

Standards of Service for Victims and Witnesses 2024-25



Contents

Introduction.....	2
Putting you at the heart of Scotland’s justice system	2
Our commitment to you	2
We know we need to make changes.....	3
We’ll keep listening to you	3
Our standards of service	3
Setting the standards	3
About the information you’re entitled to	3
About your information	4
What happens at each stage of the criminal justice process	5
What Police Scotland will do	5
What the Crown Office and Procurator Fiscal Service will do	6
What the Scottish Courts and Tribunals Service will do	7
What Scottish Prison Service and the Parole Board for Scotland will do	8
Living up to our standards	9
Our common standards	9
Our individual standards.....	10
Police Scotland.....	10
The Crown Office and Procurator Fiscal Service	11
The Scottish Courts and Tribunals Service	12
Scottish Prison Service.....	13
Parole Board for Scotland	14
British Transport Police	16
What to do if you’re unhappy with our service.....	17
How to contact us to complain	17
Taking the matter further	19

Introduction

We're all working together with the Scottish Government to put victims and witnesses at the heart of our work. We're finding more ways to listen, and give people the support and information they need.

If you're a victim of crime, it's important you know what to expect from the different parts of the justice system.

The system is made up of several different organisations, including:

- Police Scotland
- Crown Office and Procurator Fiscal Service (COPFS)
- Scottish Courts and Tribunals Service (SCTS)
- Scottish Prison Service (SPS)
- Parole Board for Scotland

Each of these organisations have a key role in the justice process. So we've all put together this document to explain:

- the standards of service you can expect from each of our organisations
- what should happen at each stage of the criminal justice process
- who you can contact if you're unhappy.

Putting you at the heart of Scotland's justice system

When you stand up to crime, for example by reporting a crime or giving evidence in court, you're playing an important role.

We want you to feel as comfortable as possible when you do. And we know that making sure we give you the support and information you need is key to that – and to building a better criminal justice system.

The standards of service we set ourselves represent our commitment to doing that.

Our commitment to you

We're dedicated to putting victims and their rights at the heart of Scotland's justice system.

We know you've already been through a lot when you report a crime to the police. So we will do everything we can to make your experience with us as good as it can be. We'll do this by making sure:

- you feel supported, safe and informed at every step
- you have access to the right support, advice and information when you need it
- you can exercise your rights
- we treat you fairly
- we support you to make your voice heard.

We know we need to make changes

We appreciate the justice system can be complicated, frustrating and upsetting – especially when you have been a victim.

We don't always get it right. We all need to do more, and want to do more, to make things better for you. We want to do things differently if it will make the support we give you more effective. The standards in this document show how we will do that in the coming year.

We'll keep listening to you

Changes that we make need to be informed by you and your experiences. So, over the next year we will carry on working with Victim Support Scotland and the Victims Organisations Collaboration Forum Scotland (VOCFS). We will also continue to be part of the Victims Taskforce, which is focused on improving the experiences of victims and witnesses.

This will allow us to better understand what victims and witnesses need and how we can meet those needs. So you are firmly at the heart of our justice system.

Our standards of service

Knowing what standards you can expect from us is really important to make sure you get the support and information you need when you need it.

Setting the standards

The Victims and Witnesses (Scotland) Act 2014 (“the Act”) was brought in to improve support for victims and witnesses. In section 2, it called for organisations in the criminal justice system to set and publish clear standards of service with this in mind.

We've created our Standards of Service to help us work to the main principles of the Act. These principles say that if you've been affected by a crime you will be:

- able to get information about what's happening in the investigation or court action related to your case
- kept safe during and after the investigation and any court action
- able to get the support you need during and after the investigation and any court action
- able to take part effectively in the investigation and court action related to your case, where appropriate.

About the information you're entitled to

When it comes to getting the information you need, the Act also says you will:

- have access to relevant information early on and at appropriate points in the process, including:
 - about procedures and your role in them (if any)

- progress reports with an explanation of any delays
 - the outcome of any court action
 - where you can get other information and support
- be able to understand the information you get – so the language should be easy to understand and the information should be available in alternative languages or formats if you need them
 - be told who to contact if you want to talk about the information you've been given and get an explanation of anything you don't understand.

About your information

The Act says that your personal information should be protected at all times. If an organisation has to share your information with other agencies, they must do it legally and safely.

We all do everything we can to keep your information safe. We only pass it on to another justice agency if we have to, so we can move forward with your case.

What happens at each stage of the criminal justice process

We want you to know what to expect when you report a crime and beyond.

You will likely come into contact with various different organisations throughout your journey in the justice system. The next few pages will help you understand the processes, what might happen and some of the support you can expect along the way.

