisation who will contact them and offer assistance, unless they decline this offer. An opt-out referral process would require data sharing agreements, protocols and pathways for making

referrals and legal advice on GDPR requirements. A Unique Reference Number (URN) that remains with the victim-survivor should be shared across criminal justice agencies and victim support organisations to help ensure consistency and accuracy of information shared.

Minimise bureaucracy and enhance safety: To avoid adding unnecessary bureaucracy to the system, a small number of “approved” victim support organisations should provide an umbrella of first contact organisations (this could be the SPOC contact centre outlined in section 4.5). To maximise safety and speed of response, this should include organisations offering specialist support for particular crime types including sexual offences and domestic abuse as well as more generalist victim support services. It is proposed that the umbrella of victim support organisations include ASSIST (or a local organisation supporting victim-survivors of domestic abuse), Rape Crisis Scotland, Scottish Women’s Aid and Victim Support Scotland. The umbrella of victim support organisations may provide support directly and may also refer victim-survivors to an appropriately equipped organisation in line with their needs. It is noted that opt-out referral may not be the most appropriate route for victim-survivors of domestic abuse⁸⁴ and therefore existing approaches demonstrating best practice should be reviewed to determine the most suitable way forward. To allow access to the diversity of victim support organisations services requires the creation of a living database of “approved” victim support organisations.

84. Details gathered during a research meeting with ASSIST.

Enable multiple routes of access: Staff in any criminal justice agency, spanning all stages of the process from reporting an incident through to post-conviction and beyond, should be able to signpost or refer victim-survivors to support, ensuring there is no “wrong door” or no single opportunity to access support. Checks should be in place at key points across the criminal justice process to ensure that victim-survivors have access to support if they choose. Each agency will require the necessary information to ensure that victim-survivors of specific crime types and those with particular vulnerabilities are referred to the most suitable victim support organisation to meet their needs. Appropriate information should be provided to allow victim-survivors to make an informed choice about accessing support without feeling pestered as they journey through the system.

Inform victim-survivors of compensation options: Victim-survivors should be advised as early as possible about the opportunity to apply for criminal injuries compensation. This is vital to ensure their claim is received within the relevant timeframe for submission (currently two years from the point of reporting an incident⁸⁵). Criminal justice agencies and victim support organisations should signpost victim-survivors

to the Criminal Injuries Compensation Authority (CICA) but should not provide advice on making applications to avoid legal risk.

Embed a feedback loop across the system: Victim-survivors should have access to a straightforward process for giving feedback on any aspect of the criminal justice system. This would help reduce bureaucracy and allow for more responsive action from criminal justice agencies without the need for victim-survivors to raise formal complaints. Regular (for example quarterly) meetings should be undertaken to review the feedback from victim-survivors and to report on the responses and changes implemented. This could be linked to the Victims’ Taskforce Issues Tracker.⁸⁶

This solution connects to Police Scotland’s 2030 vision to “support victims through improved trauma-informed policing and a victim-centred approach and enable our people to deliver this effectively.”⁸⁷

85. Gov.uk (n.d.). Claim compensation if you were the victim of a violent crime. Available at: <https://www.gov.uk/claim-compensation-criminal-injury>.

86. The Victims’ Taskforce Issues Tracker is a mechanism for providing feedback from the Victim/Survivor Advisory Board to the Victims’ Taskforce member organisations and captures their responses.

87. Police Scotland (2024). Three-year Business Plan – 2024-2027. P13.

Key stakeholders required to take the solution forward:

These include:

- Police officers
- Police control room/contact centre
- Victim support organisations – umbrella members as well as all “approved” organisations
- Criminal justice agencies, as appropriate
- Victim-survivors in the development and testing of the service
- Technical systems expert guidance/input

4.4.3 Outputs

The projected, measurable outputs that the opt-out referral solution is predicted to generate include:

- Reduced demand on the time of police (and of all criminal justice agencies) for information as victim-survivors are guided through the process
- Fewer complaints and less negative feedback on interactions with criminal justice agencies
- Attrition rates are reduced as victim-survivors remain engaged in the system with appropriate support
- Fewer ineligible Criminal Injuries Compensation Authority applications
- Increases in the number of referrals to appropriate victim

support organisations as the referral process is easier and quicker to administer

- Increased take-up of support nationally and across all crime types through consistent access to support. As an example, in the first month of a Brake and Kent Police collaboration to pilot an opt-out referral model, police referrals improved (30% to 90%), and the conversion rate to taking up support increased (70%)

4.4.4 Outcomes

The medium-term benefits of the implemented solution are projected to include:

- The system operates more smoothly and effectively with reduced demand on criminal justice agencies as victim-survivors are guided through the process
- The criminal justice system is enhanced through continuous improvement by acting on changes suggested through feedback from victim-survivors
- The standardised process of referral across the system ensures no victim-survivors are excluded from their entitlement to support

- Victim-survivors know where they are in the system, reducing stress of the unknown
- There is better awareness among victim-survivors of the criminal justice system and what is involved

4.4.5 Impact

In the long-term, the solution is conceived to positively influence the following aspects of the criminal justice system:

- Victim-survivors can participate in the criminal justice system more effectively as they feel informed and have increased knowledge about the system
- The negative impact on emotional wellbeing and re-traumatisation are minimised as victim-survivors feel heard, safe and are treated with compassion through the support provided
- Leading with support helps build trust in the criminal justice system, lessens uncertainty about the support available and reduces stigma in accessing support
- Victim-survivors and criminal justice agencies experience a consistent and simplified service

- Victim-survivors are supported to exercise their rights and to access appropriate support for their needs whether the incident proceeds as a crime or not

The model in Figure 6 below provides an outline of how the solution might work.

4.4.6 Enabling conditions

A number of initiatives or activities already exist or are in development within the sector. As they already have commitment and resource allocated to them, these elements have the potential to reduce the overall cost of the solution as well as supporting and/or accelerating its development. They include:

- **Police Scotland digital handheld devices:** These devices provide initial digital infrastructure to enable referrals. At present, police officers are prompted to connect with Victim Support Scotland. This could be extended to the “umbrella” organisations mentioned above, or the SPOC contact centre outlined in section 4.5.
- **Unique Reference Number:** Police Scotland currently generate this number when collating information to share with Victim Support Scotland. Research is needed to establish if this can be extended to agencies across the system.

- **Victim care card:** Police Scotland and Victim Support Scotland have updated the care card which is now available in electronic format and can be forwarded directly to victim-survivors who have online access from the digital handheld device. This also ensures that relevant information on the victim-survivor is shared with Victim Support Scotland.
 - **Feedback loop:** A feedback loop exists between Police Scotland, the Crown Office and Procurator Fiscal Service and Rape Crisis Scotland for victim-survivors of sexual offences. Further feedback loops are in development by the Crown Office and Procurator Fiscal Service for support agencies dealing with domestic abuse cases. These mechanisms could be extended to include all crime types.
 - **Directory of services:** The Scottish Government is considering how it might work with partners on the mapping of victim support services across Scotland. Such work could provide a basis for the database of approved organisations.
-

Figure 6: Opt-out Referral Process Flowchart

Continued on next page →

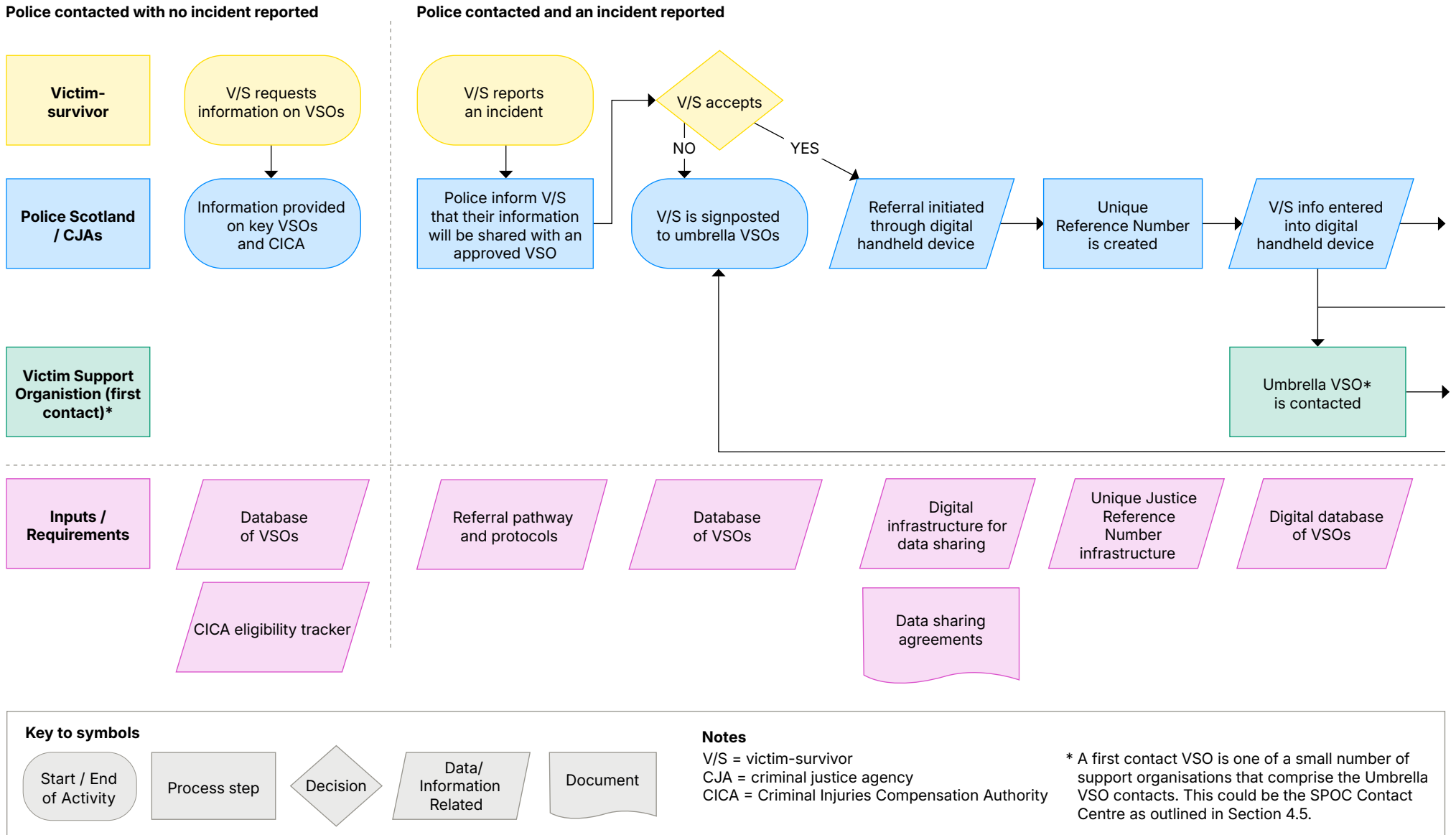
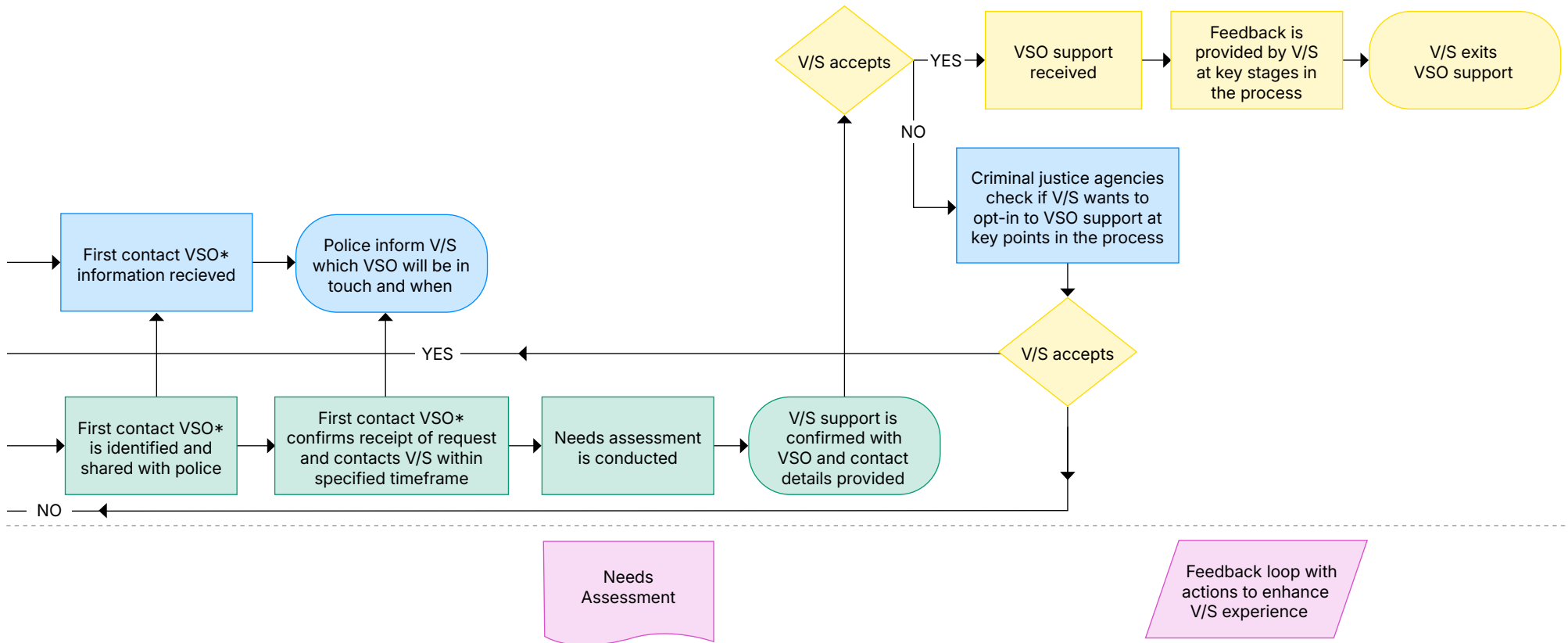


Figure 6: Opt-out Referral Process Flowchart



4.4.7 Funding requirements to develop the solution

The indicative costs of developing the solution are summarised in the table opposite. It should be noted that further work is needed to finalise the figures. The summary budget lines are drawn from the input section of the Theory of Change figure. Projected savings in key areas were also sought to provide a realistic assessment of the investment required, but figures were unavailable.

