

## **Criminal Justice Committee**

**13th Meeting, 2021 (Session 6), Wednesday  
8 December 2021**

**What now for the prosecution of violence  
against women and girls?**

**Note by the clerk – note of the informal  
meetings**

### **Introduction**

1. As part of the Committee's early work in this new parliamentary session, Members have been looking at the efforts to tackle violence against women and girls, the measures that have been proposed to improve how these crimes are prosecuted and how the criminal justice system supports survivors of these crimes.
2. On Wednesday 24 November, the Committee met privately and informally with a number of survivors of sexual offences, domestic abuse, bullying and harassment, and frontline support workers. These meetings were facilitated by Rape Crisis Scotland, Shakti Women's Aid Edinburgh and the Glasgow Violence Against Women Partnership.
3. **We are immensely grateful to all the women who gave their time to speak to the Committee and to the above organisations for their help in organising this important meeting. We pay tribute to the courage of all involved in speaking to us and thank them for their powerful testimony.**
4. The **Annex** to this paper sets out a note of the issues raised during our informal meeting.

**Clerks to the Committee  
December 2021**

## Note from the meeting with survivors of sexual violence

**Group 1 participants:** 4 survivors and a support worker from RCS

**MSPs:** Collette Stevenson, Fulton MacGregor and Katy Clark.

### Background

1. Members of the Criminal Justice Committee met with a group of survivors of sexual violence and their support workers to listen to their experiences of the criminal justice system. This meeting was facilitated by Rape Crisis Scotland (RCS).
2. **We are immensely grateful to all the women who gave their time to speak to the Committee and to the above organisations for their help in organising this important meeting. We pay tribute to the courage of all involved in speaking to us and thank them for their powerful testimony.**
3. This summary note seeks to collate the views expressed to us. Any views have been anonymised so as to protect the identities of all who took part. The note has been agreed by all who participated.

### Key issues

#### *Engaging with Police Scotland and forensics*

4. Some of the participants in our meeting expressed a view that the police officers and staff they engaged with in Police Scotland when they first reported the incident(s) were disengaged and not particularly interested in the details of what had happened.
5. We also heard concerns about the support provided by some of the SOLO officers who attended the scenes<sup>1</sup>. Whilst we did hear of some positive efforts, there were concerns about the turnover of SOLO officers and some of the evidence-handling procedures followed in some of the cases discussed with us (e.g. evidence going missing). We also heard views that SOLOs should be women-only and fully trained in trauma support.
6. There were other criticisms about the quality and appropriateness of the facilities available for police interviews and the taking of forensic evidence. We heard calls for specialist centres, with women-only staff and decent facilities for swift and efficient processing of evidence.<sup>2</sup>

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<sup>1</sup> Sexual Offences Liaison Officers (SOLO) are the first responders to allegations of a sexual offence. Their job is to gather evidence and information from the victim in a manner that contributes to the investigation, preserves its integrity, and secures their confidence and trust.

<sup>2</sup> Such centres have been set up in the past two years and are now in place across Scotland.

7. We also heard concerns from some about the police service's ability or desire to take forward a case after taking an initial verbal statement. In some cases, the police were determined to take a case forward, even when the survivor was not yet in a position to be ready to proceed.
8. When some survivors made complaints to the PIRC about how they were treated by the police and how their case was investigated we heard views about the length of time it took to achieve an outcome (for example, in excess of 800 days to investigate). Some survivors wanted the powers of the PIRC to be strengthened (to include the power to take civil proceedings against officers) and for the PIRC to be more independent.
9. We also heard repeated views about the culture of the police service and a view that the attitude of some officers or staff is to be deeply sceptical initially until it is proven otherwise.
10. We also heard about the particular challenges to a complainer in taking forward a case in the more remote or smaller island communities where it is often the case that all involved are known to each other, often socially, including the police and local lawyers involved.
11. It is important to point out that the above views, whilst sadly common in the group of people we met, were not universal and there were examples of good practice and swift action, for example, in the taking of initial forensic samples.