This applies to you if you:

- have had a crime committed against you
- are the parent or guardian of a child or young person who had a crime committed against them
- are the relative of someone who had a crime committed against them and has sadly passed away.

You can find further support, advice and guidance for victims at mygov.scot/victim-witness-support

Previous standards of service documents had included a map to help you visualise the process and see how it all fits together. The map is being reviewed. We intend to include a revised map in the standards of service document for 2025-26.

What Police Scotland will do

If you report the crime

If a crime is committed against you, and you or someone else decides to report it to the Police, they will look into what happened. They will:

- ask you for a formal statement – this is your written account of what happened and can be used as evidence in court
- give you information on the support organisations that can help you.

You may be able to get compensation

If you've been injured in a violent crime and reported it to the police, you may be able to get compensation from the Criminal Injuries Compensation Authority.

Find out more and apply at www.mygov.scot/compensation-criminal-injury

If the Police find a suspect

If the Police find a suspect who is over 16 (or under 16 in very serious cases), they will report the crime to the COPFS if there's enough evidence and let you know.

The police can also choose not to involve the COPFS and give, for example, a fine if they feel it's appropriate. They'll let you know if they do.

If the Police find a suspect who is under 16 (except for serious crimes), they will refer the case to the [Youth Justice Process](#) if there's enough evidence. They will let you know if they do.

If the police can't find a suspect or enough evidence

If the police cannot take the case any further, they will let you know.

If you don't report the crime

If you decide not to report the crime, you can still ask support organisations for help if you need it.

Where to get support

If you've been affected by a crime, there are lots of organisations that offer practical and emotional support and information to help you.

You can find out more at www.mygov.scot/victim-witness-support.

What the Crown Office and Procurator Fiscal Service will do

If COPFS is looking into your case, they may, depending on the circumstances, refer you to [Victim Information and Advice \(VIA\)](#) for support. VIA is a service which is part of COPFS.

VIA can help you understand how the Scottish criminal justice system works and what to expect. They can also tell you how things are going with your case, including relevant dates, decisions and sentences.

COPFS may also do one of the following things.

1. Take court action

If COPFS decides to take court action, and you've been referred to VIA, VIA will let you know. If you haven't been referred to VIA, you can ask COPFS to let you know.

If the accused person pleads not guilty

If the accused person pleads not guilty at their court hearing, a trial will be scheduled.

If you need to give evidence, you will get a citation from COPFS. This is a letter saying you must attend court to give evidence. It includes details about giving your evidence, and what to expect. You need to read it carefully and follow all the instructions.

If you don't need to give evidence, you can watch the trial if you want to. You can ask COPFS for the date of the trial and other details so you know where to go.

If the accused person pleads or is found guilty

If the accused person pleads guilty before the trial or is found guilty after trial, you may be able to make a [Victim Statement](#). This is your chance to tell the court how the crime has affected you.

The judge will see your Victim Statement before they decide on the sentence. This means they can take the impact the crime has had on you into account.

2. Offer an alternative to court

COPFS may decide to offer the person accused of the crime an alternative to going to court for a trial. For example, in certain circumstances, a warning, fine or diversion to social work.

If you've been referred to VIA they will let you know if this happens. If you haven't been referred to VIA, you can ask COPFS to let you know.

3. Decide to take no action

If there's not enough evidence to prove that a crime was committed by the person accused, COPFS may decide to take no action. If this happens, you can ask COPFS:

- to explain this decision
- to review the decision.

What the Scottish Courts and Tribunals Service will do

If the case goes to court, SCTS will help you at court and give you as much support as possible.

If you're giving evidence

If you have to give evidence and you need special measures (for example, privacy screens or giving evidence from another room) [Victim Support Scotland](#) will get in touch with you before the court date to find out what you need. They'll also ask if you'd like to visit the court for a familiarisation visit, so you understand where to go and what will happen on the day.

When you arrive at court for the trial, you need to tell us you're here at the reception desk. Then we'll:

- tell you where to find volunteers from Victim Support Scotland so they can give you extra support if you need it
- give you regular updates about what's happening while you wait to go in
- call your name when it's time for you to give evidence
- let you know when you can go home.

If you're not giving evidence

When you arrive at court, you need to ask at the reception desk which court room the trial is being held in.

If you need any support we can help you with that (in most of our courts).

If the person accused pleads guilty or is found guilty, the case may be adjourned (postponed) to gather more information. If this happens:

- you may be told if the offender is released on bail
- you will be told if you can write a victim statement (where you tell the court how the crime has affected your health and finances)

The outcome of the trial

If the accused is found guilty

If you have written a victim statement, this will be considered before the sentence is decided.