Table A: Summary of elements costed - Opt-out Referral Process

<p>Investment Required</p> <ul style="list-style-type: none"> • Develop protocols and pathways for making referrals • Legal considerations • Create and integrate a closed feedback Loop • Enable data sharing • Shareable unique reference number (URN) • Create a living database of victim support organisations • Assess demand and capacity for victim support • Service design 	
<p>Total investment required</p>	<p>£445,320</p>

4.5 Solution Two: Single point of contact

4.5.1 The Challenge

The criminal justice system is not joined up. The disconnect between criminal justice agencies can present a barrier to accessing information and creates a process that is uncoordinated and inefficient, and can obscure the rights of victim-survivors. As noted above and in the findings from previous reviews, victim-survivors have found the system to be complex, opaque and difficult to navigate with no clear pathway through it, leading to feelings of powerlessness, uncertainty and confusion.

“One point of contact, ... having someone ... or a group or a team, that they [the victim-survivor] can rely on and that’s your person. Because I feel after the family liaison officers leave and the police finish their case it goes quiet. And you maybe need that time, to have that quiet time. But you’re then left like, what now? And you’re left in the dark.”

Some victim-survivors described a system that is impersonal and lacks sensitivity to their experiences and needs, leaving them feeling like “outsiders” in their case. The lack of control over proceedings leads to victim-survivors feeling vulnerable in a system they are unfamiliar with, and which seems tilted towards the accused.

The absence of a designated and consistent contact to support, guide and advocate for each victim-survivor as they journey through the system leads to a lack of continuity of contact and fragmented support. With no centralised contact point for case-related information, victim-survivors can be required to retell their experiences multiple times across different agencies which can lead to distress, re-traumatisation and, in some cases, attrition: where the case drops out of the system.

“I can’t repeat this again. I can’t keep saying this. It’s painful enough.”

...you need to listen, and not make victims go through the same story each time they have to phone.”

4.5.2 The Solution – Single point of contact overview

A SPOC is a named contact, or small number of contacts,⁸⁸ providing continuity for victim-survivors as they journey through the criminal justice system. SPOCs should exist within each victim support organisation and within the relevant criminal justice agencies. Some victim-survivors may choose not to engage with a victim support organisation SPOC (VSO SPOC) and to navigate their own way through the system, making contact directly with criminal justice agency SPOCs.

The desire for a single point of contact to guide victim-survivors through the justice process is not new. Indeed, Thomson highlighted that “victims have regularly and robustly stated that they would prefer to have a single point of contact with the criminal justice system throughout their experience”.⁸⁹ The allocation of a SPOC is also a key interim recommendation in Lady Dorrian’s Review to improve the management of sexual offence cases. The solution proposed here expands the definition of the single point of contact (SPOC) to provide victim-survivors with a single point of access (online) as well as a single point of contact (human) ensuring access to information about the criminal justice system and continuity of support across all stages of their case.

The SPOC solution comprises three complementary and interconnected elements:

- An online portal
- A designated contact/s within each victim support organisation
- A designated contact/s within the relevant criminal justice agencies and as the case progresses

Communication must be a central feature of a SPOC’s role. This includes providing regular updates to victim-survivors, including “no-update” updates during long waiting periods when no action is required or when there is no progress to report. The timescale and format of contact should be flexible although clearly defined at the outset and agreed with the victim-survivor, for example, to maintain remote, short and frequent contact. Where possible, the initial contact should be a face-to-face meeting, to help build rapport, but where telephone or online support is preferred, this should be an option. Telephone contact provides privacy and anonymity, and, within younger groups, there is a general preference for making contact via telephone. Ensuring a warm handover between criminal justice partners is a core aspect of the SPOC’s role.

88. One named person is allocated as the SPOC who is the “go-to” contact, with one or a small number of back-up people where the main contact is not available, such as through illness or leave.

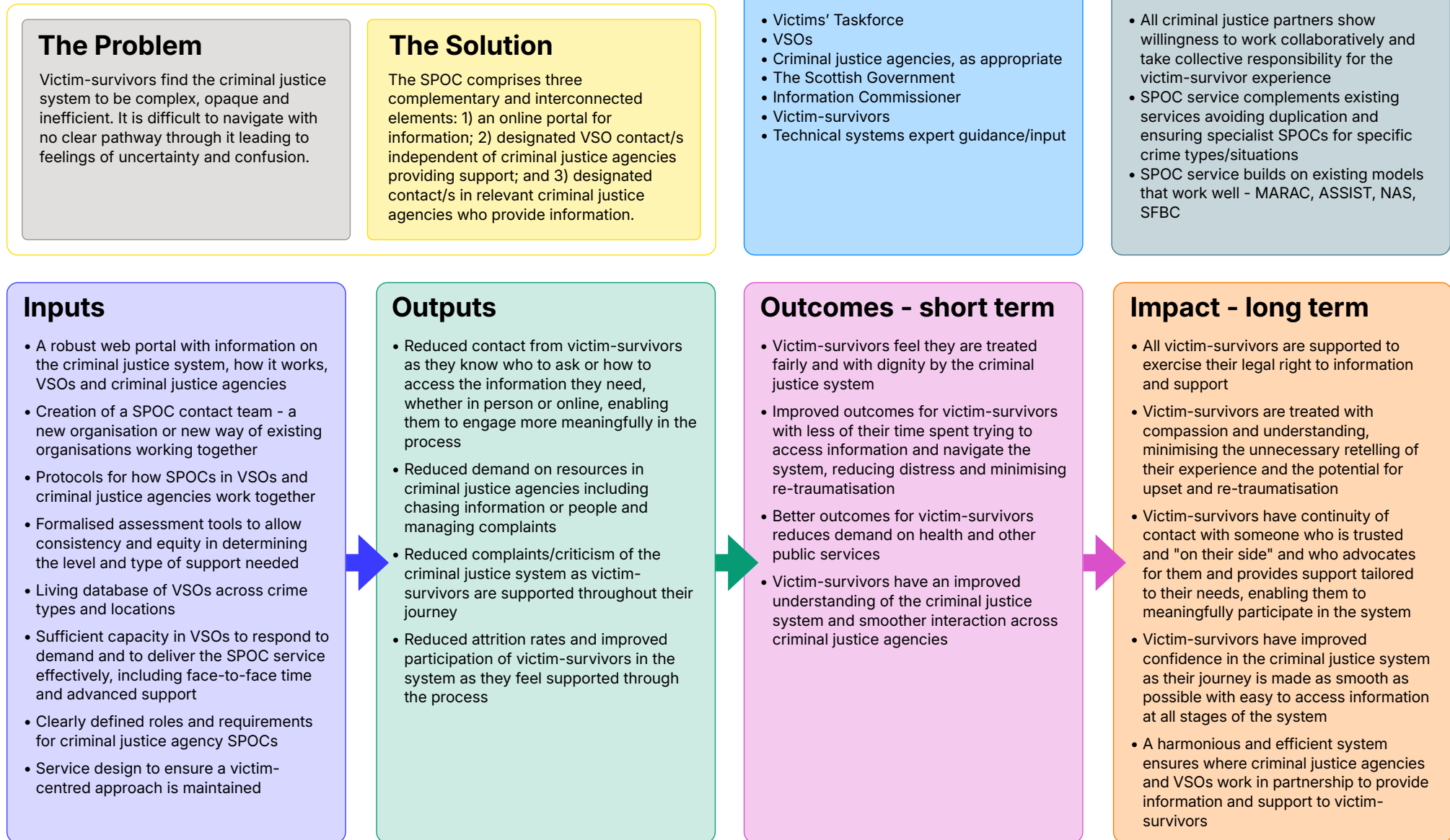
89. Thomson, L. (2017). Op. cit., p.48.

The critical requirements to develop the SPOC solution are outlined in the following section and summarised in Figure 7.

Create a universal digital portal: There is a need for a single online destination with comprehensive and accessible information about the criminal justice system, how it works, and the criminal justice agencies and victim support organisations that service it. The web-based resource must be victim-survivor facing and operate alongside and complement human SPOCs. While some victim-survivors would welcome the facility to access information online, it is vital to avoid digital exclusion and to provide choice for victim-survivors or those supporting them who may choose not to or be unable to access information online. The provision of the online portal requires the development, maintenance and updating of a digital platform with clear ownership and defined responsibilities. Much information already exists within individual agencies and organisations that could be assembled and sorted for use.

Establish a SPOC contact centre: A centralised SPOC contact centre should be established to coordinate activities. The SPOC contact centre will play a critical role in enabling a joined-up and collaborative working approach that is streamlined across the system to foster a consistent experience for the victim-survivor and enhance efficiency – a “one front door” system. The contact centre may be operated by a new organisation within the criminal justice system or external to it, or may represent a new way of existing support organisations working together. A key consideration, also acknowledged in previous reports,^{90,91} is not to replace services provided by existing organisations but to build on good practice within the sector and extend this to victim-survivors of all crime types. The contact centre should include specialist teams who can respond to specific or complex requests and which can be accessed through a live database of victim support organisations.

Figure 7: Theory of Change for Single Point of Contact



Designate SPOCs within victim support organisations

(VSO SPOCs): The VSO SPOC is the “go to” human face of the criminal justice system. VSO SPOCs have a wider remit than those within criminal justice agencies, offering practical and emotional support. They provide continuity of contact, minimising the need for the victim-survivor to retell their experience, similar to the coordinated data sharing approach of the “Tell Us Once” service⁹², and offer support and information throughout all stages of their journey. One participant described the role as being someone who can “scoop up and hold”⁹³ the victim-survivor and support them to access information in person and online. Designating VSO SPOCs across all crime types will require defining the remit and limitations of the role and should be informed by existing best practice within the sector, as demonstrated by organisations such as ASSIST, the National Advocacy Service, and Support for Families Bereaved by Crime.

VSO SPOCs are trauma-informed and are “on the side of” the victim-survivor, advocating for their needs and providing emotional as well as practical support. They have a deep knowledge of how the criminal justice system operates to guide the victim-survivor through the various stages of their journey. The support provided may be at different levels, such as signposting or making referrals to other organisations; providing support at agreed points in the victim-survivor’s journey across the system; or offering advanced support where cases are more complex and the individual requires a higher level of assistance. The level of support provided by the VSO SPOC is not crime-type specific but dependant on the requirements of the person.

90. Thomson, L. (2017). Op. cit.

91. Scottish Courts and Tribunals Service (2021). Op. cit.

92. Gov.uk (n.d.). Tell Us Once. Available at: <https://www.gov.uk/after-a-death/organisations-you-need-to-contact-and-tell-us-once>

93. Description offered by a victim-survivor.

The VSO SPOC can connect victim-survivors with relevant agencies within the criminal justice system and can refer them to wider support, according to their needs. This could include help with health and housing, in a similar way that a GP refers a patient to a consultant. Providing support that meets the multiple and varying needs of victim-survivors can help ensure they remain engaged in the criminal justice process.⁹⁴ In some cases, support may extend beyond the criminal justice process to ensure victim-survivors do not feel abandoned while still requiring support to recover from their ordeal.

"...there is this overwhelming feeling that when you've gone to court, everyone just leaves, everyone just leaves."

"Even when they've got the conviction and the person's sentenced...victims are left just to get on with life. And you can't."

Designate SPOCs within the relevant criminal justice agencies: Within each relevant criminal justice agency a SPOC should be assigned to each victim-survivor as the case progresses through the system. The SPOC allocated to the case should be trauma-informed and liaise directly with the

victim-survivor and/or with the VSO SPOC on matters related to their stage of the process. Where the case progresses to a new agency, the details of the new justice agency SPOC are shared with the victim-survivor or their representative. The extent of the warm handover – sharing the name of the new contact or arranging a meeting to introduce them – is dependent on the needs of the victim-survivor. Establishing SPOCs within the necessary criminal justice agencies requires clearly defining the role, remit and limitations for supporting victim-survivors to remove duplication and enhance the experience of the victim-survivor.

Coordinate needs assessments: Each victim-survivor should be asked a series of questions to identify their needs and to ensure they receive the appropriate level of support. The needs assessment used by each victim support organisation should be nuanced (rather than having blanket categories) to identify particular requirements in line with the support they offer and to determine the intensity of support required from the VSO SPOC. A support plan should be developed including an exit strategy and the victim-survivors should be encouraged to exercise their own agency, where possible, to lessen dependency on support.

94. Brooks-Hay, O., Burman, M., Bradley, L. and Kyle, D. (2018). Evaluation of the Rape Crisis Scotland National Advocacy Project: Final Report. Scottish Centre for Crime & Justice Research.

Key Stakeholders: To develop the solution would require the cooperation and collaboration of:

- Victims' Taskforce members
- Victim support organisations
- Criminal justice agencies, as appropriate
- The Scottish Government
- Information Commissioner
- Victim-survivors with lived experience of the system
- Technical systems expert guidance/input

4.5.3 Outputs

The SPOC solution is proposed to generate the following measurable outputs as a result of victim-survivors being guided through the criminal justice system:

- Reduced demand on resources in criminal justice agencies including locating information or people, dealing with inconsistent or incomplete information and managing complaints and failure demand⁹⁵

- Reduced complaints/criticism of the criminal justice system
- Reduced attrition rates and improved participation of victim-survivors in the system
- Retelling of victim-survivor experience is minimised
- More effective engagement of victim-survivors in the criminal justice system as they know who to contact and have the support they require whether in person or online

4.5.4 Outcomes

The medium-term benefits arising from the implemented SPOC solution are projected to include:

- More efficient, streamlined criminal justice system
- Improved understanding of roles across criminal justice agencies and interaction across them
- Improved outcomes for victim-survivors with less of their time spent accessing information, with minimal distress and re-traumatisation
- Reduced demand on health and other public services as victim-survivor outcomes are improved
- Victim-survivors feel they are treated fairly and with dignity by the criminal justice system

95. HM Inspectorate of Prosecution in Scotland (2024). Op. cit.

4.5.5 Impact

In the long-term, the SPOC solution is expected to positively impact on the following aspects of victim-survivor experience and on the criminal justice system:

- All victim-survivors are supported to exercise their legal right to information and support
- Victim-survivors meaningfully participate in the system as they have the support of a trusted contact who can guide and advocate for them across the criminal justice system
- Victim-survivors have improved confidence in the criminal justice system as their journey is made as smooth as possible with easy access to information at all stages of the system
- Victim-survivors feel part of the system as they are treated with compassion and understanding, minimising the potential for upset and re-traumatisation

The model in Figure 8 below provides an outline of how the solution might work.