### *The court process*

12. The process of going to court came in for severe criticism from the survivors that we met and their support workers. The problems cited were numerous. Trials themselves were described as the 'second violation' following the offence(s) itself.
13. We heard repeated and powerful testimony about the impact of delays in bringing cases to court, even before the pandemic hit, and the often inhumane way that survivors are expected to keep track of the fine details of their cases, often for years (e.g. 4 years), just so that they can be ready for a case when it comes to trial.
14. These delays and the often repeated adjournments and cancellations, at very short notice, retraumatise the survivor and means they can never move on. It also delays any effort to seek support and counselling to help with the trauma they feel. We heard repeated views about being "stuck in the system" and forgotten about, and a strong feeling that their voice is never heard at the trial itself. One example cited was a case which saw 13 different 1<sup>st</sup> diet days set and then cancelled because of COVID.
15. We also heard how the impacts are felt not just by the survivors themselves, but also in their families, wider relationships and work places.

16. Strong views were expressed that the victim's voice is not really being heard in court. The accused has their own advocate and the Crown's role is one of trying the case for the prosecution, not necessarily speaking up for the survivor or making sure their voice is heard. We heard repeated examples of issues or views that the survivor wanted to be heard in court but that the Crown did not wish to raise as part of their case.
17. Trials themselves were described as "farfical" and little more than a "game of words" between lawyers, with repeated efforts to inflate minor inconsistencies in testimony, often a result of difficulties in recollection because of delays, simply to sow doubt in a jury. In turn, the view was this gave an easy route out for a jury to return a not guilty or not proven verdict.
18. This led to many survivors calling for substantial changes. Some did support the calls made elsewhere for judge-only trials or the end to the not proven verdict. Others did not necessarily agree with those specific measures, but they did call for more specialists to be involved throughout. For example, separate specialist courts to try such offences, specialist and specifically trained judges/sheriffs, more trauma-informed training for PFs and defence advocates and for use of a pool system of jurors who have to have had relevant training prior to their involvement in a sexual offences case.
19. Reference was made by many to the need to swiftly implement the reforms suggested by Lady Dorrian and also tackle reforms to corroboration as a matter of urgency. Favourable comments were made towards efforts to increase prior evidence by commission and/or the use of remote video evidence.
20. We also heard calls that there should be a maximum of 12 months for a trial involving these offences to come to court (not just the preliminary hearing). We also heard that the attempts by some accused to make themselves unavailable or drop their counsel at the last minute in order to delay a trial should be met with sanctions and that, in these cases, a duty solicitor should be appointed automatically to enable the trial to proceed without undue delay.
21. Some described the adversarial system and court process as so weighted towards the accused that they felt they as victims were mistreated and had their rights repeatedly violated to protect them. They questioned why the accused had a right to silence and did not have to testify whereas they did.
22. There was also support from the people we spoke to for them to have easy and free access to the court records and recordings after the trial has been concluded, as this can help in the recovery process thereafter. Excessive costs and delays to access were cited as a barrier which currently prevents this.
23. Some of the other issues raised about the experience of the court process were:
  - To reform the system to allow for private prosecutions (i.e. not just the Crown);
  - To enable the DWP to fast-track PIP or other welfare payments to enable accusers to take time off work to prepare for a trial;
  - For more funding for advocacy and support work and workers;

- For greater anonymity for the accuser in general, but also in relation to the electoral register where it should be easy still to vote whilst being able to opt out of the open/closed register.

24. We also heard calls for greater sanctions to be available and used in the case of repeated breaches of bail restrictions by the accused and for these breaches (and prior convictions) to be brought to the attention of juries. On prior convictions, one victim asked why if her sexual history and medical records were being brought up his record of armed robbery and stalking were not.

*Victim support and the provision of information*

25. There was little support for the victims' from the support schemes provided by the courts and COPFS. These were often described as of no use, with limited or no out-of-hours/weekend support and often not able to explain what was going on or advise on rights. There was also little or no continuity in terms of the contact person to provide support.

26. Again, there were some examples of good support, for example from certain PFs, but the turnover of staff was an issue, as this brought about a lack of continuity for the victim.

