

SCSN BRIEFING

The Vision for Justice in Scotland 2022

The SCSN team have prepared this summary for information of our members and partners, and the wider community safety sector in Scotland. It speaks to the Scottish Government's (SG) recent publication of a Vision for Justice in Scotland (The Vision). It promises improvement and transformation throughout the full journey of criminal, civil and administrative justice. We hope this briefing offers helpful overview of a complex publication, and insight to how these changes might affect Community Safety Partnerships (CSP) and Local Authority (LA) partners. This briefing is not exhaustive – there may be gaps in summary – so please refer to original texts in the links below, if required.

On Tuesday 8 February, the Scottish Government (SG) published its [Vision for Justice in Scotland](#) (The Vision), accompanied by several other documents, including a [Strategic Context](#), [Year One Delivery Plan](#) and [Evidence Supplement](#). A debate on The Vision was held at the Scottish Parliament, and is available to watch via [Scottish Parliament TV](#).

SCOPE

The Vision has 5 primary aims, to ensure:

- 1) *We have a society in which people feel, and are, safer in their communities.*
- 2) *We work together to address the underlying causes of crime and support everyone to live full and healthy lives.*
- 3) *We have effective, modern person-centred and trauma-informed approaches to justice in which everyone can have trust, including as victims, those accused of crimes and as individuals in civil disputes.*
- 4) *We support rehabilitation, use custody only where there is no alternative and work to reduce reoffending and re-victimisation.*
- 5) *We address the ongoing impact of the COVID-19 pandemic and continue to renew and transform justice.*

These will be governed by 4 key principles, promising that change will be:

- 1) *Founded in equality and human rights*
- 2) *Evidence-based*
- 3) *Embed person-centred and trauma-informed practices*
- 4) *Collaboration and partnership*

The Vision will be delivered by the end of the parliamentary term, 2026.

HIGHLIGHTS

Justice is at the heart of community safety. Everything in The Vision is relevant to our members' and partners' work, all across Scotland. We encourage colleagues to review these publications for themselves, via the links shared above.

At its simplest, the Vision addresses to two core themes; what the issues are; how to make it better. Below, for your reference, we highlight some extracts from The Vision that cut across both categories:

WHAT THE ISSUES ARE / HOW TO MAKE IT BETTER

- **HATE CRIME** (Aim 1)

*“Our communities are not as strong as they could be and **hate crime and sectarian behaviour threaten community cohesion**, and have a corrosive effect of communities as a whole... three-fifths of hate crime recorded in 2019-2020 included a race aggravator, one-in-five included a sexual orientation aggravator, and around two-fifths that had a religious aggravator involved prejudice towards the Catholic community.”*

- *“We need to work to **improve community relations** and ensure that we **experience less hate crime and sectarian behaviour**.”*
- **CYBER-CRIME** (Aim 1)

*“In 2021-2022, over 14,000 **cyber-crimes** were recorded by the police which is **almost double the year before**... communities, organisations and businesses need to be more resilient to cyber threats and attacks... at least 39% of the sexual crimes recorded by police in 2020-2021 related to a victim under the age of 18, with an estimated **one-in-six sexual crimes being cyber-crimes with a victim under the age of 16**.”*

- *“We must **uphold children’s rights** and **protect children** from all forms of physical or mental violence, injury or abuse... we will have achieved our aim... when... we all feel safe in our communities; our communities are stronger and more resilient; we all live in a tolerant, more inclusive society.”*
- **POVERTY** (Aim 2)

*“...evidence shows that **increasing income inequality** experienced by those in developed countries, like Scotland has been linked to **lower health and social outcomes, especially those connected to crime and justice**. There is clear evidence of a link between experience of area-level deprivation and crime, with **those living in the most deprived areas being more likely than the rest of Scotland to experience crime**...”*

*“We need to work together to **mitigate the impact of poverty and disadvantage** and **reduce those who have contact with the justice system**.”*
- **CARE** (Aim 2)

*“...the latest prisoner survey shows that **a quarter of prisoners had been in care** at some point. There are many reasons why care experienced people face higher rates of criminal convictions. These include: over-involvement with, and a **feeling of stigmatisation by the police**; increased **scrutiny in care placements**; participation in difficult formal processes...”*

- *“We must **#KeepThePromise** and ensure that children and young people living in care have access to support the need to thrive... the youth justice whole-system approach to preventing offending highlights [the importance of strong positive family environments], taking early action at the first signs of difficulty to **create positive family environments and social networks**. To provide the best chances for their future we should nurture children to fulfil their potential including through education.”*

- **COMMON KNOWLEDGE OF JUSTICE** (Aim 3)

“A **lack of legal understanding affects a significant proportion of the population** and extends beyond vulnerable groups – even a significant number of people with high incomes and education levels can exhibit low legal understanding.”

 - “We must have **fairer access to justice**... we need to have more **inclusive justice services** and organisations which reflect our diverse communities...”
- **PRISON** (Aim 4)

“...the international evidence shows that **imprisonment can have damaging effects**, through **weakening social ties, creating stigma, adversely impacting on employability and housing stability**, and ultimately **increasing the likelihood of reoffending**... there are **no robust figures for the prevalence of mental health problems in Scottish prisoners.**”

 - “The long-term aim is that people should **only be held in custody where they present a risk of serious harm**... community sentences are commonly viewed by the judiciary as providing greater chance of rehabilitation and... a more cost-effective alternative to imprisonment. We must therefore be supported to **remain in our communities**, minimising stigma and prejudice. We must be **supported to integrate** into our communities, including having **a safe place to live and options for employment**... improve our **health and wellbeing** as part of rehabilitation and recovery.”
- **COURTS** (Aim 5)

“One of the most **serious impacts of the closure of Scotland’s courts and tribunals** at the start of lockdown (due to the pandemic) was a **substantial increase in the backlog** of civil and particularly criminal cases which has **resulted in delays.**”

 - “Action should be explored to **reduce the need for traditional justice processes**... it is anticipated it will take **several years to manage the backlog and return to waiting times of 10 weeks for domestic abuse cases**... We must use a full range of solutions to reduce the need for and pressure on, justice services while negative on users is reduced.”

OVERVIEW

The Vision gives a [Route to a Transformed Justice System](#), outlining SG’s commitments – its blueprint – to help realise their plans for change. This includes a Hate Crime Strategy, establishing a Collaborative Function to Combat the Threat of Cyber-Attacks, a Tackling Child Poverty Delivery Plan 2022-2026, a new Health and Wellbeing Strategy for Prisons, a new Trauma-Informed Framework to give staff the knowledge and skills they need to embed trauma-informed practices, investment in substantial expansion of community justice services, and many others.

Overall, The Vision is a positive, aspirational strategy. It seems to recognise the driving and perennial issues for justice in Scotland, including the causes, and what can be done to remedy those issues. The move towards trauma-informed, person-centred, more inclusive, more progressive and fairer justice is very welcome. But these will be difficult to realise, to enact wholesale change, and will take real commitment in energy and focus, resourcing and funding. Unfortunately, there appears to be no commitment to reducing the prison population in Scotland; no national target for a down-sized prison estate, and no clear pathway so we would encourage progress in this area specifically. We would welcome progress in this area.

There is much to like and be hopeful for, included in The Vision.