4.5.6 Enabling conditions

A number of initiatives or activities already exist or are in development within the sector. These elements have the potential to reduce the overall cost of the solution as well as supporting and/or accelerating its development as they already have commitment and resource allocated to them. They include:

- **Witness Gateway:** Currently being piloted and providing online access to information such as the witness statement, which could be a resource that connects to the online portal.
- **Directory of services:** The Scottish Government is considering how it might work with partners on the mapping of victim support services across Scotland. Such work could provide a basis for the database of approved victim support organisations.
- **Remit for SPOCs:** Roles and remits should draw from examples that already exist in organisations demonstrating best practice, including ASSIST, National Advocacy Service (NAS), and Support for Families Bereaved by Crime (SFBC).
- **Assessment tools:** these can be developed or refined by referring to existing best practice including that of ASSIST, NAS and SFBC.
- **Demand and capacity:** The VIA Modernisation Programme should be explored for insights into changes proposed in relation to SPOC roles and service provision.

Figure 8: Single Point of Contact Flowchart

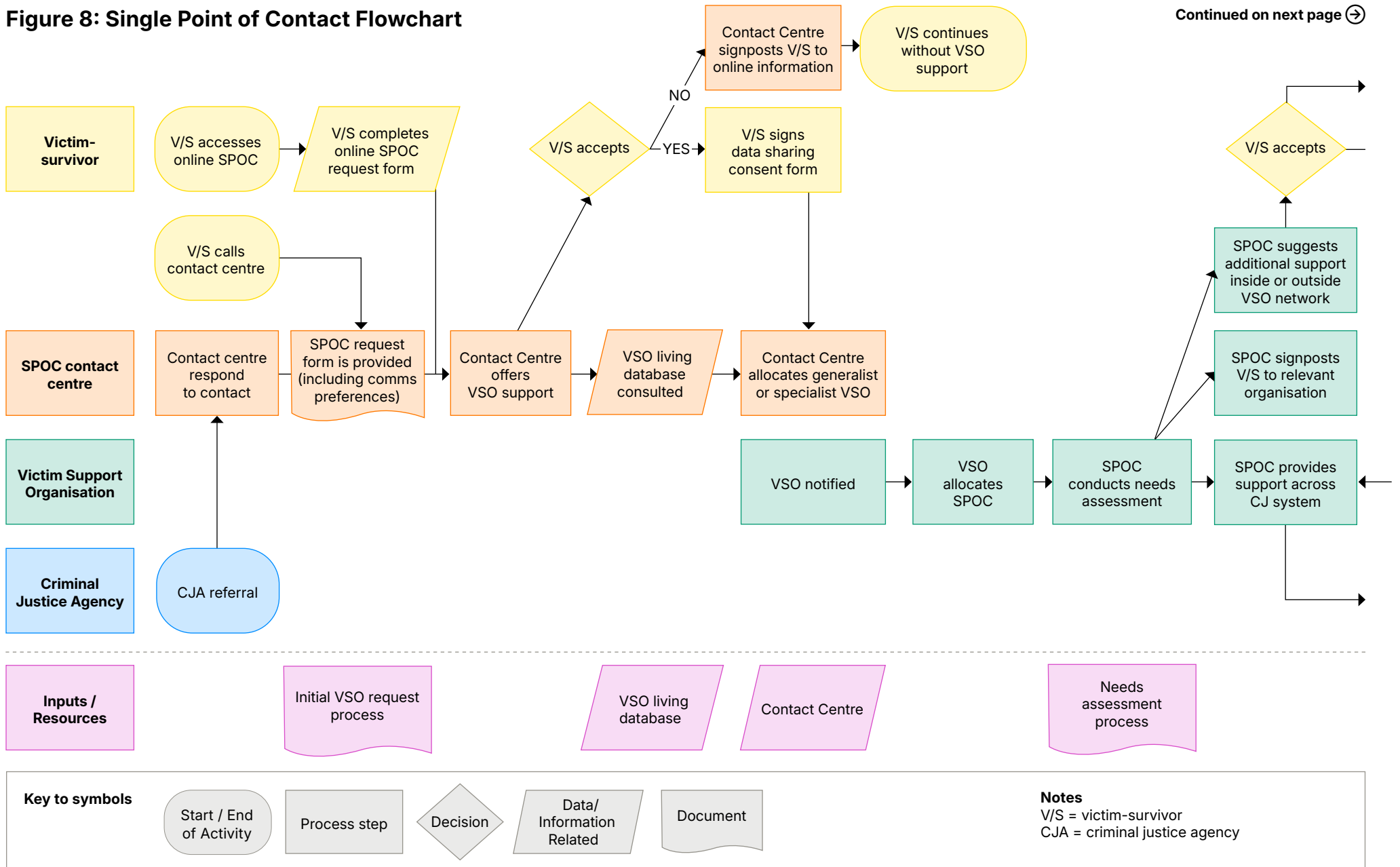
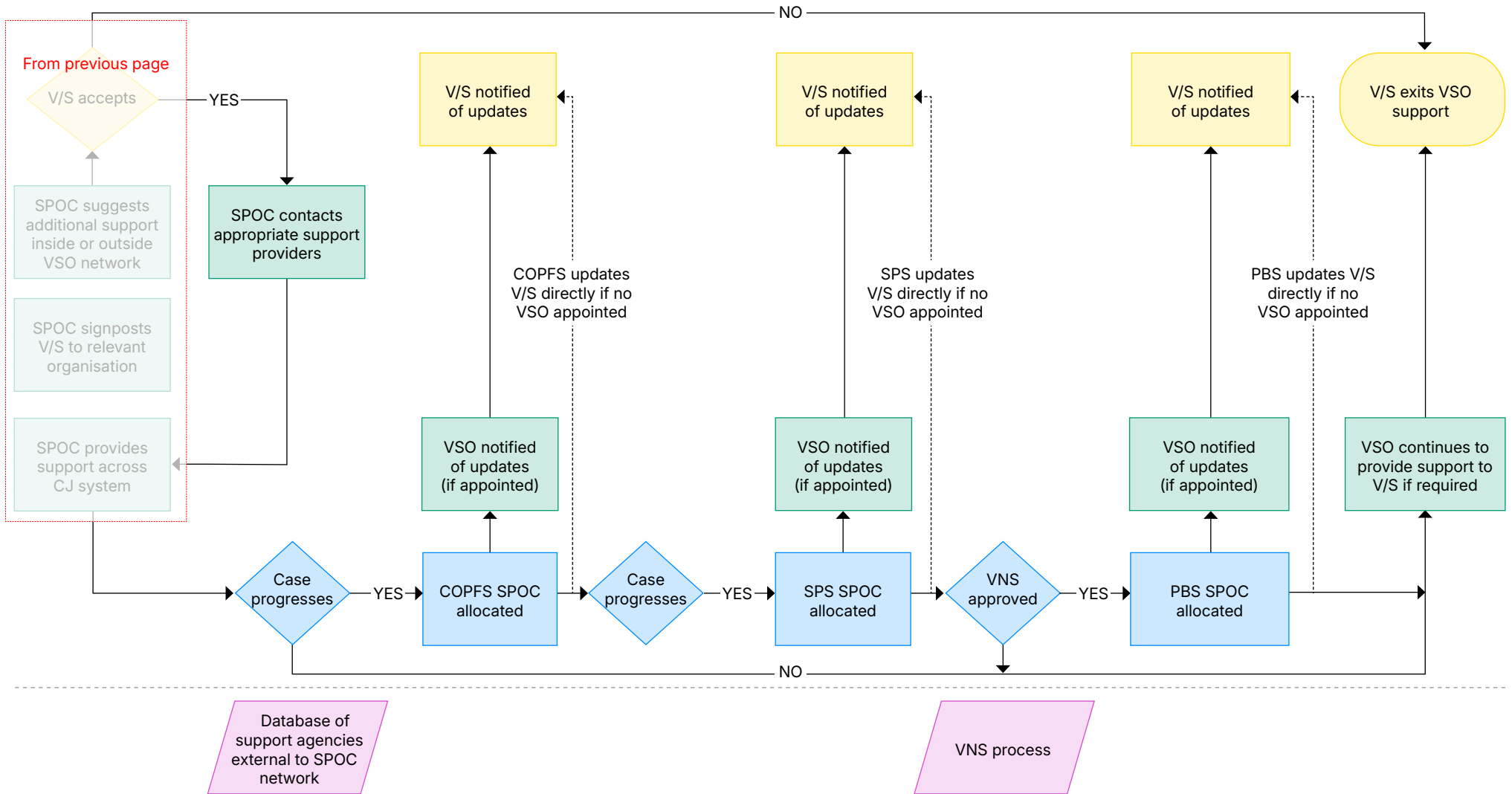


Figure 8: Single Point of Contact Flowchart



4.5.7 Funding requirements to develop the solution

The indicative costs of developing the solution are summarised in the table opposite. It should be noted that further work is needed to finalise the figures. The summary budget lines are drawn from the input section of the Theory of Change figure. Projected savings in key areas were also sought to provide a realistic assessment of the investment required, but figures were unavailable.

Table B: Summary of elements costed - Single Point of Contact

<p>Investment Required</p> <ul style="list-style-type: none"> • Create an online portal – Online SPOC • Create SPOC contact centre <ul style="list-style-type: none"> Option 1 - managed by a new agency Option 2 - managed by a formalised collaboration between existing VSOs • Designated SPOC contacts in VSOs • Assessment tools • Designated SPOC contacts in criminal justice agencies • Assess demand and capacity for SPOC service • Service design 	
<p>A. Total investment required</p>	<p>£617,640</p>

4.6 Solution Three: Victim Passport

4.6.1 The Challenge

Currently, victim-survivors are unable to access online information about their case and where they are in the process, at a time and place that suits them. This places a reliance on criminal justice agency staff to provide information and removes individual choice and control from the victim-survivor, making retrieving information burdensome and often stressful.

“Everything I ever got from the [criminal justice agency], apart from the phone calls, I had to fight for. I had to demand.”

The absence of a single repository of information that is accurate, up-to-date and accessible also impedes an efficient flow of data between criminal justice partners and hampers the effective engagement of victim-survivors.

“And you know it was frustrating because [they] couldn’t answer. Everything I asked [them, they’d] say ‘oh, I don’t know, we’ll get back to you about that.’”

Currently, victim-survivors often have to retell their experience multiple times and to different agencies due to the lack of centralised data. This can cause distress and may re-traumatise the person. The lack of a joined-up system can lead to duplication of information, inaccuracies in reporting and delays in sharing information. The latter point can put some victim-survivors at risk (such as when changes made to bail conditions are not promptly communicated).

Additionally, there is no facility for the victim-survivor to log information or record their experience in their own words. This deficit can mean that as well as having to retell their experience multiple times, information they consider important to their situation can be lost or forgotten.

4.6.2 The Solution – Victim Passport overview

The Victim Passport will minimise the number of times a victim-survivor must share their experience and reduce the number of interactions required of them as they journey through the system. The availability of such information online will also support the modernisation of the criminal justice system by enhancing information exchange and interaction between justice partners, and reduce resource requirements.

A recent example of this is the Scottish Government's pilot for digital evidence sharing capability (DESC), which demonstrated a number of benefits such as fewer victim-survivors having to attend court, a reduction in police time used, and speedier processing of cases through the system. This resulted in a £33m commitment over 10 years to deploy the facility nationally.⁹⁶

The Victim Passport has two elements to it:

- **Victim Passport – Gateway (VP Gateway):** This is an online portal or gateway that enables a free-flow of pertinent information that is accurate and timely, and prioritises safety. The VP Gateway would be supported by a unique reference number (URN) assigned to each victim-survivor that remains with them throughout the justice process and beyond. This would ensure continuity in the entry and retrieval of information across the system and would enable a joined-up approach to providing the service, while minimising the need for victim-survivors to share their experiences multiple times, similar to the “Tell Us Once” approach noted previously. Criminal justice agencies would have varying access privileges and share relevant information on a need-to-know basis only. Victim support

organisations and victim-survivors should have view-only access to pertinent information to reduce gatekeepers, support choice and streamline retrieving information. The online resource should not be a substitute for human contact where a victim-survivor would prefer this.