27. Many survivors described a fragmented system whose various parts (police, forensics, courts, the PF, the defence, victim support etc) do not seem to communicate or speak to each other, leading to delays and inefficiencies. One person said you literally could not invent a worse system even if you tried.

## Note from the meeting with survivors of sexual violence

**Group 2 participants:** 4 survivors plus two support workers from Rape Crisis Scotland

**MSPs:** Audrey Nicoll, Jamie Greene, Pauline McNeill and Rona Mackay.

### Background

1. Members of the Criminal Justice Committee met with a group of survivors of sexual violence and their support workers to listen to their experiences of the criminal justice system. This meeting was facilitated by Rape Crisis Scotland.
2. **We are immensely grateful to all the women who gave their time to speak to the Committee and to the above organisations for their help in organising this important meeting. We pay tribute to the courage of all involved in speaking to us and thank them for their powerful testimony.**
3. This summary note seeks to collate the views expressed to us. Any views have been anonymised so as to protect the identities of all who took part. The note has been agreed by all who participated.

### Key issues

#### *Engaging with Police Scotland and forensic services*

4. Some of the participants in our meeting described the process and experience of providing an initial and, in one case, a secondary statement to the police.
5. We heard that initial statements are taken whilst the person is traumatised from events, which means that they have not had time to process what has happened to them. Statements are taken without the person being offered legal or emotional support or made aware that they can have representation. The process can last for hours and be undertaken without the offer of a break or water. In one example, the statement was taken by a male, senior officer, alone in the room with the victim.
6. This is in stark contrast to the defendant who may be interviewed much later, and have time to prepare a statement, with the support of a defence lawyer.
7. In one example, the person was asked to make a second statement later that day. They were advised by police officers to go home and sleep. Despite not having slept, and having been awake for many hours, a second statement was taken that day. The officers showed no awareness of the traumatised state of the person, who had been unable to sleep. There is a training need for police officers in dealing appropriately with traumatised victims of sexual crimes.
8. The survivors of these crimes are not provided with their statements to verify the accuracy. Some did not see their statement until the day of the trial, with one person being told that they were 'not allowed to read the statement until the date of the case', In one example, the person was provided with papers on the day of the trial and realised that not all of the statements were in the court papers. It is

too late at that point to correct any errors in the statements. Despite statements being taken in these circumstances, they are relied upon, and dissected, during court proceedings.

9. There were criticisms about the quality and appropriateness of the facilities used for police interviews and forensic examinations and the lack of support for victims. The forensic examination can be straight after the interview, with each lasting for hours. We heard calls for specialist centres, with women-only staff, as well as support to be provided throughout the examination.<sup>3</sup>
10. A recurring issue was the lack of, or very infrequent, contact by police officers after a statement had been given. We heard that a call from an unknown private number was terrifying. Officers should arrange a date and time to call in advance.
11. Another recurring issue is the lack of information provided. It is as though the victim is secondary to the investigation. Some examples were that the person was unaware who else had been asked to make a statement, what might have been omitted from their statement and the reasons for this, and who might be called as a witness.
12. Another key issue was the time taken to receive DNA results and the lack of information provided about the process. In one account it took a year. The DNA process was not explained, and the person was not informed how long it might take to receive the results.

#### *The court process*

13. We heard evidence about the lack of fairness in the criminal justice system where the accused has a defence lawyer to represent and support them and be 'on their side', but the victim does not have similar legal representation. This lack of legal representation meant that the victims did not understand the court process.
14. The advocate is putting the case for the Crown and is not there to support the person and take them through the process. It is not made clear to the victim that the advocate is not there for them. In each of the examples we heard the victim did not meet their advocate until the day of the trial, but had an expectation that they would meet beforehand and be supported by them through the process. We heard one account where the person did not know what their attacker was charged with and was not told what she was giving evidence about. This is a gap in the system that needs to be rectified.
15. Victims should have separate legal representation, someone who can take them through the process, seek updates and proactively ask questions on their behalf. The legal representative should accompany them from the point they make their statement, throughout the whole process to help them navigate the system and look out for their interests. This should be an automatic legal right. In one example, the defence asked for the person's medical records close to the trial

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<sup>3</sup> Such centres have been set up in the past two years and are now in place across Scotland.

beginning, which delayed proceedings, and in the end the medical records were considered to be irrelevant.