Once the offender has been given their sentence:

- the court will let you know if the offender has to pay you compensation
- the offender can appeal their sentence in the Sheriff Appeal Court or the High Court of Justiciary
- you can ask VIA what the final outcome of the case is, including any appeal.

If they're found not guilty or there's no verdict

If the accused is found not guilty, the verdict is not proven or the case does not proceed to a verdict, the accused can go free. They cannot usually be taken to court for the same crime. You can ask VIA for an explanation about this result if you want more details.

What Scottish Prison Service and the Parole Board for Scotland will do

If the offender is given a custodial sentence and sent to prison, if you join the Victim Notification Scheme, the Scottish Prison Service will send you the information that you are entitled to while they're in prison and provide you with their release date.

If they are sentenced to 18 months or more, you can also register on part 2 of the Victim Notification Scheme and make representations (give your views and to inform licence conditions) if they are considered for temporary release. The Parole Board for Scotland will consider your views for the decision about any release on parole.

Living up to our standards

In the next few sections, you'll read about the standards of service for each of the five justice organisations.

We all set our own standards, and monitor and review them regularly. And every year, we report on how well we met them in the previous year.

Our common standards

Each of the organisations included in this document has its own standards of service, but we also all follow the same three common standards.

These standards underpin all of our work and help us make sure we give the highest standard of service possible.

We appreciate that having a crime committed against you or witnessing a crime can be an upsetting and difficult experience. We will do the following to make your journey in the justice system as easy as possible:

- We will make sure you have fair and equal access to services, and treat you with dignity and respect at all times, regardless of:
 - age
 - disability
 - gender identity
 - marriage and civil partnership
 - pregnancy and maternity
 - race
 - religion or belief
 - sex or sexual orientation.

If you need it, we'll give you extra support and make reasonable adjustments to make sure you can access the information and support you need.

- We will work with victim and witness support organisations to make sure you get the best service possible.
- If you are unhappy with our service, we will follow our respective complaints procedures, and try to put things right and improve things for the future.

Our individual standards

Police Scotland

Police Scotland is responsible for policing across the whole of Scotland. Our purpose is to improve the wellbeing of people, places and communities in Scotland, focusing on keeping people safe in line with our values of integrity, fairness and respect.

As well as our own standards, we're guided by the [Code of Ethics for Policing in Scotland](#) and our [Standards of Professional Behaviour](#).

What you can expect from us:

Standard 1 - We will discuss with you how you will be kept informed of the progress of your case; we will also explain how we will deal with your case and what we may ask you to do to help us.

Standard 2 - If you are a victim or witness, a person who has given a statement in relation to a crime or a family member of a victim who has died as a result of a crime, you can make a request for information. When we receive your application, we will respond within 40 days.

Standard 3 - If you are a victim of either a sexual offence, trafficking for sexual exploitation for prostitution, trafficking for exploitation, domestic abuse or stalking, Honour Based Abuse (HBA), Female Genital Mutilation (FGM) or Forced Marriage, you will have the option to let officers know whether you want a male or female officer to interview you. We will try to meet your request wherever possible.

Standard 4 - To assess your requirements as a witness, we will consider, with our partners, your particular needs and try to ensure those needs are met.

Standard 5 - We will ensure you receive a Victim Care Card if you are a victim of crime. This provides you with the details of the enquiry officer, the crime you have reported and information about how you can access Victim Support and the Scottish Government's Victims' Code.

The Crown Office and Procurator Fiscal Service

What you can expect from us:

Standard 1 - We will treat you fairly and with respect, we will listen to you through our Comments and Complaints and Feedback Policy and the review of our decisions, and we will communicate with you clearly and effectively.

Standard 2 - We will make sure that you have access to the relevant and appropriate information that you are entitled to and in situations where we cannot provide that information we will explain the reasons why.

Standard 3 - We will ensure that you are given the help you need to give evidence in court. We will assess your vulnerability, explain the special measures available to you under the law and when available, apply for you to be supported with the appropriate measures.

Standard 4 - We will take decisions in cases reported to us in line with our Prosecution Code and continue to review the training needs of our staff to ensure that they have the appropriate skills.

The Scottish Courts and Tribunals Service

What you can expect from us:

Standard 1 - If you are a witness attending one of our locations to give evidence in person or virtually, we will update you once per hour on the progress of the court case while you wait. We will advise when you are no longer required.

Standard 2 - We will provide separate waiting rooms for prosecution and defence witnesses, and access to refreshments.