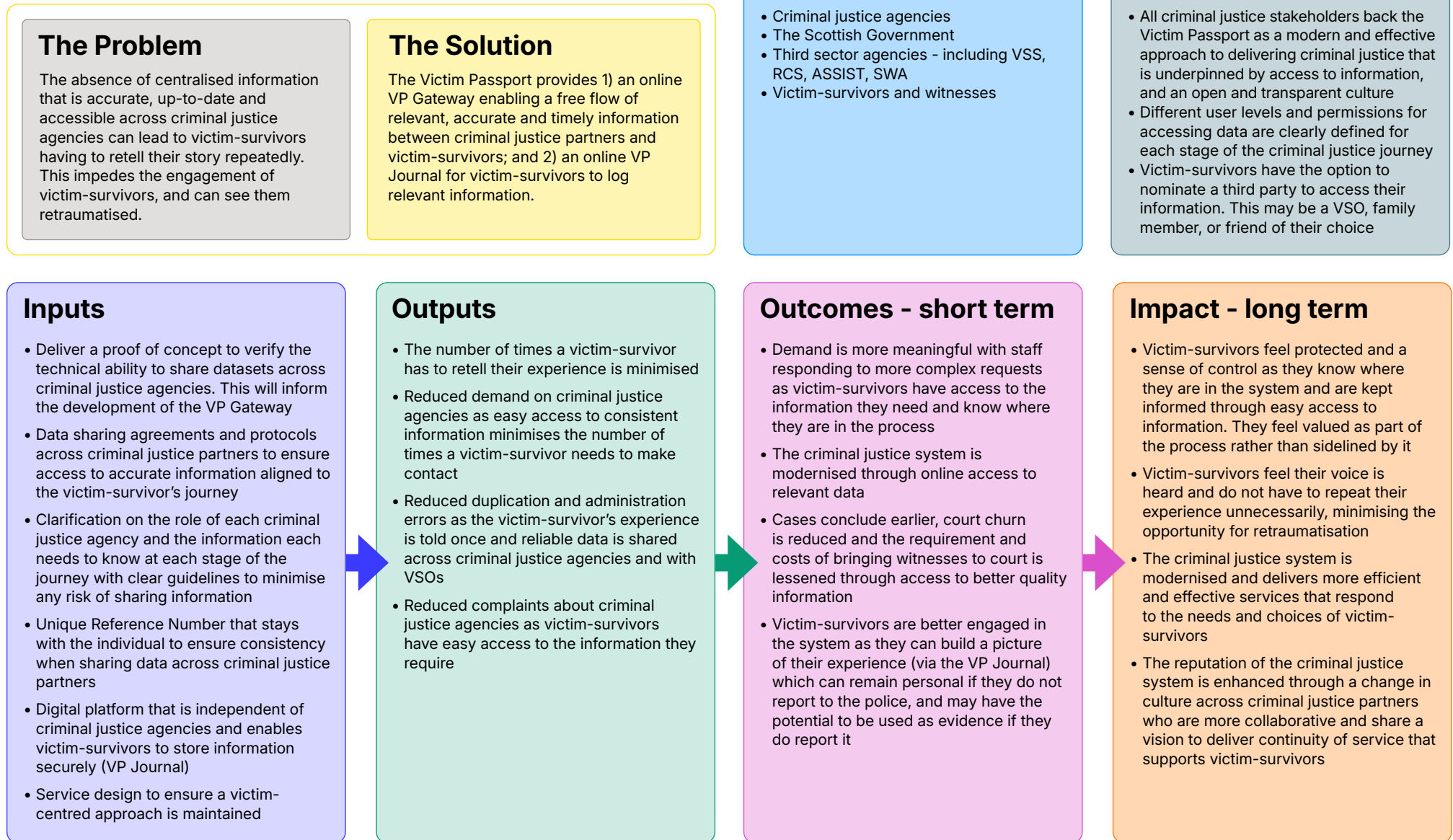
- **Victim Passport – Journal (VP Journal):** This is a digital resource or journal that could be used by victim-survivors as a private journal to document their experience, store relevant information, and create a storyboard or activity timeline. The VP Journal could help minimise the retelling of their experience, and provide a record of interactions with the criminal justice system, making information easily retrievable and less likely to be forgotten or misplaced. Information in the VP Journal belongs to the victim-survivor and should be independent of all criminal justice agencies. It may be initiated before an incident is reported. In Australia, a similar resource, the “Empower You” app, was launched in 2023 by the New South Wales Police Force, for those experiencing domestic and family violence.⁹⁷

The critical requirements to develop the solution are outlined in the section on the following page and summarised in Figure 9.

96. The Scottish Government (2024). National roll-out of digital evidence sharing technology. <https://www.gov.scot/news/national-roll-out-of-digital-evidence-sharing-technology/>

97. NSW Police Force (n.d.). Empower You App. Available at: https://www.police.nsw.gov.au/safety_and_prevention/policing_in_the_community/empower_you_app

Figure 9: Theory of Change for Victim Passport



Create the VP Gateway: The digital portal will reduce the number of gatekeepers to information and enable efficient provision of information to enhance the level of support provided to victim-survivors. Online access to data would allow the victim-survivor to keep up to speed with proceedings, to track communications and to know where they are in the process. Having access to information at a time and place that suits them gives victim-survivors choice and control over how and when they engage with the criminal justice system. It can, for example, avoid the need to take calls during work hours or where privacy is compromised. For some victim-survivors, this facility should help to reduce the difference in access to information that is perceived by victim-survivors to be tipped in favour of the accused, who has a lawyer to keep them abreast of the process. The rationalisation of processes and digitisation of information will also benefit criminal justice agencies by streamlining communication and through resource savings across the system. For example, software company Salesforce developed a “digital police station” for Thames Valley Police where victim-survivors can access updated information on their case, with a two-way messaging service. Benefits included 30,000 fewer calls within a three-month period.⁹⁸

Ensuring data security and privacy are of paramount importance. It is imperative that any new approaches to sharing data are underpinned by a clearly articulated benefit to the victim-survivor, such as minimising the retelling of their story, and do not lead to unintended consequences that may put the victim-survivor at risk, such as through legal disclosure obligations.⁹⁹ Information on bail should be streamlined between criminal justice agencies, victim-survivors and permitted victim support organisations to ensure the victim-survivor’s safety and reduce stress.

Broad functionality: Victim-survivors requested that the system should provide access to their witness statement to check for accuracy, updates on case progress, and the facility to give feedback. It should let them know where they are in the system or queue, and give information on the next steps (for example, court dates). It should give updates on bail, and information on where the accused is on their journey (for example, where the accused is a husband or partner in a domestic abuse case). It should give access to personal data, such as appointments and communications with criminal justice agencies, and names of key contacts and organisations/SPOCs (for example, a police officer or

98. Corvin, A. (July 2024). Force for good: how CX automation is improving police response times. Reported on [Techinformed.com](https://www.techinformed.com).

99. For example, if the Crown Office and Procurator Fiscal Service or police have access to information provided in confidence by a victim-survivor

to a victim support organisation, they may have a legal disclosure duty to share that information with the defence, which raises significant safety concerns.

VSO SPOC). It should also allow the creation of the Victim Impact Statement, provide details relating to the Victim Notification Scheme, and signpost to other information including relevant leaflets, videos and other resources relevant to their situation.

Victim-survivor consent: Consent should be sought from victim-survivors at the outset following a clear explanation of what data will be gathered, who it will be shared with, how the data will be handled and for how long it will be held. To reduce distress and trauma, it is vital that victim-survivors should have the option of authorising a third party (for example, a VSO SPOC, relative or friend) to access information and contact criminal justice agencies on their behalf.

Develop a “proof of concept” for data sharing: The complexity of creating an online portal that works across criminal justice agencies cannot be underestimated, so its development should be undertaken in stages. The initial considerations include developing the technical definition and governance for the system and undertaking a proof of concept on creating and sharing case-related data sets. A Unique Reference Number (URN) that remains with the victim-survivor should be shared across criminal justice agencies and victim support organisations to help ensure consistency and accuracy of information shared. The findings of the proof of concept activities would provide meaningful

data to approximate the intricacies and detailed costs of developing and rolling out a VP Gateway nationally.

Create information and data sharing protocols: Specific protocols for data sharing must be agreed including defining the legal basis for consent. Criminal justice agencies must have access to populate relevant sections of the VP Gateway. Only necessary information should be shared at each stage of the process. Levels of access and editing privileges (e.g., authority to enter, edit, approve, or view data) must be clearly defined for each criminal justice agency. Where appropriate, approved victim support organisation staff may be police-checked and authorised to access relevant parts of the online system. Protocols must be developed to guide how criminal justice agencies interact across the system and share information with victim support organisations.

Information must be up-to-date: To be useful, data provided must match the victim-survivor’s journey. Information that is reliable and accurately entered into the system avoids victim-survivors having to retell their experience. To ensure the safety of victim-survivors, for example, in relation to bail and parole, it is vital that information is made available in a timely manner.

Create the VP Journal: Victim-survivors would value the ability to record information in their own voice and to store data such as documents and photos and to create journal entries after and, in some cases, before an incident is reported. The VP Journal would provide this facility. To ensure the safety of some victim-survivors, it may be necessary to identify “safe spaces”, such as the offices of victim support organisations or libraries, where access to the resource can be supported. It was suggested that this online resource be independent of the criminal justice system. Information contained on the VP Journal should remain personal if the victim-survivor does not report to the police, or may have the potential to be used as evidence if a report is subsequently made.

Key Stakeholders include the cooperation and collaboration of:

- Victims’ Taskforce
- Crown Office and Procurator Fiscal Service
- Criminal justice agencies, as appropriate
- Victim support organisations including ASSIST, Rape Crisis Scotland, Scottish Women’s Aid and Victim Support Scotland
- The Scottish Government
- Victim-survivors
- Technical systems expert guidance/input

4.6.3 Outputs

The projected, measurable outputs or changes that the Victim Passport solution is predicted to generate include:

- Minimising the number of times a victim-survivor has to retell their experience, in line with a “tell us once” approach
- Reducing the number of times a victim-survivor contacts criminal justice agencies as they have easy access to relevant information
- Reducing the time required from criminal justice agency staff as information is available online
- Reducing the administration errors as the victim-survivor’s experiences are told once, and in their voice, and consistent information is shared across the system
- Reducing the complaints about criminal justice agencies as victim-survivors have easy access to the information they require

4.6.4 Outcomes

The medium-term benefits of the implemented solution are projected to include:

- More meaningful engagement with criminal justice agency staff who can respond to more complex requests from victim-survivors
- Earlier conclusion of cases, reduced court churn and cost savings as the requirement to bring witnesses to court is lessened through access to better quality information
- Modernised criminal justice system through access to relevant, timely and accurate data online
- Journaling allows the victim-survivor to build a picture of their experience, allowing patterns to emerge and signify that a crime may have taken place

4.6.5 Impact

In the long-term, the solution is expected to have a number of positive influences in the criminal justice system:

- Victim-survivors will feel protected and feel a sense of control as they know where they are in the system and are kept informed through easy access to information
- Victim-survivors will feel valued as part of the system and that their voice is heard as they do not have to repeat their experience unnecessarily, minimising the likelihood for re-traumatisation
- A modernised criminal justice system will deliver more efficient and effective services that respond to the needs and choices of victim-survivors
- The reputation of the criminal justice system will be enhanced through a change in culture across criminal justice partners who are more collaborative and see the benefits of being part of a system with a shared vision to deliver continuity of service and support victim-survivors

Figures 10, 11 and 12 provide an outline of how the solution might work.

4.6.6 Enabling conditions

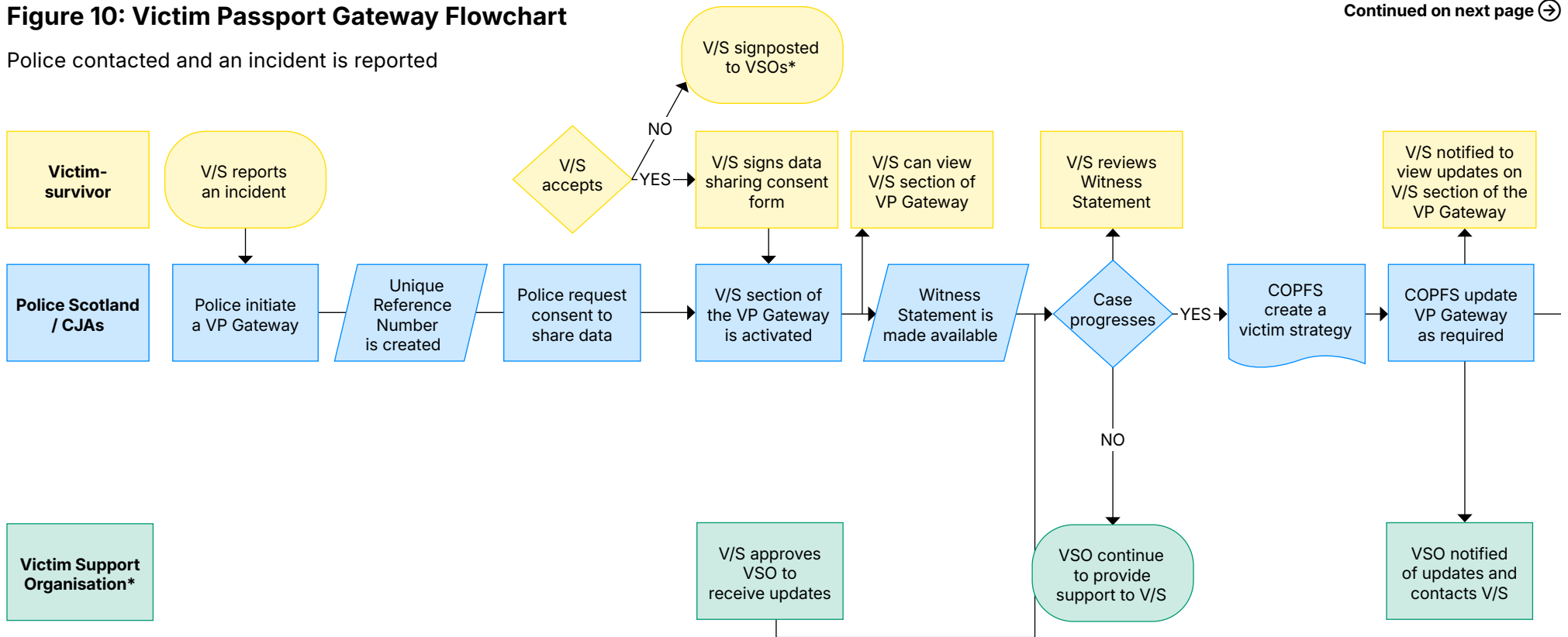
A number of initiatives or activities already exist or are in development within the sector. As they already have commitment and resource allocated to them, these elements have the potential to reduce the overall cost of the solution and to support and/or accelerate its development. They include:

- **Witness Gateway:** Currently being piloted and providing online access to information such as the witness statement, which could be a resource that connects with the Victim Passport.
 - **Unique Reference Number:** Police Scotland currently generate this number when pulling information to share with Victim Support Scotland. Research is needed to establish if this can be extended to agencies across the system.
 - **Directory of services:** The Scottish Government is considering how it might work with partners on the mapping of victim support across Scotland. Such work could provide a basis for the database of approved victim support organisations.
 - **Case Related Data Transformation proof of concept proposal:** This document provides an approach to exploring data sharing options that will inform the next steps to progress the Victim Passport.
 - **Feedback loop:** A feedback loop exists between Police Scotland, the Crown Office and Procurator Fiscal Service and Rape Crisis Scotland for victim-survivors of sexual offences. Further feedback loops are in development by the Crown Office and Procurator Fiscal Service for support agencies dealing with domestic abuse cases. These mechanisms could be extended to include all crime types.
 - **Existing evidence of impact:** Data on potential savings to be made by criminal justice agencies can be informed by evidence gathered from previously implemented systems. This could include data from the roll out of DESC and the “digital police station” designed by software developer Salesforce, as noted previously.
-