16. We heard an example about how the Moorov doctrine<sup>4</sup> is working in practice. In one case with two complainers, the jury found the case in relation to one complainer not proven, but delivered a verdict of guilty of rape and sexual assault against the other. Despite the jury returning a guilty verdict for rape in her case, the accused was acquitted of all charges. This meant that there were no consequences for the accused and he was able to tell people he was found not guilty. It is of great concern that someone can be found guilty of a crime as serious as rape but acquitted.
17. The impact of repeated delays in the court process, sometimes at short notice, is extremely distressing and retraumatising for survivors. We heard of cases cancelled numerous times over a 3-year period. This is not all due to the impact of COVID. Survivors spoke of how vital evidence was missed when courts tried to fill openings and bring trials forward. Survivors asked that the backlog of Covid trials doesn't become detrimental to the evidence of the survivors' trial.
18. In one example, a case was brought forward at short with no regard for the impact of this decision on the survivor or their family. As a result, on the day key witnesses such as the surgeon, psychologist, detective and toxicologist were not called. This meant that a full account of all the evidence was not heard by the jury.
19. At the outset victims should be provided with a timeframe for the court process, it should be a transparent process, with information provided regularly. The court system should take evidence via video link if a witness is not able to travel on the day of the trial and 'prohibitive costs' of all witnesses attending is not an acceptable reason not to invite all of the key witnesses.
20. Another key issue was the lack of protection and consideration afforded to survivors by the court service. The victims did not want to come face to face with those accused of attacking them, or their family or friends. Despite this we heard accounts of survivors coming face to face with the accused and their family members in the court buildings. In one instance the special measures agreed with a victim were not available when they arrived at court, as the trial had been moved at short notice to a different court.
21. We were concerned to hear about recent unacceptable practices within the court by QCs, counsel and defence lawyers acting for the accused, which were unchallenged. This included the use of inappropriate language and unprofessional actions which were designed to intimidate or upset victims, and making false statements intended to influence the jury that went unchallenged. It was stressed that the language used by the defence was inappropriate. At times survivors stressed that the language was so damaging that it triggered them and hindered their recovery. One survivor reported that she wouldn't report an assault

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<sup>4</sup> The Moorov doctrine is a mechanism which applies where a person is accused of two or more separate offences, connected in time and circumstances.



in the future due to the way she was treated by the defence, and felt that she was the suspect.

22. There does not appear to be a code of conduct or any sanctions, which gives the impression that this behaviour is the 'norm'. It is an unfair system and an unacceptable way to treat vulnerable and traumatised people. There should be a public reprimand for unacceptable behaviour.
23. There was support for taking evidence by commission, which should be offered to all survivors. However, in one case it took two years before the person was offered evidence by commission.
24. Concerns were expressed about the inbuilt prejudices and lack of knowledge of jury members, as well as the robustness of the screening process. For example, the juror may have been acquitted of a sexual crime. There was support for judge led trials, and also some support for specialist juries, who are experts that can understand the evidence and come to an informed view. One person indicated that the not proven verdict is not fit for purpose and the person should be found guilty or not guilty.
25. The detrimental use of the not proven verdict was raised. Some survivors feel that it is not an end to a trial and that it feels as though the jury haven't made a decision. The not proven verdict feels like a comma and not a full stop. It is a second acquittal verdict used disproportionately in sexual offence cases. It was raised that it is even more frustrating and distressing that Scotland is still using the not proven verdict even after the Scottish Government published the jury research which shows the problems with the verdict.
26. Once a jury had reached its verdict we heard that victims were told the results of their cases over the phone. This should not happen. They were not offered or signposted to any support and were left to deal with the emotional turmoil of the outcome, as well as many questions.
27. We heard that there is much that the criminal justice system can learn from the civil justice system when it comes to undertaking trials for rape and sexual assaults. This includes the survivor having legal representation and regular meetings with the QC representing them. The survivor having support to gain an anonymity order and legal advice throughout the whole journey. Provision of support extended to the survivor and their family. We heard the use of video link technology is used, to ensure that all relevant witnesses were called. We heard that civil cases allow the survivor to choose whether to have a sheriff or a jury trial. In the case we heard about a sheriff civil case was chosen due to previous rape myths from the defence to the jury in the criminal trial.

