

The week in review

The week's round-up includes the publication of legislation which would allow more pre-recording of evidence by vulnerable witnesses ahead of criminal trials, the launch of a new water rescue vessel in Aberdeen and the publication of the Damages Bill.

More pre-recording of evidence for criminal trials



Legislation to enable the greater use of pre-recording of evidence by child and vulnerable witnesses has been introduced to the Scottish Parliament.

The [Vulnerable Witnesses \(Scotland\) Bill](#) would create a new rule that children who are due to give evidence in the most serious criminal cases should have their evidence pre-recorded in advance of trial.

The Bill proposes other improvements such as a simplified process for deemed vulnerable witnesses to request standard special measures such as giving evidence via a live TV link away from the courtroom during the trial.

It also includes a power to enable extension of the new rule to adult witnesses deemed to be vulnerable under the Criminal Procedure (Scotland) Act 1995. This covers complainers of sexual offences, stalking, domestic abuse and human trafficking in solemn proceedings.

Justice Secretary Michael Matheson said:

“This represents a significant change to the law and practice, which justice organisations will need to implement in a managed way in order to achieve our aim of ensuring witnesses can give their best evidence, while protecting the rights of the accused.

“From investing in a more ‘victim-centred’ approach that ensures people feel supported through the justice process to expanding advocacy services and funding research into survivors’ experiences, we are making significant progress to improve support for victims and witnesses. We are working to deliver a criminal justice system that is increasingly focused on the people affected by crime rather than the processes surrounding them.”

SFRS launches new water rescue unit in Aberdeen

A team of specialist firefighters in Aberdeen are the latest to have been trained and equipped to stand on the frontline during severe weather



related flooding and fast water rescue.

The highly-skilled [Water Rescue Unit](#) will be able to respond to the type of severe weather related incidents which devastated the Aberdeenshire community of Ballater during Storm Frank in 2015.

Community Safety Minister Annabelle Ewing said:

“This investment in a new Water Rescue Unit for the north east is the latest example of the Scottish Government and SFRS’s continued commitment to protecting communities from emerging risks.

“The devastation to the Aberdeenshire community of Ballater by Storm Frank reminds us of the impact severe weather and flooding can have on communities. This new highly-skilled team will be better prepared than ever to help people who get into trouble in the water.

“And given that Scotland has more than 27,000 lochs alone, it is clear this is an important investment for Scottish communities.”

Human Trafficking – First Annual Progress Report

Cabinet Secretary for Justice Michael Matheson updated Parliament on progress in tackling human trafficking and exploitation in the past 12 months.

Read Mr Matheson’s full statement on the main Scottish Government [website](#).

‘Trafficking and Exploitation: Strategy – First Annual Progress Report’ is available [online](#).

Read our blog post with comments from key figures including TARA, Police Scotland and COSLA [here](#).

Watch the Cabinet Secretary’s Parliamentary statement on the video below:

Damages Bill introduced

Reforming the law on setting the personal injury discount rate.

Legislation to create a clearer, fairer and more credible way of setting of the personal injury discount rate for damages claims has been published.

The personal injury (PI) discount rate is used to help calculate lump sum compensation to cover future losses such as future salary losses or future care costs in personal injury cases.

The Damages Bill, now introduced in the Scottish Parliament, addresses concerns that the current process for setting PI discount rate lacks transparency and has not been reviewed frequently enough – with the most recent change resulting in a substantial shift to the rate

Minister for Legal Affairs Annabelle Ewing said:

“This legislation is part of our wider programme of civil law reform which aims to ensure the system keeps pace with modern Scotland and the needs of its people. While the number of people affected by the discount rate is relatively small, we know that those cases tend to involve catastrophic injury with little prospect of the individual’s full recovery. That is why it is so important the law determining how the discount rate is set is clear, fair, transparent and credible.”

Read more on the main Scottish Government [website](#).

Hate crime reporting must continue

Statistics on hate crime published

Hate Crime in Scotland 2017-18 can be accessed [here](#)

Victims and witnesses to hate crime are being encouraged to continue to speak out, as new statistics suggest more people are reporting incidents.

Following the publication of the bulletin, Hate Crime in Scotland 2017-18 the **Community Safety Minister Annabelle Ewing said:**

“It’s reassuring to see more people are coming forward to report

hate crime, and in particular disability hate crime. A significant amount of work has been done by Police Scotland, the Crown Office and community organisations over the past year to ensure this is happening.

“But I still believe this isn’t the full picture and remain concerned that crime motivated by prejudice is underreported and would urge anyone who experiences it to ensure it’s reported properly.”

Justice Secretary launches One Community

A group of women are helping young people from Glasgow’s African community to create new lives in Scotland.

The ladies have become community champions supporting families to overcome challenges as they build a future in the city.



The group are part of One Community which is led by prominent campaigner Khadija Coll who has spent more than 25 years working in Scotland and Africa with refugees. Khadija has developed the new project in collaboration with the Scottish Violence Reduction Unit, which specialises in prevention work.

Cabinet Secretary for Justice, Michael Matheson, said:

“This project will have a crucial role in working with BME communities across Glasgow helping them to overcome barriers in access to education and encouraging positive life choices.