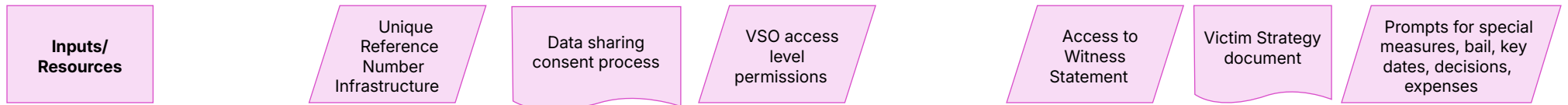
Figure 10: Victim Passport Gateway Flowchart

Continued on next page →

Police contacted and an incident is reported



Victim Support Organisation*



Key to symbols

- Start / End of Activity
- Process step
- Decision
- Data/Information Related
- Document

Notes

- V/S = victim-survivor
- CJA = criminal justice agency
- VP = Victim Passport

* This could be the SPOC Contact centre as outlined in Section 4.5

Figure 10: Victim Passport Gateway Flowchart

Police contacted and an incident is reported

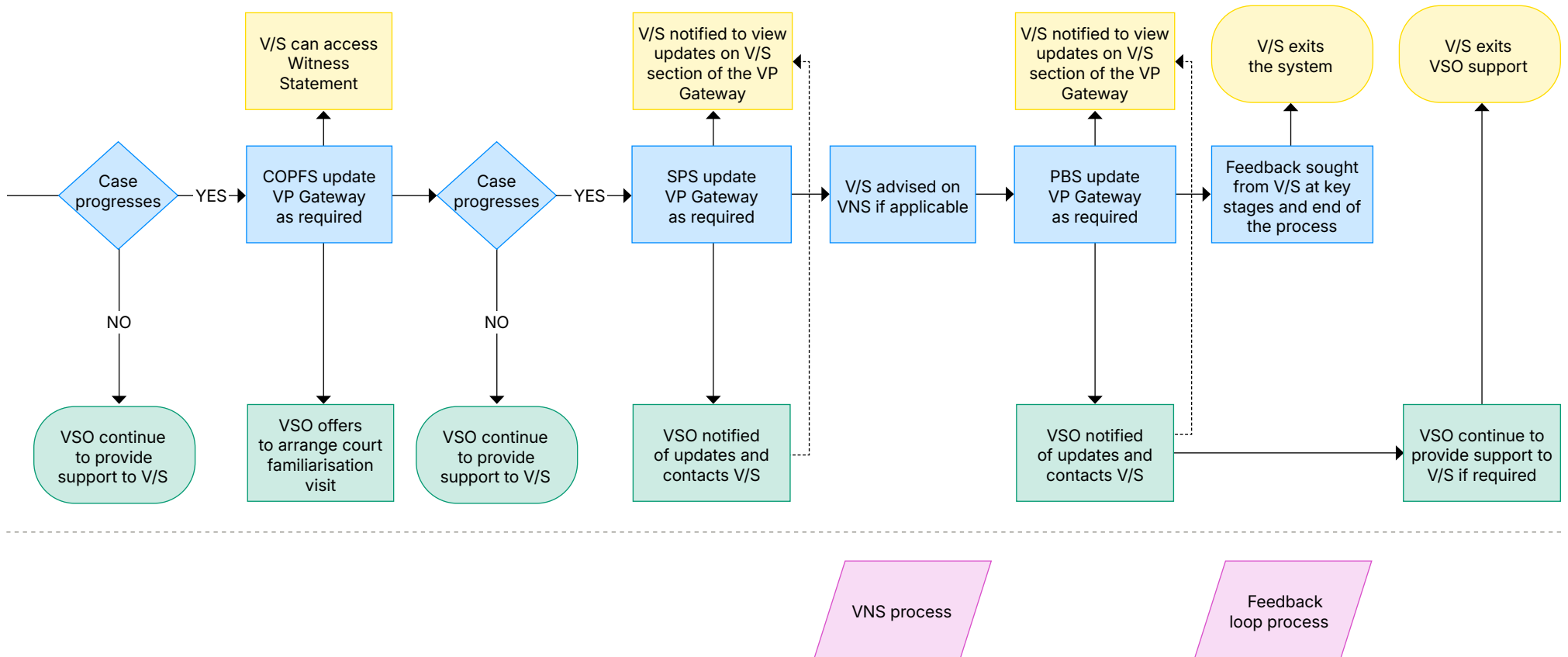


Figure 11: Victim Passport Gateway Flowchart

Before an incident is reported

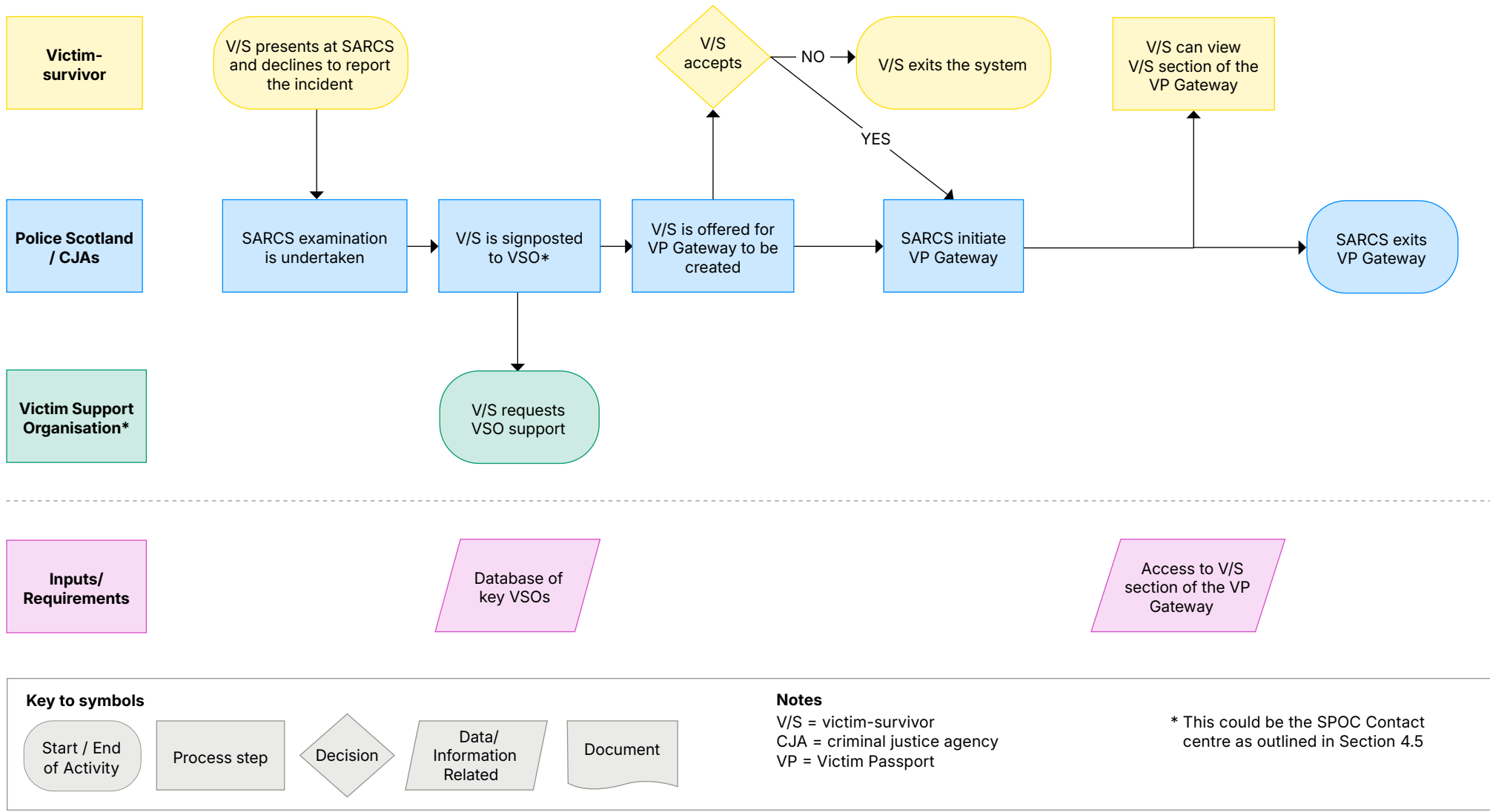
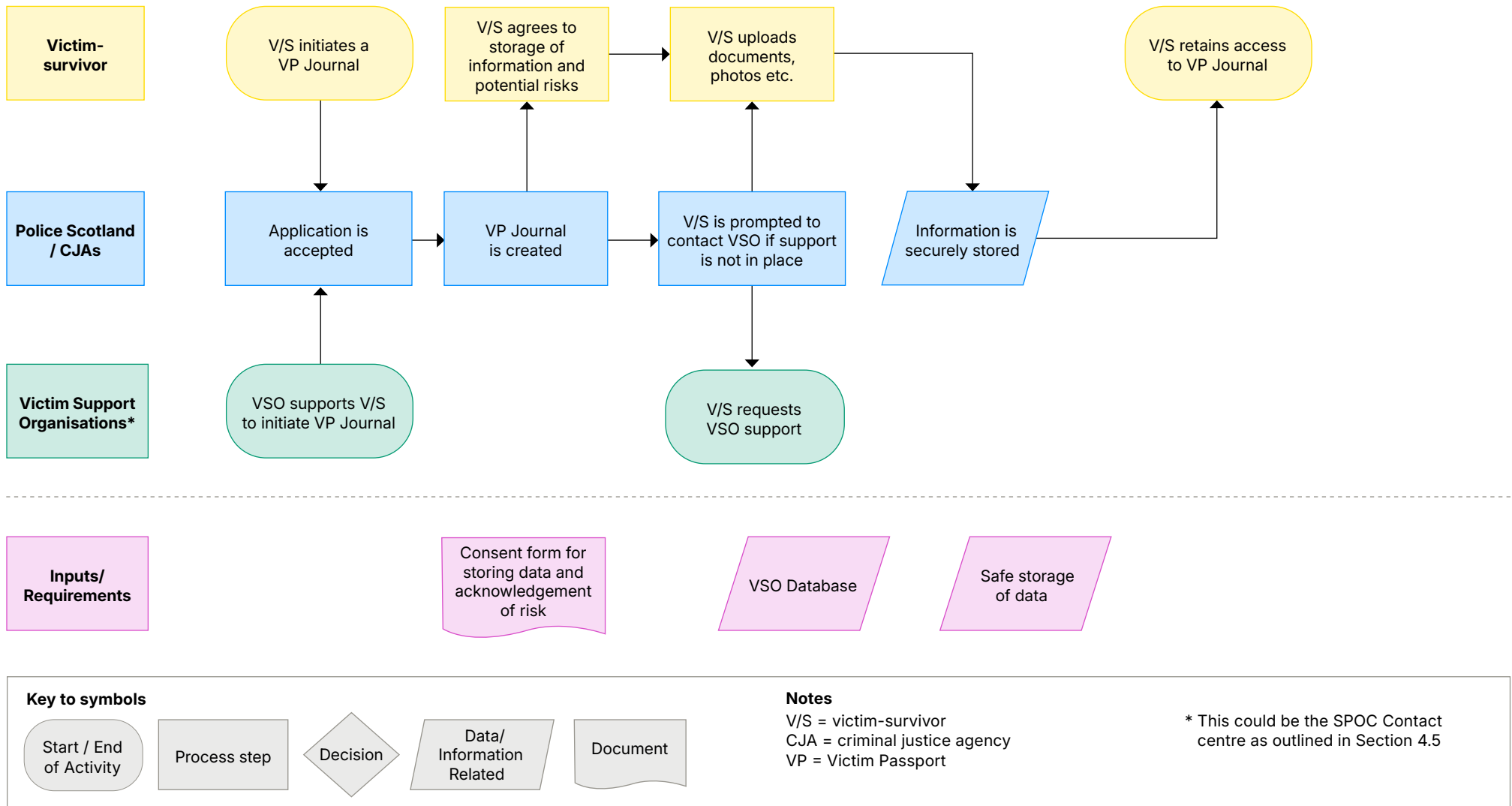


Figure 12: Victim Passport Journal Flowchart

Before or after an incident is reported



4.6.7 Funding requirements to develop the solution

The indicative costs of developing the solution are summarised in the table below. It should be noted that further work is needed to finalise the figures. The summary budget lines are drawn from the input section of the Theory of Change figure. Projected savings in key areas were also sought to provide a realistic assessment of the investment required, but figures were unavailable.

Table C: Summary of elements costed - Victim Passport

Investment Required <ul style="list-style-type: none"> • Outline business case • Victim Passport – Gateway - Proof of Concept only • Victim Passport – Journal • Service Design • Legal considerations 	
A. Total investment required	£664,800

4.7 Implementation Phase Costs

The costs associated with following elements are, in the main, anticipated to be absorbed into “business as usual” activities with minimal additional costs incurred and a potential reallocation of resources to enable the implementation of each solution:

- **Identification of strategic leads** within each criminal justice agency to drive the implementation of each solution. These key individuals will provide governance and have responsibility for progressing the development and implementation of the solutions.
- **Maintaining a design innovation/service design approach** to continue the engagement of victim-survivors and criminal justice partners and the collaborative approach that has informed the solutions proposed.
- **Monitoring changes to demonstrate the impact** of each solution and sharing progress, challenges and best practice across criminal justice partners. This includes identifying key metrics to enable baseline data to be gathered in advance of changes being introduced to evidence the impact and savings resulting from the implemented solutions.