#### *Victim support and the provision of information*

28. We heard that National Advocacy Project offered by Rape Crisis provided a good support service. For example, walking the person through the court process. However, they are not lawyers and do not provide legal representation. There is a gap in support for family members in court or recognition of the impact on them leading up to, during and after the trial. If family members are witnesses, they are not able to provide support to the victim.

29. A concerning issue was that many of the victims had to find their own support, as this was not automatically provided. Examples include: contacting the Scottish Women's Rights Centre to provide protection as they were subject to intimidation in the run up to trial; after acquittal having to find a solicitor to get an exclusion order; after a not guilty verdict being 'dropped from the system and not offered any support' and contacting Rape Crisis Scotland herself.

**Note from the meeting with frontline support staff for survivors of domestic abuse**

**Participants:** Two frontline support workers

**MSPs:** Katy Clark, Fulton MacGregor and Collette Stevenson

**Background**

1. Members of the Criminal Justice Committee met with a frontline support workers for survivors of domestic abuse to listen to their experiences of the criminal justice system. This meeting was facilitated by Shakti Women's Aid Edinburgh and the Glasgow Violence Against Women Partnership.
2. **We are immensely grateful to all the women who gave their time to speak to the Committee and to the above organisations for their help in organising this important meeting. We pay tribute to the courage of all involved in speaking to us and thank them for their powerful testimony.**
3. This summary note seeks to collate the views expressed to us. Any views have been anonymised so as to protect the identities of all who took part. The note has been agreed by all who participated.

**Key issues**

*Black and ethnic minority women [BAME]*

4. We heard views from some frontline practitioners in relation to the particular challenges faced by BAME women in cases of domestic abuse.
5. Again, although we did hear examples of good practice (such as the Edinburgh Protocol put in place by the City of Edinburgh Council), we also heard criticism of the current system.
6. Examples of these were the relatively poor provision and availability of interpreters and translators for follow-up correspondence. We heard that some organisations try to use community interpreters or, in some examples, a child within the family, for interpretation. Neither of these are any substitute for a professional service where the quality of the translation could be more assured. The development of good practice guides were suggested and making the training that police officers have on dealing with domestic abuse available to the companies who provide interpreters.
7. Issues in relation to the immigration system were also cited. Sometimes these were in relation to the power imbalance between the accused (usually male) who may have visa rights and their partner (usually female) who may only have a right to reside as a spouse. Subsequently immigration issues can be used as a means to further abuse and control a victim.

8. We also heard problems with the use of “No recourse to public funds” status which is often wrongly interpreted as meaning no access to support services or the right to make a complaint. In these circumstances, there were calls for Police Scotland and the criminal justice services to be fully aware of their responsibilities in relation to women, in order that they are aware of their rights in the UK. This could include sign posting to immigration services to initiate an application.
9. Other issues raised were more cultural, in terms of the perception from some BAME people whose prior experience of engaging with the police and the courts in the own countries was poor, meaning they have little trust in the authorities here.
10. Some of the cases cited involve mixed-race relationships. In these cases, it was felt that the white male was treated differently by the police than either a male or female BAME partner. This was thought in part due to a better understanding of the culture in this country and an easier way of engaging with officers.