“Today I’ve had the opportunity to hear from some of the young people already benefiting from One Community’s mentoring programme which reaches out to those who may feel disconnected from the community. The project’s community champions provide vital support and empower these young people helping them move away from a potential life of chaos and violence.

“We want to build inclusive, resilient and safe communities across Scotland and we will continue to invest in the Violence Reduction Unit to deliver innovative ways to tackle violence.”

The post [The week in review](#) appeared first on [Justice and Safety](#).

[Human Trafficking and Exploitation – First Annual Progress Report](#)

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Key figures look back on the progress that has been made in the past year:

Assistant Chief Constable Gillian MacDonald, Police Scotland, said:

“In the past year, Police Scotland has continued to support the Scottish Government Human Trafficking and Exploitation Strategy and has led the action area for law enforcement, working alongside key partners including National Crime Agency, Crown Office and Procurator Fiscal Service, Border Force, other support agencies and third sector groups. As well as leading this group, Police Scotland is represented on all areas of the government strategy.

“Our National Human Trafficking Unit has coordinated multi-agency days of action in conjunction with UK wide intensification periods led by the National Crime Agency, which has focused on specific types of exploitation, both with enforcement and awareness raising.

“The National Human Trafficking Unit has recently developed an online training package for public sector workers, who are often best placed to identify people who may be trafficked within their communities. As well as advising on the signs of trafficking, it advises on what do if they believe someone is trafficked.

“Only by working together with partners and across communities will we tackle human trafficking and end this unacceptable exploitation of people.”



Bronagh Andrew of Community Safety Glasgow also commented:

“The thread of multi-agency approaches and working together to end Human Trafficking and Exploitation which is woven throughout the Scottish Government’s Trafficking and Exploitation Strategy has led to some early successes in improving the identification and support to survivors of trafficking and disrupting criminal activity. The close links with Police Scotland and the TARA Service have been further strengthened to include our collective strategic responses. This includes support with the development of the Human Trafficking DVD package, by using the learning from both organisations to ensure our experiences are shared leading to improved responses from frontline staff.

“We also participated in a joint visit to Romania to learn from

their law enforcement and support services to learn more about supports available on return for women TARA have worked with, strengthen international referrals and improve our ability to keep women safe and disrupt perpetrators. Strong partnership approaches, locally, nationally and internationally are an essential aspect of our shared responsibility to achieve the aims of Scotland's strategy to tackle Human Trafficking and Exploitation."



COSLA Spokesperson for Community Well-Being, Cllr Elena Whitham said:

"I welcome the publication of the first annual progress report on the implementation of the Trafficking and Exploitation Strategy. The collaborative partnership approach that has been taken is enabling local authorities to take forward actions where they can contribute to the identification of and support for victims of trafficking, and disrupt preparators in our communities.

"COSLA and local authorities are committed to contributing to the Strategy and working to eradicate these abhorrent abuses of human rights. COSLA will continue to Chair the working group for Action Area One (Identifying and Supporting victims) and I am looking forward to taking a paper on this report, and the awareness raising and training materials which have been developed, to COSLA Community Well-Being Board next week."

The post [Human Trafficking and Exploitation – First Annual Progress Report](#) appeared first on [Justice and Safety](#).

[The week in review](#)

The week's round-up includes new research into local experiences and wider public perceptions of serious organised crime, an independent review into the impact of policing the 1980s miners' strike on communities, and Parliament's unanimous approval for legislation delivering an automatic pardon for

historical convictions for homosexuality.

(Thanks to Anna Davidson who visited the Justice comms desk this week, for assisting with preparing this week's round-up blog.)

Communities tell of organised crime impact



The changing face of serious organised crime (SOC), its impact in communities and the potential for local services to prevent exploitation, were highlighted in [research published on Monday](#).

An 18-month study, which found that the harmful consequences of the illicit drugs market remains the primary area of concern, also identified the range of ways that SOC adversely affects people's lives. The research highlighted good practice and made recommendations to enhance Scotland's collective response to SOC, including strengthening links between local services, particularly housing and social work, to help prevent exploitation of vulnerable residents.

At the same time, an Ipsos MORI survey was published showing a growing awareness that everyone has a role in tackling the issue, as well as revealing that one-in-ten had personally been affected by SOC in the past three years.

You can find out more about the work of Scotland's Serious Organised Taskforce and actions of its partner organisations to tackle the issue by following the [@SOCTaskforce Twitter account](#) launched this week.

Pardon for gay and bisexual men


Gay and bisexual men in Scotland are to receive automatic pardons for historical convictions for homosexuality following a debate and unanimous vote in Parliament on Wednesday.

MSPs passed legislation that provides an automatic pardon for those convicted of criminal offences for engaging in same-sex sexual activity which is now legal. It will also create a system to allow anyone with such a conviction

to apply to have it “disregarded” so it is removed from public records and no longer appears on a disclosure check.

The [Historical Sexual Offences \(Pardons and Disregards\) Bill](#) was introduced to Parliament by Justice Secretary Michael Matheson in November last year, when the [First Minister also made an unqualified apology](#) to those men convicted before 2001 under discriminatory laws.