- **Training of criminal justice agency staff** on the implementation of the solutions and the benefits to be accrued. Training will ensure that staff are up to speed with the changes being introduced and are confident in how to implement them. Training may be within specific organisations or across multiple agencies.
 - **Training for victim support organisations** on the mechanisms within the criminal justice system, how different agencies support victim-survivors and any additional support that exists.
 - **A communications campaign** to raise awareness of the benefits of new solutions adopted. This would include internal campaigns across criminal justice agencies and externally-facing initiatives raising awareness about victim support services in society in general.
-

CONCLUSION

05

The provision of compassionate support that eases the journey through the criminal justice system is a legal entitlement of victim-survivors and a moral responsibility of each agency in the system. However, victim-survivors face many long-standing and persistent issues when engaging with the system, as identified in previous publications and substantiated through this project. This report presents three solutions to address points of failure in the system: an Opt-out Referral Process, a Single Point of Contact and a Victim Passport. Each solution has been developed through a participatory process with victim-survivors and criminal justice partners and is presented with an overview of how it could work in practice, alongside indicative costs of development to support decision-making. The solutions are inter-connected and, building on existing good practice within the sector, will provide a more considerate victim-survivor experience enabled by a streamlined and efficient system. The recommendations also align with the work of the Transformational Change Programmes, particularly the

programmes related to Person-Centred Trauma-Informed justice services and Criminal Justice System Efficiency which have been developed to deliver some of the key work highlighted in the Scottish Government's "The Vision for Justice in Scotland".¹⁰⁰

In particular, the solutions connect with improving the experience of victim-survivors across the justice system and increasing effectiveness and efficiency in the sector through the increased use of digital technology to deliver justice services and processes.

If leaders within the criminal justice system are serious about listening to victim-survivors, ensuring they feel safe and supported in their interactions with its agencies, then it is imperative that new approaches are adopted with urgency.

Recommendations for the project are presented in the following section.

100. The Scottish Government. (2023b). The Vision for Justice in Scotland: Three Year Delivery Plan 2023/24 to 2025/26. Scottish Government. Available at: <https://www.gov.scot/>

RECOMMENDATIONS

06

The following recommendations are proposed to enhance the experience of victim-survivors as they journey through the criminal justice system. The first four principal recommendations relate to the three solutions outlined previously, with the fourth combining the propositions relating to creation of a shared purpose with humanising the criminal justice process. The remaining recommendations are considered enabling and provide supporting actions for system change.

Principal recommendations

- 1. Introduce an opt-out referral process.** Replace the current opt-in referral system with an opt-out referral process. This will ensure that all victim-survivors can exercise their legal entitlement and have the option to access support. A small number of selected victim support organisations should provide a coordinated response to referrals delivering specialist as well as generalist services. This approach should build on existing good practice to ensure the safety of victim-survivors and to avoid adding unnecessary bureaucracy.
 - 2. Make single point of contact a standard service.** Provide victim-survivors across all crime types with a single point of access to information, and a single point of contact for in-person support. The single point of access would be an user-friendly online portal providing comprehensive information about the criminal justice system that is sensitive to the victim-survivor journey. A single point of contact (SPOC) would be an allocated and named individual (or small team) within an organisation. SPOCs within victim support organisations (VSO SPOCs) should provide the victim-survivor with the required level of support and continuity of contact across all stages of their case. They can also refer victim-survivors to other services, within and outwith the criminal justice system, as required. SPOCs within criminal justice agencies provide the victim-survivor with information related to particular aspects of their case. Examples of good practice already exists within the SPOC roles across the sector, which should be built upon.
-

3. Enable streamlined data sharing through a Victim Passport (VP Gateway and VP Journal). The Victim Passport minimises the need for victim-survivors to retell their experiences and enables easy access to information. It comprises two elements: a VP Gateway for sharing data across justice partners and with victim-survivors, and a VP Journal that is personal to the victim-survivor. The initial step in creating a single repository of data (the VP Gateway) should be to establish the viability of sharable case-related data across criminal justice agencies through a proof of concept. Importantly, having reliable data aligned to each victim-survivor's case, would minimise the need for them to retell their experiences. The VP Gateway function would streamline access to up-to-date and accurate data, remove gatekeepers and allow the victim-survivor access to information at a time and place that suits them. The free flow of pertinent information across criminal justice agencies would ensure continuity of data, reduce duplication and inaccuracies and support a joined-up approach to justice services. The VP Journal facility would provide victim-survivors with a personal log of information and let them record information in their own voice.

4. Co-create a shared purpose aimed at "humanising" the criminal justice system. Leaders across criminal justice agencies should collaborate in creating a clearly articulated purpose statement declaring the victim-centred focus of criminal justice agencies, and their respective actions and responsibilities for achieving this. This should prioritise the victim-survivor experience over the system, align with the Victims' Taskforce vision, and reflect the proposition about the need to "humanise" the criminal justice system. Regular meetings should be scheduled to ensure that a victim-centred approach is achieved, progress is monitored and impacts are captured. It is proposed that the Victims' Taskforce initiate this work.

Enabling recommendations

5. Capitalise on the interconnectivity of the three proposed solutions. The three solutions should be developed in parallel/close sequence to accelerate a joined-up approach to supporting victim-survivors. Implementing the solutions in an integrated way would address many of the issues raised by victim-survivors including having support through the system, having access to information, being heard and being treated with compassion. It would allow them to interact with the criminal justice process in a consistent and streamlined way and enable criminal justice agencies to respond efficiently and effectively, maximising the benefits to be gained. For example, if all three solutions are in place, the opt-out referral process connects the victim-survivor with the SPOC contact centre, who can allocate a VSO SPOC according to their needs. They can also signpost the victim-survivor to resources on the online portal and facilitate access to both the Gateway and Journal facilities of the Victim Passport.

- 6. Gather baseline data to demonstrate return on investment.** The anticipated savings and efficiencies to be gained through the introduction of changes within the criminal justice system should be determined by gathering appropriate data before any intervention and post-implementation. This would require working with individual agencies to determine a range of indicators of potential savings and where existing resources might be reallocated.
- 7. Review capacity in the sector to ensure adequate support for victim-survivors.** A review of each of the core victim support organisations, and other key organisations such as those offering specialist support, should be undertaken to ensure they have sufficient appropriately trained staff to respond to projected increased demand. The introduction of opt-out referrals is expected to increase the number of victim-survivors taking up support from victim support organisations. This, combined with the introduction of single point of contact support across all crime types, could also lead to an increase in the number of staff required to provide advanced support, such as being trained to competently deal with sexual and domestic abuse offences.
-

- 8. Ensure a victim-centred design approach to implementing solutions.** Each solution should be developed in a victim-centred way, building on the design innovation (or service design) approach used in this project. In this way, the vital contributions of victim-survivors and other key stakeholders can continue to inform the development of appropriate and workable solutions, including regular testing, feedback and refining, before finalising and launching the services.
 - 9. Maintain momentum through continued engagement of stakeholders.** The project has evidenced excellent collaboration across stakeholders in the criminal justice system, resulting in truly co-created solutions. This collaborative culture should be nurtured by encouraging continued engagement of victim-survivors and staff in criminal justice agencies and victim support organisations. This would build on the high levels of participation and collaboration evident across the project and valued across stakeholder groups.
 - 10. Digital resources must complement in-person support.** To honour personal choice and avoid digital exclusion, the ability to connect with a human contact/member of staff must be offered alongside digital access. Online resources must not replace contact with people across the criminal justice system. It is imperative that victim-survivors have the choice of how to access information and support.
 - 11. Act now/with urgency to demonstrate intention.** It is imperative that changes to the system are introduced without delay. Many of the issues identified in this project align with long-standing and well-documented challenges faced by victim-survivors and intensified by the Covid-19 pandemic. The introduction of victim-centred solutions would demonstrate a commitment from criminal justice agencies to provide services that are considerate, compassionate and respectful of the needs of victim-survivors.
-

- 12. Increase understanding across the criminal justice system.** A programme of “show and tell” should be introduced to enhance understanding about how each agency supports victim-survivors. More cross-agency interaction will provide insights about the roles of each agency within the system, highlight the level of complexity involved in providing victim support, and empower staff to work effectively together in a more integrated way.
- 13. Progress the non-predominant propositions.** The remaining nine propositions set out in this report should be reviewed and progressed where possible. The propositions were generated by key stakeholders across the criminal justice system and provide significant insights into how the system can be improved for victim-survivors. These propositions could not be pursued as part of this project but have intrinsic value and merit a review to establish if, how and when, they could be advanced.
-

Armour, R. (2023). 'Third Sector faces staffing crisis despite spiralling demand for services.' TFN, 30 March 2023. Available at: <https://tfn.scot/news/third-sector-faces-staffing-crisis-despite-spiralling-demand-for-services>

Brooks-Hay, O., Burman, M., Bradley, L. and Kyle, D. (2018). Evaluation of the Rape Crisis Scotland National Advocacy Project: Final Report. Scottish Centre for Crime & Justice Research. Available at: <http://eprints.gla.ac.uk/190525/>

Brooks-Hay, O., Burman, M. and Bradley, L. (2019). Justice Journeys: Informing policy and practice through lived experience of victim-survivors of rape and serious sexual assault. SCCJR Research Report 04/2019. August 2019. Glasgow: The Scottish Centre for Crime & Justice Research. Available at: <https://www.sccjr.ac.uk/publication/justice-journeys-informing-policy-and-practice-through-lived-experience-of-victim%E2%80%90survivors-of-rape-and-serious-sexual-assault/>

Burman, M. and Brooks-Hay, O. (2021). Delays in Trials: the implications for victim-survivors of rape and serious sexual assault: an update. July 2020. The Scottish Centre for Crime & Justice Research. Available at: https://www.sccjr.ac.uk/wp-content/uploads/2020/08/Delays-in-Trials-SCCJR-Briefing-Paper_July-2020.pdf

Corvin, A. (2024). 'Force for good: how CX automation is improving police response times.' 18 July 2024. Techinformed.com Available at: <https://techinformed.com/force-for-good-how-cx-automation-is-improving-police-response-times/>

Design Council (2007). Eleven Lessons: Managing Design in Eleven Global Companies-Desk Research Report. London: Design Council.

Forbes, E. (2021). Victims' Experiences of the Criminal Justice Response to Domestic Abuse: Beyond GlassWalls. Emerald Publishing Limited.

Forbes, E. (2021). Beyond Glass Walls. How Domestic Abuse Victims Experience the Criminal Justice Process in Scotland. A Scottish Justice Fellowship briefing paper. The Scottish Government, The Scottish Centre for Crime and Justice Research and The Scottish Institute of Policing Research. Available at: <https://www.sccjr.ac.uk/wp-content/uploads/2021/02/Dr-Emma-E.-Forbes.pdf>

Gov.uk (n.d.). Claim compensation if you were the victim of a violent crime. Available at: <https://www.gov.uk/claim-compensation-criminal-injury>

HM Inspectorate of Prosecution in Scotland (2024). The prosecution of domestic abuse cases at sheriff summary level. April 2024. Glasgow: HM Inspectorate of Prosecution in Scotland. Available at: <https://prosecutioninspectorate.co.uk/publications/the-prosecution-of-domestic-abuse-cases-at-sheriff-summary-level/scope-and-methodology/>

Justice Analytical Services (2023a). Scottish Crime and Justice Survey 2021/11: Main Findings. The Scottish Government, p.106. The Scottish Government. Available at: <https://www.gov.scot/publications/scottish-crime-justice-survey-2021-22-main-findings/>

Justice Analytical Services (2023b). Recorded Crime in Scotland, 2022-23. The Scottish Government, p.7. Available at: <https://www.gov.scot/publications/recorded-crime-scotland-2022-23/>

Justice Analytical Services (2023c). Recorded Crime in Scotland: year ending September 2023. The Scottish Government, p.5. Available at: <https://www.gov.scot/publications/recorded-crime-scotland-year-ending-september-2023/>

Macdonald, A. and Young, F. (2023). Independent Review of the Victim Notification Scheme. May 2023. The Scottish Government. Available at: <https://www.gov.scot/groups/independent-review-of-the-victim-notification-scheme/>

Mitchell, M., Warrington, C., Devaney, J., Lavoie, J. and Yates, P. (2023). North Strathclyde Bairns' Hoose Evaluation: Phase One Report, March 2023. The University of Edinburgh, p.24. Available at: <https://www.sps.ed.ac.uk/sites/default/files/assets/pdf/North%20Strathclyde%20Bairns%20Hoose%20Evaluation%20-%20Phase%20One%20Report.pdf>

Murray, S., Welland, S., and Storry, M. (2024). Annual Victims' Survey 2023. Victims Commissioner. Available at: <https://cloud-platform-e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/6/2024/08/Victim-Survey-2023-final-full-with-alt-text-27-Aug.pdf>

NHS Education for Scotland (2023). Trauma Informed Justice: A Knowledge and Skills Framework for Working with Victims and Witnesses. May 2023. In partnership with the Scottish Government. NHS Education for Scotland, p.5. Available at: <http://doi.org/10.13140/RG.2.2.26790.19525>

The National Trauma Transformation Programme (2023). A Roadmap for Creating a Trauma-Informed and Responsive Change: Guidance for Organisations, Systems and Workforces in Scotland (2023). The Scottish Government and COSLA. Available at: <https://www.traumatransformation.scot/implementation/>

NSW Police Force (n.d.). Empower You App. [Mobile app]. Available at: https://www.police.nsw.gov.au/safety_and_prevention/policing_in_the_community/empower_you_app

Police Scotland in partnership with Victim Support Scotland (2021). We Asked, You Said, We Did – Police Scotland Citizen Space. <https://consult.scotland.police.uk/strategy-insight-and-innovation/views-about-support-aftercare-for-people-who-exper/>

Police Scotland (2024). Three-year Business Plan – 2024-2027. P13. Available at: <https://www.spa.police.uk/spa-media/eohmym23/item-8-3-year-business-plan.pdf>

Scottish Courts and Tribunals Service (2021). Improving the Management of Sexual Offence Cases: Final Report from the Lord Justice Clerk’s Review Group. March 2021. Scottish Courts and Tribunals Service. Available at: <https://www.scotcourts.gov.uk/media/gmrbrw5p/improving-the-management-of-sexual-offence-cases-march-2021.pdf>