#### *Complaints of domestic abuse*

11. We heard concerns expressed about just how trauma-informed all those involved in dealing with complaints actually are. It was felt that frontline services had responded and that there was partial success elsewhere in the health and social care services, but limited success beyond that.
12. We also heard that the system repeatedly retraumatizes the survivors and that delays, not just caused by COVID, continue to be a real problem. Reference was made to the former specialised domestic abuse court in Glasgow when it first began cases would take 6 weeks to call, compared to now and the significant delays up to and including 2 years. Cases were often called and witnesses cited only to learn on the day that the case was postponed and subject to further delays. Communication between the courts and witnesses needs to improve. The development of local pathways could go some way to alleviating this. The current public health restrictions mean that witnesses are waiting outside of court buildings along with the accused and exposed to further abuse. Leading to witness fear and anxiety.
13. As with victims of rape and sexual offences, those who had experienced domestic abuse also complained that repeated breaches of bail conditions and otherwise poor behaviour are rarely punished in court. Failure by the courts to respond to Breach of Bail or other such protective orders has an impact on victim faith that the criminal justice system will protect them.
14. We also heard that Non-Harassment Orders (NHOs) and other interdicts are often not requested or granted and, in some cases, can sometimes expire after only one year. This and disposals such as an admonishment were leading to disillusion by women in the system and a loss of faith.
15. Low levels of funding and accessibility to legal aid was cited as a reason for a falling number of applications for interdicts. Also, we heard calls for interdicts to come with full powers of arrest for breaches otherwise they were considered effectively useless. Similarly, there were calls for the courts to inform local

schools when interdicts were put in place. It is important that the wording contained within any protective orders is specific.

16. There were also calls for people in a domestic abuse case to be auto-enrolled (with the right to opt out) in the Victim Notification Scheme, rather than the current opt in system.
17. In the cases of domestic abuse and coercive control, the relative financial power imbalance was cited as a problem, leading to calls for the DWP to treat benefits differently and not see these as available for a family unit. Swifter access to financial support for a person fleeing domestic abuse was seen as key (the figure of £700 per week for a furnished flat in Glasgow as temporary accommodation was quoted).
18. Other related issues included why amenities such as internet access were not deemed essential services if the person was expected to progress their case. This issue has been exacerbated by COVID and the closure of public Wi-Fi spaces (e.g. libraries).
19. Finally, there was support for violence reduction schemes such as the [Caledonian programme](#), although it was noted that this was not available country-wide. It was thought these programmes can be effective but that tackling the problem at a younger age through education was going to be key.

## Note from the meeting with survivors of domestic abuse and bullying

**Participants:** Three survivors

**MSPs:** Audrey Nicoll, Jamie Greene, Rona Mackay and Pauline McNeill

### Background

1. Members of the Criminal Justice Committee met with survivors of domestic abuse and bullying to listen to their experiences of the criminal justice system.
2. **We are immensely grateful to all the women who gave their time to speak to the Committee and to the above organisations for their help in organising this important meeting. We pay tribute to the courage of all involved in speaking to us and thank them for their powerful testimony.**
3. This summary note seeks to collate the views expressed to us. Any views have been anonymised so as to protect the identities of all who took part. The note has been agreed by all who participated.

### Key issues

#### *The role of Police Scotland*

4. We heard one account where the person was not provided any support on the first two occasions when she reported domestic violence to the police service. The police officers did not seem to know how to deal with a domestic abuse complaint. It was only on the third occasion that she was offered help. The political and media interest makes women think that they will be believed, but that is often not their experience. They then feel betrayed and disappointed.
5. We also heard of the difficulty in being believed, which initially meant the person did not report the abuse, and when she did report it that turned out to be the case. This was due to the abuser's role in society and the perception that it would be hard to convince people he was an abuser. Women need to be believed, protected and supported to leave abusive partners and be able to work to support themselves and their children.
6. Domestic abuse happens in all parts of society and can happen to anyone. There is a need to educate young people about domestic violence and to tackle intergenerational violence. There needs to be a multi-agency approach, with robust oversight.
7. Women who report domestic abuse, expect police officers to care, but that was not the experience of those who spoke to the Committee. They questioned why they had been let down by the police and what oversight there was of the service they are providing to domestic abuse victims.
8. In one example, Women's Aid was helpful in finding safe accommodation for the person, but once she was discovered she returned to her partner out of fear of retribution. Women's Aid were limited in the support that they could offer. They

need to be better funded so that they can provide appropriate accommodation, for example, not mixed accommodation.