After Parliament passed the legislation on Wednesday, Director of the Equality Network Tim Hopkins said: “This is concrete recognition of the huge harm that was done to people who were prosecuted or lived under these old laws. Together with the First Minister’s apology, the message is that Scotland has changed for good, and that discrimination is no longer acceptable.” Read more on the [main Scottish Government website](#).

 "Scotland has come a long way in a relatively short period of time progressing towards LGBTI equality, but we know there is more to do. This bill stands alongside our on-going work to tackle discrimination." [@MathesonMichael](#)
[#loveislove](#) [#pride](#) [#LGBTI](#) pic.twitter.com/yR1o0BlHxF

– Scottish Government (@scotgov) [June 6, 2018](#)

Minister leads debate on hate crime



On Thursday Minister for Community Safety Annabelle Ewing led a debate in Parliament to hear MSPs’ initial views of the report of the Independent Review of Hate Crime Legislation in Scotland, published a week earlier.

Lord Bracadale, who led the review, published [a full report](#) with more than 20 recommendations and a [summary leaflet](#). Ministers have agreed to the proposal to consolidate Scotland’s hate crime laws into a single piece of legislation and will arrange a public consultation to inform the development of that new Act, fit for the 21st century.

Ms Ewing said: “The publication of Lord Bracadale’s report marks an important stage in this process in which we are all engaged. While legislation on its own will not solve hate crime, a good, substantive law will certainly be at the heart of our efforts to build a country in which everyone – regardless of background – feels valued, respected and at home.”

Reviewing impact of policing of Miners' Strike

On Thursday the Justice Secretary announced plans for an Independent Review into the impact of policing on communities during the miners' strike from March 1984 to March 1985.

The review will be led by John Scott QC Solicitor Advocate, working with an advisory panel comprising former MSP Dennis Canavan, former Assistant Chief Constable Kate Thomson and Professor Jim Murdoch of the University of Glasgow.

Mr Matheson said "This represented an extremely turbulent and difficult time for many mining communities in Scotland. And although more than three decades have passed, the feelings and scars from that time run deep and there are questions that still need to be answered."

The Justice Secretary has also written to the Home Secretary, again urging him to consider establishing a UK-wide investigation which would be necessary to fully explore concerns about the role of the then UK Government during the strike.

Read more about Scotland's independent review on the [main Scottish Government website](#) or watch Mr Matheson's Parliamentary statement on the video below.

New Chief Inspector of Scottish Fire & Rescue Service

Simon Routh-Jones, a former fire officer who served 37 years before joining HM Fire Service Inspectorate (HMFSI) as an assistant inspector in 2016, has been appointed as the new HM Chief Inspector of the Scottish Fire & Rescue Service. He will replace Martyn Emberson, who has served in the role for over two years.

[Announcing the appointment](#), Minister for Community Safety Annabelle Ewing said: "Simon brings a huge breadth of experience in fire and rescue and with his history of strategic and innovative thinking his appointment brings continuity to the Inspectorate, which has independent oversight of one of our vital public services.

"I would also like to record my sincere thanks to Martyn Emberson for his dedicated service as Chief Inspector and for his advice and wise counsel. He can be proud of the positive impact he has had and I wish him all the very best in his retirement."

Simon Routh-Jones QFSM, FIFireE, FCMI has been appointed Chief Inspector of the Scottish Fire and Rescue Service. Simon is looking forward to taking the team forward providing independent, risk based and proportionate professional inspection of the Scottish Fire Service. pic.twitter.com/Jp9Ca0l3Ay

Inspectorates to review home detention curfew processes

The Justice Secretary this week instructed the Chief Inspector of Prisons and the Chief Inspector of Constabulary to review processes surrounding Home Detention Curfew (HDC), which allows some prisoners, mainly serving shorter sentences, to serve part of the sentence period in the community subject to licence conditions, including wearing an electronic tag and remaining at home during certain hours.

A person is only eligible for HDC if they are assessed to be at low risk of reoffending, while certain categories are automatically excluded, including prisoners subject to an extended sentence or any prisoner who is required to register as a sex offender.

Mr Matheson ordered the independent assurance review following the life sentencing of a man for a murder carried out while he was unlawfully-at-large following a breach of the terms of his HDC which had been granted while he was serving a prison sentence for knife possession. The Inspectorates will consider how prisoners are assessed before being granted HDC and also review the processes for investigating breaches of HDC terms and apprehending individuals when that happens.

Mr Matheson announced the review as he gave evidence to the Justice Committee on the [Management of Offenders Bill](#), which aims to improve how the justice system safeguards the public while helping rehabilitate people with convictions. The legislation includes provisions to extend the range of areas where electronic monitoring may be used, including for public protection – for example: in sentencing, as part of the requirement options in a Community Payback Order; in prisoner management for home leave; and alongside a sexual offences prevention order, which is a civil protective order. The Bill will also enable GPS technology to be used with tags, where appropriate, as an alternative to current radio frequency technology – enabling the use of exclusion zones.

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