

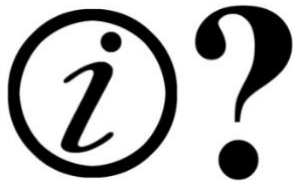
Victims' Rights for Scotland

Easy Read Version





This booklet says how you should be treated, what information you should be given, and what help and support you should get.



This booklet contains some difficult words and ideas. It might be best if you get someone to help you read through it.

What is a victim?



A victim is a person who has had a **crime committed** against them. This can mean someone attacked them, abused them or stole from them.

Committing a crime means breaking the law.



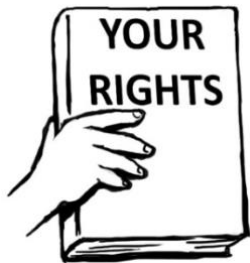
Being a victim is nothing to be ashamed of. You did nothing wrong. Anyone can be a victim.



The voices of victims should be heard.



All victims have the same rights. This means that all victims should be treated the same way.



This booklet will explain:



Your rights when you report a crime to the Police.



Your rights when the Police look into your case.



Your rights when the Police arrest a person for committing the crime.



Your rights when the **case** goes to **court**.

The **case** is what we call it when the crime you reported is being investigated. **Court** is where the trial will be held.



Your rights after the court gives a **verdict**.

The **verdict** is the court's decision about whether the person is guilty.

Your Right to Fair and Equal Treatment



When dealing with any **criminal justice agencies** (the police, court, or prison service):



You have the right to the same services as anyone else.



You have the right to be treated with dignity and respect at all times regardless of your background, age, disability, gender, gender reassignment, race, nationality, religion, belief or sexual orientation.



You have the right to get extra information and support services if you need them.



You should be treated with respect and not discriminated against.



You should be able to get information about what is happening in your case.



You should be able to understand information you are given and be understood when you give information



You should have your needs listened to.



If possible, you should be involved in the **investigation** and trial.

The **investigation** is what we call it when the Police try to find out about the crime you reported.



You should get the right support during and after the investigation and trial.



Be protected from bullying during and after the investigation and trial.

Your Right to Information



Reporting a Crime

If you report a crime to the police, they will give you a Victim Care Card. This gives you a copy of your complaint and gives you other useful information.



You can get more information about how your report will be handled in the **Standards of Service for Victims and Witnesses**.

Witnesses are people who might know about the case and might have to tell the court about it.

You can get a copy of this document from the organisations listed under “Who to Contact” at the end of the booklet.



Asking for Information about Your Case

You have the right to ask for information about your case from these organisations:



POLICE
SCOTLAND

Police Scotland – even if the investigation is not taken forward, you can ask for information about this.



CROWN OFFICE
& PROCURATOR
FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

Crown Office and Procurator Fiscal Service - if your case is not taken to court, you have the right to be told the reasons why and to ask for this decision to be looked at again.



Scottish Courts
and Tribunals Service

The Scottish Courts and Tribunals Service – can give you the court dates, the final decision of a court and the reasons for it.



Information on the Release of the Offender (Victim Notification Scheme)

The **offender** is the person who was found guilty of committing a crime against you. If they are sent to prison for 18 months or more, you can register with the **Victim Notification Scheme**.

The scheme means you can be told about when the person gets out of prison.



To register, you need to contact the **Crown Office and Procurator Fiscal Service** who will give you a form to fill in and send to the **Scottish Prison Service**.

Your Right to Be Involved



Right to Understand and Be Understood

You have the right to understand what is happening and be understood. You might be able to have a person of your choice support you while the police take your statement. Everything should be explained to you in simple language.

Right to Interpretation and Translation



If you have difficulty understanding or speaking English, you can ask for an interpreter to help you:

- Understand any questions you are being asked
- Understand any information you are given

You may also ask for translation of a document if it is given to you by law, or if you need it to be involved in the investigation or trial.

Choosing the Gender of the Interviewing Officer



If you are a victim of a sex crime, domestic abuse, human trafficking or stalking, you have the right to ask for the **police interviewing officer** to be a man or a woman. This is the police officer who will ask you about what happened to you.

Police Scotland will agree to this if they can, but it might not always be possible. If that happens, you will be told why.



Victim Statements

For some more serious crimes you have the right to give a **victim statement** to the court.



A **victim statement** is a written statement that tells the court, in your own words, how the crime has affected you. A victim statement is different from any statement you have already given.



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If you are allowed to give a victim statement you will be contacted by the **Crown Office and Procurator Fiscal Service**.



Giving Your Views on Release Decisions (Victim Notification Scheme)

Through the **Victim Notification Scheme** you can give your views on when the offender is due to get out of prison.



Parole Board for Scotland

You can give your views to the **Scottish Prison Service**, the **Parole Board for Scotland** or **Scottish Ministers**.

Your Right to Protection



Right to Protection and Privacy

When you report a crime the police will support you and protect you from being threatened or bullied.



This support may include:

- Only asking you questions when they need to
- Asking you questions in special places



The court can stop the news from reporting on your case. The court can also give an order that the **accused** person has to stay away from you.

The **accused** is the person you said committed a crime against you.



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SCOTLAND'S PROSECUTION SERVICE

You can get more information on victim protection from **Police Scotland** or the **Crown Office and Procurator Fiscal Service**.



Legal Advice and Help

If you need legal advice and help you should contact a solicitor.



If you are on benefits or a low income you may be able to get Legal Aid to help pay the costs. More information on this is available from the **Scottish Legal Aid Board**.

Your Right to Support



Access to Support Services

You have the right to use victim support services even if the crime has not been reported to the police.