The Scottish Government (2018). Victims’ Code for Scotland. Edinburgh: The Scottish Government. Available at: <https://www.mygov.scot/victims-code-for-scotland>

The Scottish Government (2019). Victims’ Taskforce papers: September 2019. Papers from the group’s fourth meeting, held on 11 September 2019. Paper 10: Victim-centred approach – scoping review of the literature. Available at: <https://www.gov.scot/publications/victims-taskforce-papers-september-2019/>

The Scottish Government (2021a). Victims’ Taskforce papers: December 2020. Papers from the meeting on 9 December 2020. Paper 1 – Victims’ Voices – key themes. Available at: <https://www.gov.scot/publications/victims-taskforce-papers-december-2020/>

The Scottish Government (2021b). Victims’ Taskforce papers: 10 March 2021. Available at: <https://www.gov.scot/publications/victims-taskforce-papers-march-2021/>

The Scottish Government (2022). Victims’ Taskforce papers: November 2021. Papers from the meeting on 24 November 2021. Available at: <https://www.gov.scot/publications/victims-taskforce-papers-november-2021/>

The Scottish Government (2023a). Standards of Service for Victims and Witnesses. Annual Report 2022-23. The Scottish Government, pp.10-12. Document 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. The Scottish Government. Available at: <https://www.scotcourts.gov.uk/media/x01hhbo4/standards-of-service-for-victims-and-witnesses-annual-report-2022-2023.pdf>

The Scottish Government. (2023b). The Vision for Justice in Scotland: Three Year Delivery Plan 2023/24 to 2025/26. Scottish Government. Available at: <https://www.gov.scot/>

The Scottish Government (2024a). Victim Notification Scheme - Independent Review: Scottish Government response. Available at: <https://www.gov.scot/publications/victim-notification-scheme-formal-response-independent-review/pages/2/>

The Scottish Government (2024b). Coronavirus (Recovery and Reform) (Scotland) Act 2022 - proposed extension of the temporary justice provisions: statement of reasons. 23 September 2024. Available at: <https://www.gov.scot/publications/proposed-extension-temporary-justice-provisions-coronavirus-recovery-reform-scotland-act-2022-statement-reasons/>

The Scottish Parliament (n.d.-a). Victims, Witnesses, and Justice Reform (Scotland) Bill. Available at: <https://www.parliament.scot/bills-and-laws/bills/victims-witnesses-and-justice-reform-scotland-bill/overview>

The Scottish Parliament (n.d.-b). Victims and Witnesses (Scotland) Act 2014. Available at: <https://www.legislation.gov.uk/asp/2014/1/contents>

Thomson, L. (2017). Review of victim care in the justice sector in Scotland. 1 January 2017. Crown Office and Procurator Fiscal Service. Available at: <https://www.copfs.gov.uk/publications/review-of-victim-care-in-the-justice-sector-in-scotland/>

Thrive (2020). Transforming Services for Victims and Witnesses. July 2020.

Victim Support Scotland (2019). Victim-Centred Approach. Update from Victim Support Scotland. July 2019. Victim Support Scotland. Available at: https://victimsupport.scot/wp-content/uploads/2019/10/VSS_Victim_Centred_report_final_2019.pdf

Victim Support Scotland (2024). Annual Report and Accounts 2023/24. Victim Support Scotland, p.4. Available at: <https://victimsupport.scot/about-us/reports-and-impact/annual-reports/>

Yaqoob, T. (2023). Delivering sexual violence support services that work for survivors of colour. Rape Crisis Scotland. Available at: <https://www.rapecrisisscotland.org.uk/resources/Delivering-sexual-violence-support-services-that-work-for-survivors-of-colour-1.pdf>

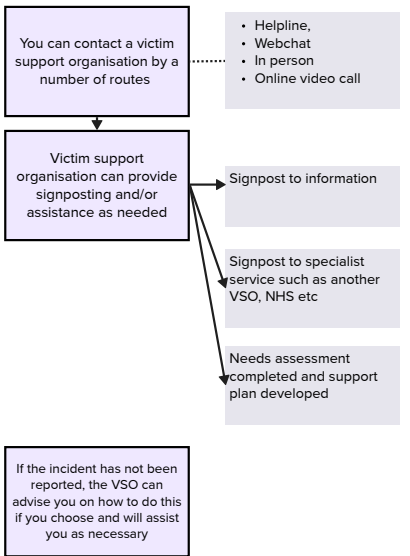
Organisation	Interviewee	Location	Victim-survivors supported
<p>CARE Nottinghamshire</p> <p>(Commissioned by the Police and Crime Commissioner for Nottinghamshire and operated by Catch 22)</p>	<p>Head of Service Catch22 Nottinghamshire Victim CARE</p> <p>Assistant Director for Victim Services at Catch22</p>	<p>UK (Nottinghamshire)</p>	<p>All crime types except sexual and domestic abuse</p>
<p>Victim Support Northern Ireland</p>	<p>Chief Executive</p>	<p>UK (Northern Ireland)</p>	<p>All crime types</p>
<p>Directorate General for Community Criminal Execution and Juvenile Justice of the Generalitat de Catalunya</p> <p>Office of Attention to the Victim of Crime in Barcelona</p>	<p>Head of the Area of Reparation and Attention to Victims</p> <p>Senior Legal Technician</p> <p>Coordinator</p>	<p>Spain (Catalonia)</p>	<p>All crime types</p> <p>Specialist service for victims of sexual violence</p>
<p>Victim and Witness Support Service</p> <p>Women's Room (Centre for Victims of Sexual Violence)</p> <p>Directorate for Criminal Law</p>	<p>Executive Director</p> <p>Professional associate on programs and projects</p> <p>Head of Service</p>	<p>Croatia</p>	<p>All crime types</p> <p>Specialist service for victims of sexual violence</p>
<p>Victim Support New Zealand</p> <p>Ministry of Justice</p>	<p>Principal Advisor, Victim Advocacy and Research</p> <p>Chief Victims Advisor to Government</p>	<p>New Zealand</p>	<p>All crime types except homicide</p>

Rape Crisis Scotland – National Advocacy Service	Project Coordinator	UK (Scotland)	Specialist service for victims of rape and sexual violence
Victim Support Scotland – Support for Families Bereaved by Crime	National Manager	UK (Scotland)	Specialist service for families bereaved by homicide
Glasgow City Council – ASSIST	Operations Manager (1) Operations Manager (2) Operations Manager (3)	UK (West of Scotland)	Specialist service for victims of domestic abuse
Witness Aid Services Unit (WASU) – New York County District Attorney’s Office	Deputy Chief for Survivor Services/ Director Deputy Division Chief, Gender-based violence policy	USA (New York)	All crime types – District Attorney’s office
Victims Commissioner Mayor’s Office for Policing and Crime (MOPAC), London	Victims Commissioner Senior Policy Advisor to London’s Victims Commissioner Senior Policy and Commissioning Manager, MOPAC Programme Manager, MOPAC	UK (London)	Amplify voices of all victims. Looking to develop a Hub and online resource

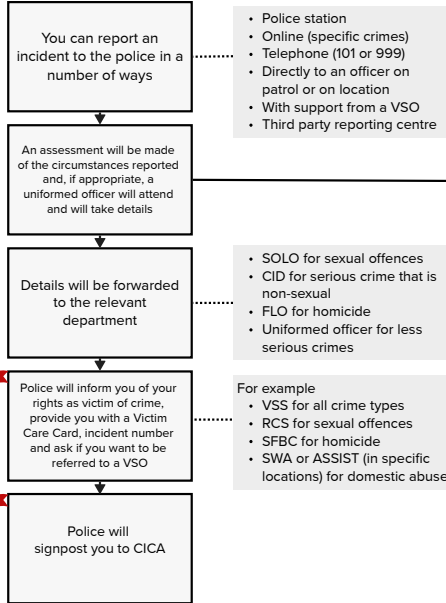
Implement a shared purpose across criminal justice agencies	Move to an opt-out referral process	Create a single point of contact (SPOC)	Introduce a Victim Passport to enable data sharing	Humanise the criminal justice system
Enhance standards of service across criminal justice agencies	Enhance the profile and activities of victim support organisations	Enable victim-survivors to give their best evidence	Review parole and release processes	Enable victim-survivors to give their best evidence
Create a pathway through the criminal justice system	Create a pathway through the criminal justice system	Support victim-survivors after the trial	Reduce time to court	Create a pathway through the criminal justice system
		Create a pathway through the criminal justice system	Balance the criminal justice system	Protect victim-survivors from the adverse effects of the media
				Reduce time to court
				Balance the criminal justice system

STAGE 1: Reporting an Incident and Police Investigation

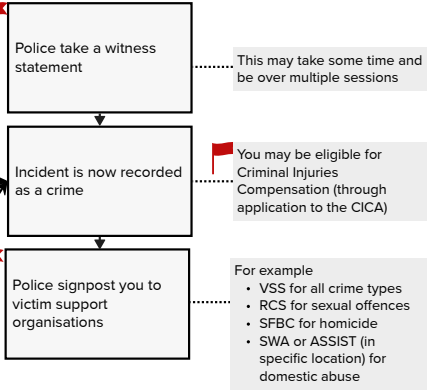
1.1 (a) Seeking Support



1.1 (b) Reporting an incident



1.2 Giving a statement



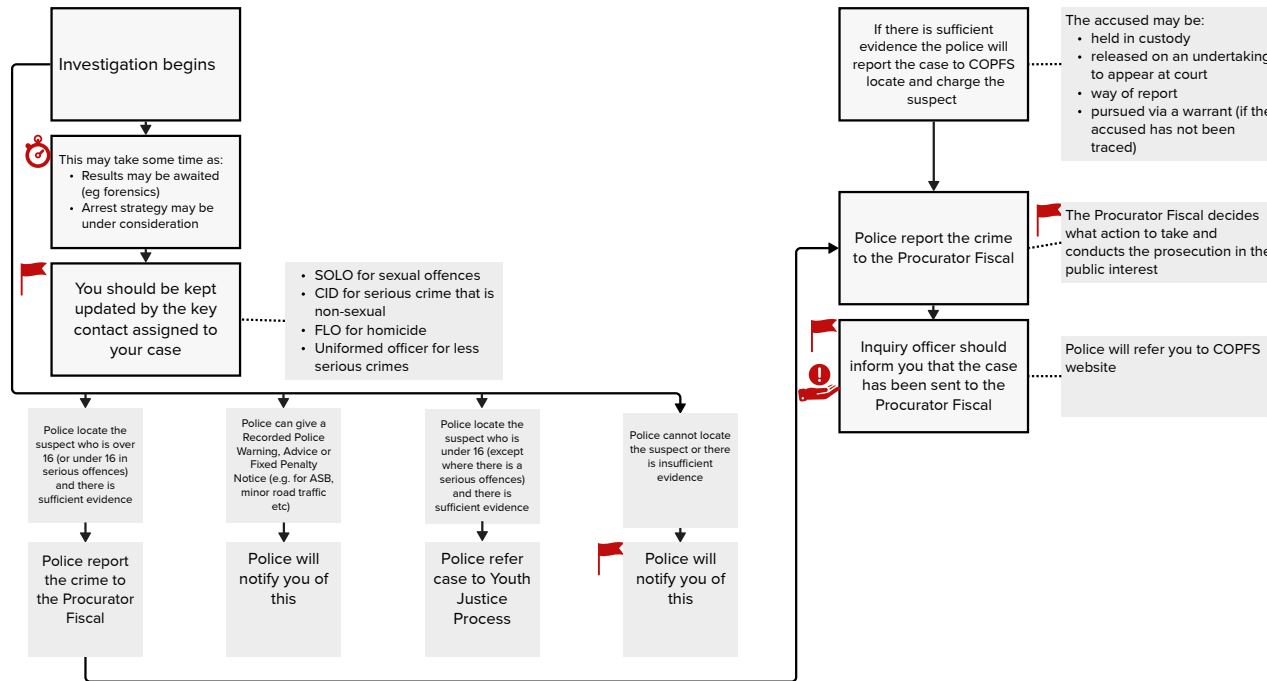
Key

- Points in the process that do not always work well and can be source of potential upset or trauma for the victim-survivor
- Points in the process where lengthy waits and possible delays may occur
- Points in the process where lack of continuity of staff can lead to lack of victim-survivor care

STAGE 1: Reporting an Incident and Police Investigation (cont.)