9. The service from the police in protecting victims who were subjected to threatening and intimidating behaviour from the accused in the run up to a court case and after, left much to be desired, and left them in fear for their personal safety.
10. Examples include: the police service not providing a dedicated person, so there was no continuity and the victims had to explain their situation to someone new each time they called; sometimes the police did not respond to calls; and they were unable to locate the accused and asked the victims to find him, despite the risks to their safety.
11. The victims were not notified when the person was released. This put them in danger.
12. We heard concerns that misogyny in policing means that domestic abuse cases are not dealt with as they should be, as they are still treated as a dispute between two people, rather than an abusive relationship. The police response can depend on the officer, it can be 'great or nothing at all'. There is a culture issue, exacerbated by not enough women in the police service, or in senior positions. The culture comes from the top.
13. Coercive control is not understood and stalking, and harassing behaviour are not taken seriously enough, despite it being known to lead to worse behaviour. In one instance, the person was told by the police to shop elsewhere. The onus should be on dealing effectively with the stalking behaviour and not on the victim.
14. Misogyny within the police service means that complaints about domestic abuse, harassment and bullying are not dealt with as they should be. There is an issue with under-reporting and under-recording incidents of rape and sexual assault within the service. Making a complaint was described as 'making yourself a target'. In one example, senior police officers encouraged others to make counter complaints about the person to discredit them and their version of events. The response to a bullying complaint ranged from 'indifference to neglect'.
15. We heard an account of how it became impossible to continue a career in the police force as a single parent working part time despite a long career and an unblemished record. This was not perceived as an isolated case but as part of the wider culture.
16. There is a lack of oversight by the Scottish Police Authority and the PIRC in addressing these issues. It is essential they have a confidential process to hear from whistle-blowers. The professional services department within Police Scotland should not investigate themselves. Despite winning part of the tribunal case, no-one was held accountable.
17. There is a lack of support for whistle-blowers in Police Scotland. If an officer is to take a case to a tribunal it can cost them thousands of pounds. That is a deterrent. There should be another alternative.

*Court service*

18. We heard of cases where the victims did not meet the procurator fiscal or have contact prior to the trial from anyone from the Crown Office. When the case came to court there were errors in the paperwork, at which point it was too late to correct them.
19. The victims seemed secondary to the process, with deals done behind closed doors. Multiple charges were significantly reduced, with the victims not included in the process and not given an explanation as to why so many charges are dismissed. It is not justice.
20. We heard concerns that there did not seem to be any code of ethics for those representing the accused.
21. We heard that the court system did not provide consideration or protection to victims and witnesses at the trial or afterwards. In one example, the victims asked not to use the same entrance to the court as they did not want to see the accused or any of his supporters. This request was denied. They found the process terrifying.
22. Within the court room we heard about unacceptable behaviour from the QC representing the accused, with no public admonishment. The behaviour was designed to intimidate and upset the victims and witnesses. The QC behaved no better than the accused, and the lack of censure, made the relationships within the court feel like 'a boys club', where inappropriate language and behaviour is acceptable.

*Support*

23. The impact on the victims and witnesses of delays in the court case coming to trial are extreme. Cases of domestic violence should be concluded quickly and effectively, so that the victims are able to start the healing process and move on with their lives.
24. The impact could be alleviated by the police and court services keeping in regular contact with victims and witnesses, answering their questions, providing them with information and explaining the process to them, as well as including them in the decision-making process. Those we heard from were at a loss to understand how this does not happen. A named contact, so that they are always dealing with the same person is also required, where at all possible.
25. The lack of emotional, legal and financial support for victims and witnesses and inadequate measures to protect their safety needs to be addressed. They must be supported to leave abusive relationships. Many face financial hardship, as they become single parent families and want to be able to keep working to support their children. There need to be measures put in place to enable them to do so.
26. Cases of domestic violence do not just impact on the victims; their families are also affected. There should be similar support services provided to family members before, during and after court and tribunal cases.