Standard 3 - If you are due to give your evidence to the court by live TV link, we will ensure that an explanation of the process for giving your evidence is provided on the day, at the location, if not in advance of that.

Standard 4 - We will respond to requests received on behalf of witnesses, for accommodating court familiarisation visits, within 3 working days of receipt.

Standard 5 - If you want to know what support is available to you when you arrive at court, we will direct you to Victim Support Scotland or other support services which are present in the court building or otherwise provide information on how to contact such support if they are not present at court.

Scottish Prison Service

What you can expect from us:

Standard 1 - For those who have joined the Victim Notification Scheme (VNS), information that you are entitled to receive under section 16(3) of the Criminal Justice (Scotland) Act 2003 will be provided to you by the Scottish Prison Service (SPS) within two working days.

This consists of the following:

- The date of the prisoner's release (other than being granted temporary release);
- If the prisoner dies, their date of death;
- If the prisoner has been transferred out of our custody;
- That the prisoner is, for the first time, entitled to be considered for temporary release;
- That the prisoner is unlawfully at large; or
- That the prisoner who was released or was unlawfully at large has been returned to custody.

Standard 2 - If you write to SPS about any matter concerning the Victim Notification Scheme, they will respond within 5 working days.

Standard 3 - Where a telephone enquiry cannot be answered by SPS at the time, they will call you back within one working day.

Standard 4 - For those of you who have joined the Victim Notification Scheme, and have expressed a desire to make representations in relation to licence conditions under section 17 of the Criminal Justice (Scotland) Act 2003, SPS will write to you no less than two weeks before any decision will be taken for release:

- On Home Detention Curfew;
- On the first occasion that the prisoner is considered for temporary release; or
- By the Parole Board for Scotland.

Standard 5 - For those victims of offenders sentenced to less than 18 months, they will notify you of the date of release or escape of the offender within 2 working days of confirmation that you are an eligible victim. They will do this either in writing or by telephone where you have provided a current contact number.

Standard 6 - For those victims of life sentenced offenders who have joined the Victim Notification Scheme, and have expressed a desire to make representations in relation to licence conditions under section 17 of the Criminal Justice (Scotland) Act 2003, SPS will provide you with an opportunity to make representations in person, orally or in writing before any decision is taken on the first occasion that the prisoner is considered for temporary release.

Parole Board for Scotland

What you can expect from us:

Standard 1 - If you are registered for part 2 of the Victim Notification Scheme, we will take account of your representations alongside other relevant information when deciding whether to approve release. Victim Support Scotland may be able to help you prepare your representations (contact number 0345 603 9213);

Standard 2 - If you are registered for part 2 of the Victim Notification Scheme, we will tell you when the Parole Board has made its decision. You will be offered the option of being told by telephone and, if release is granted, we will tell you about any license conditions that are relevant to you. If you prefer to receive a letter, we will send this by 1st class post within 1 day of the Parole Board's decision;

Standard 3 - If you are registered for part 2 of the Victim Notification Scheme, we will give you the opportunity, where the prisoner has been given a life sentence, of making your representations in person to a member of the Parole Board (the Parole Board member will not be part of the Oral Hearing considering the prisoner's case).

- Please note that the meeting with the member of the Parole Board will normally take place between 12 and 8 weeks before the date set for the Oral Hearing and will not be at your home. The meeting will be at a time that is suitable for you;

Standard 4 - If you are registered for part 2 of the Victim Notification Scheme, we will give you the opportunity, where the prisoner has been given a Life Sentence, Extended Sentence or Order for Lifelong Restriction, to request to observe the prisoner's Oral Hearing (subject to the approval of the Oral Hearing Chairperson). The observation will take place from a suitable venue, this will not be at your home. These requests to observe will be processed within 10 working days of receipt.

Standard 5 - We will answer your letters, emails or telephone calls promptly. We will answer your letters or emails within 5 working days (this applies to all areas of Parole Scotland). If we are not able to fully answer your telephone enquiry at the time of your call, we will arrange to call you back; and

Standard 6 - We will normally contact you by letter clearly stating why we are contacting you and, if there is any action that we need you to take. If we need to contact you by telephone, we will check that it is convenient for you to discuss the matter and we will explain why we are contacting you and, if there is any action that we need you to take, we will tell you what that is and why it is required.

Standard 7 - We will carefully consider representations submitted by victims, including whether any information contained in them should be withheld from the prisoner under Rule 9 of the Parole Board (Scotland) Rules 2022, which states the grounds on which information may be withheld.

- Where the Board is of the view that any of these grounds are met, the information will not be provided to the prisoner. The victim(s) will be advised of the information which has been withheld. Where appropriate, their views may be sought in advance of deciding whether information falls under Rule 9.

