

Themes from 'Victims Voices' feedback presented at the Victims Taskforce

December 2020

A recurring agenda item of the Scottish Government Victims Taskforce (December 2018-present) has been the 'Victims Voices' item. Within this item, Victim Support Organisations - hereafter VSOs - have presented feedback from, and issues encountered by, victims, witnesses and survivors of crime in Scotland. Placing the experiences of individuals at the heart of the multi-agency Victims Taskforce meetings has been considered vital to further the Victims Taskforce's core purpose of 'improving support, advice and information for victims of crime'. The feedback given within the Victim Voices item has been heard by the major agencies across the criminal justice system and has been core to the work plan and actions of the Victims Taskforce. Continuing to hear and prioritise this feedback has remained crucial throughout the COVID-19 pandemic and the resulting widespread changes to the Scottish Justice environment.

While the feedback presented within the Victims Voices work has been connected to a wide variety of crime types and experiences, particular topic threads and shared areas of concern raised by people affected by crime are visible across many of the accounts. This paper brings together some of the key themes put forward. With the Victims Taskforce in its current form coming to an end in Spring 2021, it is of the utmost importance that all agencies who are members of the Victims Taskforce continue to progress work along these themes and other notable themes raised within the Taskforce Workstreams. It is also important that, before this term of the Victims Taskforce comes to an end, criminal justice agencies demonstrate how they are taking forward the improvement of support, advice and information for victims, witnesses and survivors of crime.

This paper firstly explores four key themes raised across the Victims Voices feedback. It then advances discussion points along these themes for the membership of the Victims Taskforce to respond to in upcoming meetings.

Being heard

A consistent theme of note across feedback originating from victims, witnesses and survivor experiences was about 'being heard' as somebody affected by crime. This was expressed often in reference to the role of victims, witnesses and survivors in the criminal and civil justice processes overall and the rights that individuals perceived themselves to possess or not to possess. It was also raised within some feedback in relation to specific processes in which people strived to be heard, for example; when reporting a crime, giving input during court processes, completing victim impact statements, and during decisions around parole. The specific circumstances - and potential added challenges - that some groups encountered in aiming to be heard was also highlighted within some feedback, for example, as children affected by crime, or bereaved relatives of victims, or people who have been impacted by certain crime types.

Specialist support provision across the justice journey from both criminal justice agencies and VSOs was highlighted across feedback for the way it could facilitate the voice of people affected by crime. Conversely, lack of support and/or lack of information in how to participate in the process was often highlighted in general as potential barriers to the voices being heard of victims, witnesses and survivors.

Accessing Information

Intrinsically connected to the above theme of being heard, 'accessing information' was also a core message spanning much of the evidence put forward. This was cross-cutting across all aspects of being a victim, witness or survivor, and began with individuals understanding what support was available to them at the initial stages of a crime occurring. The importance of receiving adequate levels of communication and updates from criminal justice agencies during the whole duration of a criminal or civil case was also frequently highlighted with Victims Voices feedback.

Accessing information about the progression of specific parts of a justice journey, such as obtaining information about pending court trials as a witness or family member, has also been a frequent topic of discussion. Feedback in this area has been prominent throughout the COVID-19 pandemic especially with regards to changes and the related communication requirements the pandemic has meant for people due to attend court.

Information-related feedback has also been given by victims, witnesses and survivors about other parts of the process, such as the access to information as a victim during criminal investigations at the police stage. Discussion has also been put forward about accessing information in later stages of the criminal justice journey, such as decisions around bail, sentencing and parole of offenders. Examples have been given within feedback where victims, witnesses and survivors have felt well supported in accessing information, as well as situations where individuals feel the lack of information received at different parts of the processes has been the main issue of concern.

Feeling Safe

Another prominent thread of discussion has concerned victims, witnesses and survivors 'feeling safe' following an experience of crime or during ongoing criminal justice or civil justice processes. This is an area of feedback that has continued to have significance during the COVID-19 pandemic. Feedback received has explored the different aspects of what victims, witnesses and survivors require to feel safe within the community, and when participating in justice. Accounts from individuals have also highlighted specific parts of the justice journey in which feeling safe is a key concern. These have included people who are living within a situation in which they continue to receive abuse, and those who require additional arrangements around attending court as witnesses. Feedback around feeling safe has also arisen with regards to decisions to do with bail, protection measures such as non-harassment orders, and discussions around prisoner release/parole.

In many cases, the previously discussed theme of accessing information - for example, knowing what is happening, when it is happening, and who is involved - has been also been closely connected to discussions of feeling safe. Some feedback has centred around the criminal justice agencies and VSOs themselves, and what these organisations can do to generate feelings of confidence and safety in the people they support. Importantly for the Victims Voices item and the aforementioned theme of 'being heard', feedback has also focused on the channels by which victims, witnesses and survivors can raise concerns about the matters important to them, including the safety of themselves or others.

Experiencing compassion

The final theme explored here is that of compassion. This was a recurring theme across feedback in a number of different ways. Where the receipt of good support was being praised within feedback, compassion and understanding were often stated as fundamental qualities of this support. There have been references to individual professional attitudes, to physical spaces and to organisational arrangements that have taken the needs of victims, witnesses and survivors into account. Compassionate support was sometimes highlighted within accounts of individuals receiving specialist support from particular agencies but was also conveyed within feedback about experiencing compassionate cultures within more generalised justice structures too.

Some of the feedback collected also highlighted the converse of the above, i.e., systems or situations in which victims, witnesses or survivors felt compassion was lacking. This sometimes connected to specific comments or practices individuals had experienced, or sometimes it was discussed in a more general sense about what it felt like to be a victim, witness or survivor within the justice system. Compassion as a theme might in some cases be interchangeable with themes such as ‘trauma-informed’ or ‘understanding individual needs’ to reflect different aspects of how it was expressed through the assorted feedback.

The notion of experiencing compassion was, again, often closely connected to the other themes discussed here. For example, being heard appropriately within processes, receiving information in a sensitive way, and understanding an individual’s requirements to feel physically and emotionally safe were all highlighted across feedback by victims, witnesses and survivors. As with other themes raised in feedback, these issues remain as prominent as ever during COVID-19 as individuals encounter the impact of crime and of criminal justice processes alongside the concurrent impact of a global pandemic.

Points for discussion

The themes highlighted within the paper raise the following discussion points for the members of the Victims Taskforce about what tangible impact improvements have been made so far, and how the learning from Victims Voices will influence their future work planning:

- How do we as a sector support victims, witnesses and survivors to be heard on all matters which concern them, and then translate what we hear into tangible change and improvement?
- In the wake of COVID-19 and the resulting Recover, Renew and Transform (RRT) programme, how do we as a sector ensure that feedback is being gathered by the RRT workstreams from users of the system, in order to determine the impact of these changes?
- How do we as a sector support victims, witnesses and survivors to access the information that they require?
- How do we as a sector support victims, witnesses and survivors to feel safe in different parts of the justice journey?
- How do we as a sector support victims and witnesses and survivors with compassion?
- Are there other key themes beyond those highlighted here that should be emphasised for immediate action and for future work planning?
- Drawing on the work of the Victims Voices items so far, how do we as a sector ensure that victims, witnesses and survivors influence the justice vision and justice priorities within Scotland?