



The Scottish Parliament
Pàrlamaid na h-Alba

Criminal Justice Committee

Keith Brown
Cabinet Secretary for Justice and
Veterans
Scottish Government

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Dear Cabinet Secretary,

Charges for access to court transcripts

I am writing to you on behalf of the Criminal Justice Committee regarding evidence we received from a survivor of rape who has faced significant challenges accessing court transcripts from her case. Her written submission – which we can provide in full – states:

“Since the moment I left court, I have been fighting a battle I can’t win and spending far too much of my time and energy trying to get anyone who can affect change - to do so.

The time has come for me to quit after 5-6 years and focus on the life I have had to fight for.

I believe that the last thing I need to move on is a copy of the court transcript from my trial which I have been trying to obtain for a long time - I have gone around in circles trying to find it and only once managed to speak to the correct department who told me I would have to pay £3000 - £4000 and they would send me the forms, I never received the forms and I don’t have that amount of money. This is my life, I lost years of it over what was quite frankly a farce and I believe that I am entitled to a copy of the documents that prove that. I am asking whoever sees this to show compassion and if there's any way at all that you can assist me in getting them it would mean everything to me.”

The Committee wrote to the Lord President to ask how this might be addressed. Lord Carloway sympathised with the frustrations we had identified in our letter, but advised that the charges for court transcripts and any exemption to them are a matter for

Scottish Ministers. They are not set by him, as the Lord Justice General or by the Scottish Courts and Tribunals Service. He noted that the Victims Taskforce had previously considered the question of charges for transcripts, and on 10 March 2021 the then Cabinet Secretary for Justice indicated that the matter was being addressed by Scottish Government officials.

The Committee would appreciate your views on how best to address the concerns identified to us. In particular, we ask that you consider whether the Scottish Government could provide the additional sums necessary to the Scottish Courts and Tribunals Service to put a scheme in place to provide court transcripts to survivors of rape and other sexual offences. We believe this to be a necessary step towards providing a trauma-informed and person-centred justice system for victims of these crimes.

A response by Friday, 5 August would be much appreciated.

Best wishes,

A handwritten signature in black ink that reads "Audrey N: csn". The signature is written in a cursive, slightly slanted style.

Audrey Nicoll MSP
Convener, Criminal Justice Committee