Standard 8 - All formulated decision summaries for Release decisions will be published on the Parole Board for Scotland's [website](#) and removed after a 12 month period. We will aim to action and process summary minutes within 20 working days of the Oral Hearing and sent to the Victims Team inbox. These will be actioned within 5 days of receipt to our Victims Team Mailbox.

British Transport Police

The British Transport Police (BTP) doesn't legally have to set and report on its standards.

But everyone at the BTP knows how important it is to support victims and witnesses during the justice process. So the organisation has set operational standards of its own.

You can read them at: [Support for victims and witnesses of crime | British Transport Police \(btp.police.uk\)](https://www.btp.police.uk/support-for-victims-and-witnesses-of-crime)

What to do if you're unhappy with our service

We always do our best to meet our standards and give you an excellent service whenever you come into contact with us. But we know things go wrong sometimes.

If you're unhappy with the service, please let the organisation involved know so we can try to put things right for you.

If we can't find a good solution, you can make a formal complaint if you want to. The organisation will give you details of the formal complaints procedure. You'll find the contact details for complaints for each organisation below too.

Every justice organisation takes complaints very seriously. We will handle yours fairly, and as quickly and effectively as possible. We will also look into what went wrong to make sure it doesn't happen again.

How to contact us to complain

Here are our details if you want to make a complaint. So that we can help you quickly and effectively, please:

- make it clear when you get in touch that you want us to treat what you tell us as a complaint
- tell us what happened and why you're unhappy, including as much background information as you can
- any reference numbers we've given you for the case your complaint is related to.

Police Scotland

You can find out about making a complaint and how we'll handle it on our [website](#). If you're unhappy with our service you can:

- fill in an online complaint form on our website
- write to us at:
Professional Standards Department
PO Box 2460
Police Scotland
Dalmarnock
GLASGOW G40 9BA
- call 101 and report your complaint over the telephone
- go to a police station and make a complaint in person.

Crown Office and Procurator Fiscal Service

You can find out about making a complaint and how we'll handle it on our [website](#). If you're unhappy with our service you can:

- email complaints@copfs.gov.uk

- write to:
The Response and Information Unit
Crown Office and Procurator Fiscal Service
25 Chambers Street Edinburgh EH1 1LA
- call 0300 020 3000

The Scottish Courts and Tribunals Service

You can find out about making a complaint and how we'll handle it on our [website](#).
If you're unhappy with our service you can:

- complain in person at any of our courts or offices
- call the court involved
- write to the court involved
- email the court involved

You can find contact details for all our courts on our [website](#).

Scottish Prison Service

You can find out about making a complaint and how we'll handle it on our [website](#).
If you're unhappy with our service you can:

- call 0131 330 3664
- email spsvictimnotificationscheme@prisons.gov.scot
- write to the Victim Notification Scheme at the following address:
Victim Notification Scheme (Legal Services Branch)
Scottish Prison Service HQ One Lochside,
1 Lochside Avenue,
Edinburgh EH12 9DJ

Parole Board for Scotland

You can find out about making a complaint and how we'll handle it on our [website](#).
If you're unhappy with our service you can:

- write to:
PBS Complaints
X5 Spur
Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD
- call 0131 244 8373
- email: enquiries@paroleboard.scot

Taking the matter further

For:

- COPFS
- SCTS
- SPS
- Parole Board for Scotland

If you're unhappy with the way any of these organisations have handled your complaint, you can contact the [Scottish Public Services Ombudsman](#) (SPSO).

The SPSO looks into complaints about organisations that provide public services in Scotland. They make independent and impartial decisions to help resolve disputes. If you have been through the organisation's complaints procedure and you're still unhappy, you can pass your complaint to SPSO by:

- Filling in an [online form](#)
- Calling 0800 377 7330, to request a form by post.

For Police Scotland

If you're unhappy with how Police Scotland has handled your complaint, you can contact the [Police Investigations and Review Commissioner for Scotland](#) (PIRC). They independently review the way the police handle complaints from the public.

If you have been through Police Scotland's complaints procedure and you're still unhappy, you can pass your complaint to PIRC by:

- calling 01698 542900
- emailing enquiries@pirc.gov.scot
- writing to:
Police Investigations & Review Commissioner
Hamilton House, Hamilton Business Park
Caird Park
Hamilton
ML3 0QA

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This document is available in PDF only from the following organisations:

Police Scotland

Crown Office Procurator Fiscal Service

Scottish Courts and Tribunals Service

Scottish Prison Service

Parole Board for Scotland

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