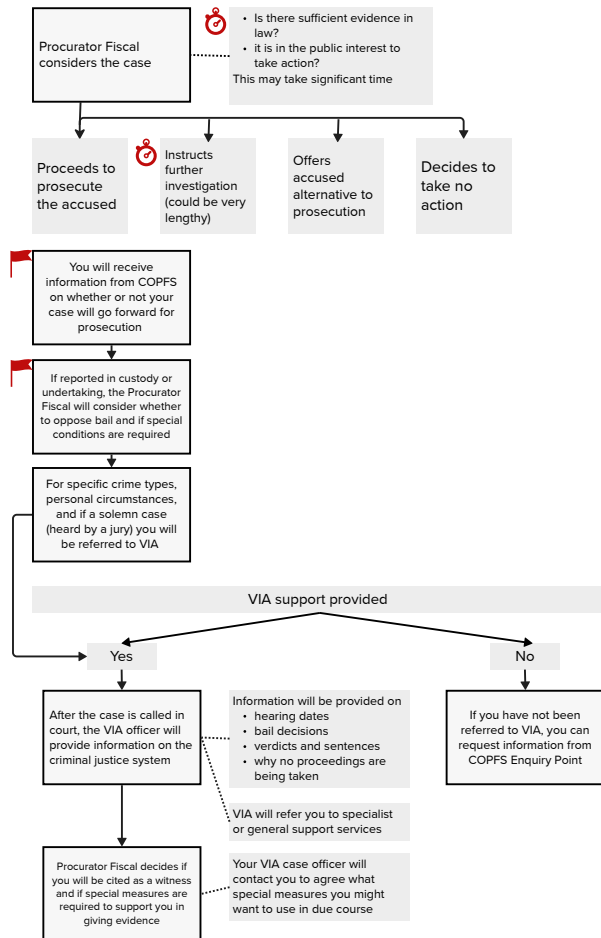
1.3 The Investigation

1.4 Case is reported to COPFS



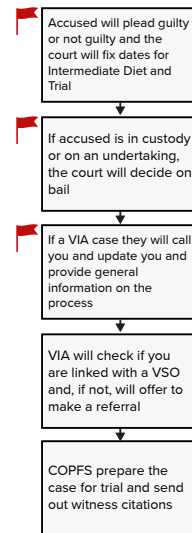
STAGE 2. Preparing for trial, the trial and giving evidence

2.1 Decision Making

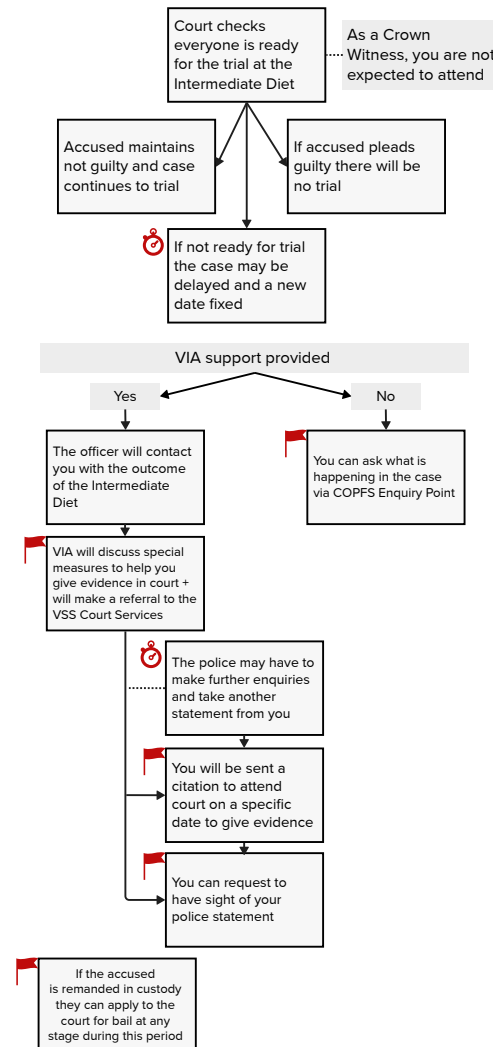


2.2 (a) Preparation for Summary Case

2.2 (a-1) Case calls for first time in court



2.2 (a-2) Preparation for Trial



STAGE 2. Preparing for trial, the trial and giving evidence (cont.)

2.2 (b) Preparation for Solemn Case (all victims are VIA assisted)

2.2 (b-1) First Appearance on Petition

Accused does not need to plead guilty or not guilty and no trial dates are set

As a Crown Witness, you are not expected to attend

Accused could be released on bail. If remanded in custody they may appear in court again within 8 days

COPFS starts to prepare the case and gather evidence to decide on the final charge

You may be called in to speak with prosecutors

VIA will contact you with an update on the case

2.2 (b-2) Preparing for Trial

If accused wishes to plead guilty the case will be brought back to court and dealt with without the need for a trial

VIA will contact you with any updates on the case throughout the preparation period

At end of case preparation, the case will call in court for Preliminary Hearing (High Court) or First Diet (Sheriff & Jury Court)

Court checks everyone is ready for the trial and fixes date of trial sittings

You will be sent a citation to attend a trial "sitting" but the exact day you will give evidence will not be known

VIA will make a referral to the VSS Witness service

VIA will contact you to discuss Special Measures to help you give evidence in court

VIA will offer access to your police statement

Court checks everyone is ready for the trial at First Diet

VIA will facilitate meeting with the prosecutor (in some cases)

If accused is remanded in custody they can apply to the Court for bail at any stage during this period

2.3 The Trial

At the trial, the accused pleads

Not guilty

Guilty

If the accused pleads not guilty at Court Hearing the case will go to trial

Accused pleads guilty at Court the case will be dealt with and you will not need to give evidence and you can choose to leave court

During the Trial, you will wait with other witnesses wait in the waiting room until called to give evidence

You will be advised if you can provide a Victim Statement (in specific cases)

Prosecutor in court decides what order to call witnesses

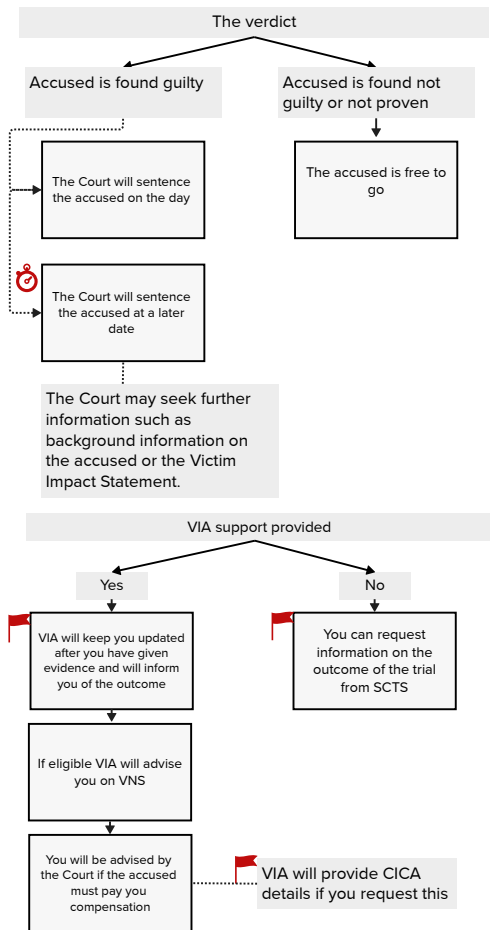
Trial may be adjourned and you will be advised of new dates

Updates will be provided by Prosecutor or Court Staff

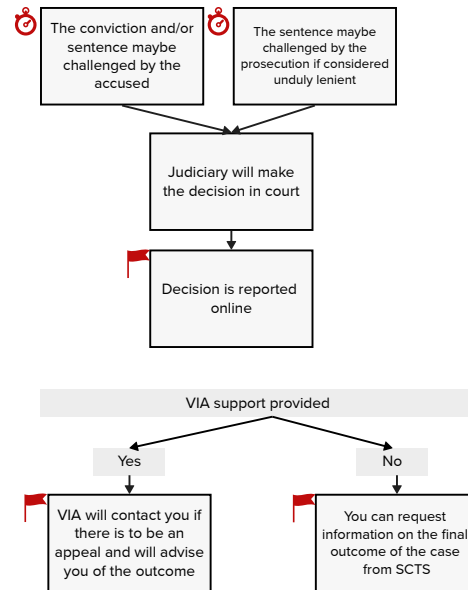
You will give evidence

STAGE 3. The outcome

3.1 Verdict & Sentencing



3.2 Appeal of court decision





STAGE 4. After the trial, release

4.1 Registration for Victim Notification Scheme (VNS)

If a custodial sentence is given, you are entitled to receive information about the offender from the SPS. The information you receive will depend on the length of the sentence given by the court.

Custodial sentence of 18 months or over

Yes

You can register for VNS to receive information about the offender

Including date of release, transfer to other areas, escape, etc

VNS registration form is provided by COPFS or VIA

You can decide whether to register for Part 1 or Part 2 or both. You can change this at any time

You can contact the SPS with any queries via the SPS's VNS team phonenumber and email

Once registration is complete, SPS will send you a letter to confirm this and provide the offender's critical dates

VNS will signpost you to a VSO as appropriate (not formalised)

No

SPS's VNS team will contact SCTS to confirm your eligibility to join the Victim Information Scheme

If eligible, SPS VNS team will phone you and advise you of the release date of the prisoner

4.2 Temporary release of offenders (if applicable to offender)

If applicable, SPS will contact you by letter to let you know that an offender is being considered for temporary release

This will be on the first occasion only

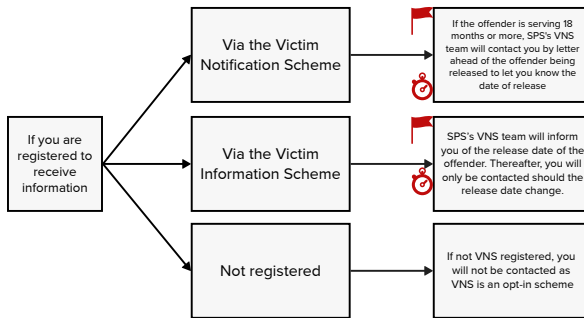
If registered with VNS Part 2, you will be contacted and offered the opportunity to give representations (comments) to inform any license conditions

SPS VNS team will write to you to inform you of any license conditions that are relevant to you

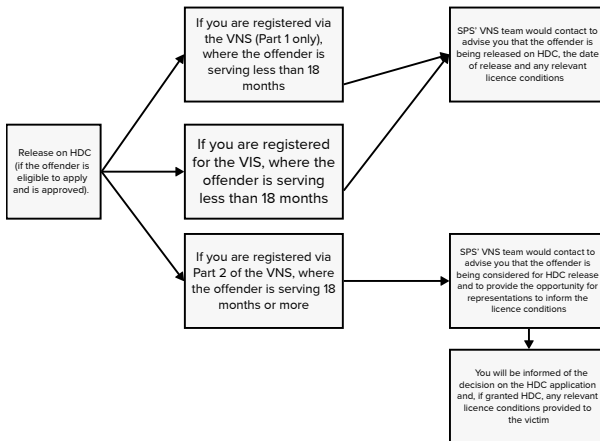
STAGE 4. After the trial, release (cont.)

4.3 Release of offenders not impacted by parole

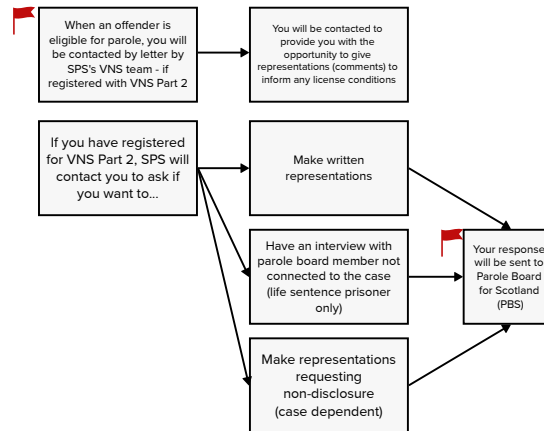
Release at earliest date of liberation (EDL)



Release on Home Detention Curfew (HDC)

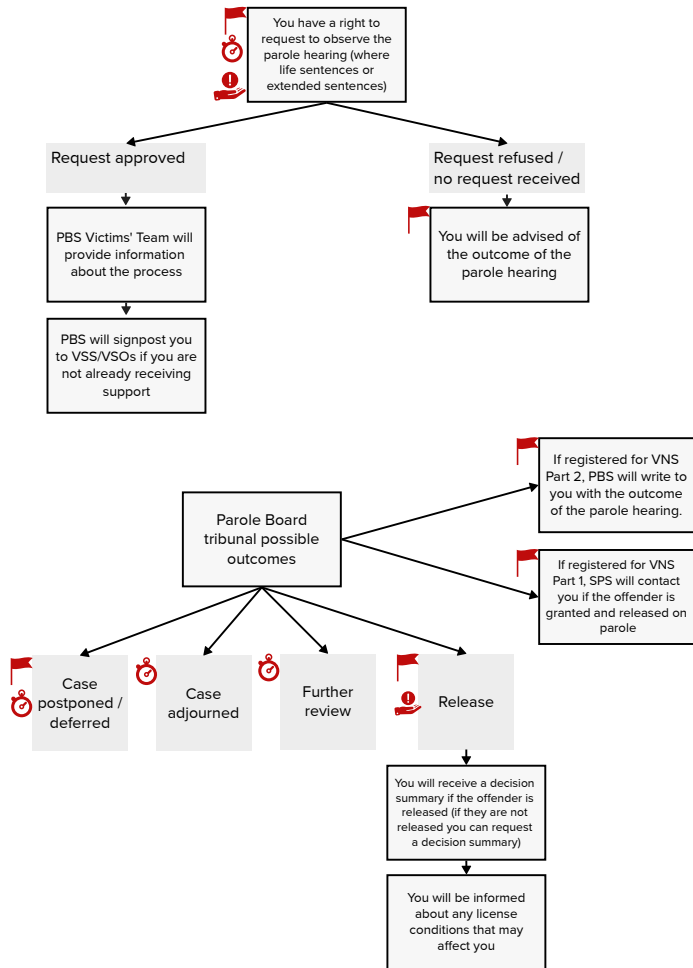


4.4 Parole

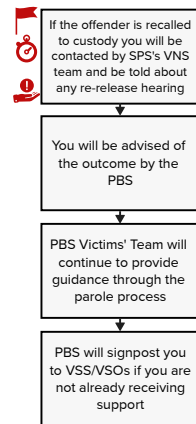


STAGE 4. After the trial, release (cont.)

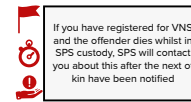
4.5 Parole outcome (potentials)



4.6 Recall to custody whilst on parole license



4.7 Prisoner deceased



A - Continuation of current approach – Criminal justice agencies continue to focus on actions they can take to make their operations more victim-centred; third sector support organisations assist in navigation of the system and offer/signpost additional support.

B - Expansion of the current approach – Criminal justice agencies continue to focus on actions they can take to make their operations more victim-centred, but with an increased focus on collaboration, particularly where this provides consistent standards and reduces the onus of the victim-survivor to relive trauma; third sector support organisations assist in navigation of the system and offer/signpost additional support, but with an improved national understanding and funding to cover existing gaps.

Focus on collaboration, consistent standards across agencies and extensions to protocol of info flow and support provision

C - Expansion of an existing service or a new service to provide a single end-to-end support service new service or approach spanning all agencies across CJ system over long periods of time – especially for serious crime e.g. homicide.

D - Transformational change of the criminal justice system- High level integration – data and infrastructure – across independent organisations with statutory and institutional responsibilities. Third sector move to more of recovery role. Ultimate ambition...

101. The Scottish Government (2021b). Op. cit.



A VICTIM-CENTRED APPROACH TO JUSTICE IN SCOTLAND: SCOPING AND MODELLING PROJECT