Victim Support Scotland gives emotional support, help and information to victims, witnesses and anyone affected by crime. These services are free and confidential.



There are other organisations that can give support to anyone affected by crime. You can get more information about these organisations at the back of this booklet.



Support for Vulnerable Individuals in Court (Special Measures)

Some people are more vulnerable because of who they are or the kind of questions they might be asked in court. There are different ways to help a vulnerable witness give evidence in court.



This kind of support is called “special measures.” One of the special measures can be that the witness does not have to see the accused person in court.



You can get more information about special measures from the **Crown Office and Procurator Fiscal Service** and the **Scottish Courts and Tribunals Service**.



The authorities should ask if you are worried about **giving evidence**, and can help you choose the best way for you to give it.

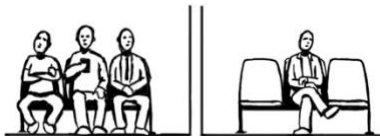
Giving evidence is when you tell the court about the crime that was committed against you.



All children aged under 18 years are seen as vulnerable and can get some special measures.



A witness who has a mental disorder, learning disability or who is scared by the idea of giving evidence might also be called vulnerable. **The Crown Office and Procurator Fiscal Service** will decide if they are vulnerable.



The Scottish Courts and Tribunals Service will also make sure that victims are kept apart from the accused when waiting to give evidence in court.

Your Right to Compensation and Expenses



Payment of expenses

If you spend money to go to court to give evidence, you have the right to get that money back from the **Crown Office and Procurator Fiscal Service**. This is called **claiming expenses**.



You can claim expenses for travelling to and from the court and for meals. Cash payments are only made in a small number of cases.



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& PROCURATOR
FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

You can get more information about expenses from the **Crown Office and Procurator Fiscal Service** or their website.



Court Compensation

Compensation is money that you are paid because you are a victim of crime. If the accused says they committed the crime or is found guilty, the court may order them to pay you compensation.

The court will tell you if this happens. If you do not want compensation please tell the **Crown Office and Procurator Fiscal Service** as soon as possible.



Criminal Injuries Compensation

If you have been physically or mentally injured because you were the victim of a violent crime, you may be able to get compensation.



Criminal Injuries
Compensation
Authority

To make a claim, you should contact the **Criminal Injuries Compensation Authority**.



Getting your Property Back

If your property was taken for evidence, it will usually be given back to you by the police. If your property is damaged, you might be asked if you want it back.



You can get more information about the return of property from **Police Scotland** and the **Crown Office and Procurator Fiscal Service**.

Who to Contact and How to Complain



If you have any further questions about your rights, please contact the relevant authority:



Police Scotland

Keep law and order, protect members of the public and their property, and stop, detect and investigate crime

101 (non-emergency),
999 or **112** (emergency)



Crown Office and Procurator Fiscal Service

Get reports about crimes from the police and then decide what action to take, including whether to prosecute someone, and ask prosecution witnesses to come to court

Telephone: 0300 020 3000

_EnquiryPoint@copfs.gsi.gov.uk



Scottish Courts and Tribunals Service:

Support the judges, and enable court cases to be heard.

0131 444 3455

csequiries@scotcourts.gov.uk



Scottish Prison Service

Manage offenders and give information to victims who are on the Victim Notification Scheme, including when an offender is due for release.

0131 330 3500

gaolinfo@sps.pnn.gov.uk



Parole Board for Scotland

Parole Board for Scotland

Assess the risk which an offender will pose in the community if released, and consider victim representations under the Victim Notification Scheme.

0131 244 8373

paroleboardforscotland@ gov.uk



If you are a victim of crime and you think any of your rights have been breached by an organisation, you can make a complaint. The organisations will tell you how to complain on their websites.

Further information about your rights after a crime can be found at mygov.scot/victim-rights-scotland

National Support Contacts, Organisations and Other Authorities



Abused Men in Scotland

Give support to men affected by domestic abuse.

0808 800 0024

contact@amis.org.uk

The Childline logo consists of the word 'childline' in a lowercase, rounded, blue sans-serif font.

ONLINE, ON THE PHONE, ANYTIME
childline.org.uk | 0800 1111

ChildLine

Private and confidential service for children and young people.

0800 1111



ParentLine
SCOTLAND 08000 28 22 33

Children 1st / Parentline

Help protect vulnerable children and give practical advice and support to families under stress.

08000 28 22 33

parentlinescotland@children1st.org.uk



Criminal Injuries
Compensation
Authority

Criminal Injuries Compensation Authority

Compensation for innocent victims of violent crime.

0300 003 3601

Motor Insurers' Bureau

Help for people affected by uninsured driving.

01908 830 001



National Stalking Helpline

Support and help for victims of stalking.

0808 802 0300

advice@stalkinghelpline.org



PETAL Support

Support families and friends of murder and suicide victims.

01698 324502

info@petalsupport.com



Rape Crisis Scotland

Support, information and advice for victims of rape and sexual abuse.

08088 01 03 02

support@rapecrisisscotland.org.uk



Sacro

Community justice organisation who provide adult and youth justice services or forced marriage.

0131 624 7270

Scotland's Domestic Abuse and Forced Marriage Helpline

Support and help for victims of domestic abuse.

0800 027 1234

helpline@sdafmh.org.uk



Scottish Legal Aid Board

Funding for people who qualify to get legal advice and representation

0131 226 7061

general@slab.org.uk



Scottish Women's Aid

Make sure that women and children who have experienced domestic abuse get the services they need.

0131 226 6606

info@womensaid.scot



Victim Support Scotland

Give support and information services to victims and witnesses of crime.

0345 603 9213



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