

GOING TO COURT

Reporting a crime and attending court can be confusing and distressing experiences for some, but **Victim Support Scotland** is here to help you through it.



Victim Support Scotland is an independent charity, supporting people affected by crime across Scotland. We can explain the support available to you and guide you through the criminal justice process and your rights as a witness. With a little bit of preparation for your time in court, our support may help you feel less stressed.

Reporting a crime to the police

If you've been affected by a crime Victim Support Scotland can support you, whether or not you report the crime to the police.

If you decide to report a crime, the police will tell you:

- ▶ The name, number and station of the officer dealing with your case
- ▶ If they arrest or charge someone
- ▶ About any charges connected to the crime
- ▶ Whether your stolen property has been found or returned
- ▶ Any other information you should know about the case

They should also keep you up to date with what is happening with the case.

You should let the police know if you change your address or phone number. Also tell them if you are worried about your (or your family's) safety.

Deciding if the case will go to trial

When the police charge someone with a crime, they send a report to the Procurator Fiscal. The Procurator Fiscal is a lawyer in the Crown Office and Procurator Fiscal Service (COPFS) and is the person who decides whether or not to take a case to court. To make this decision, the Procurator Fiscal looks at the evidence, what is best for the victim, and what is best for the ‘public interest’.

The Procurator Fiscal can tell you:

- ▶ Whether or not the case is going to court
- ▶ Date and time of any trial
- ▶ Delays or breaks in the process
- ▶ Whether the court has granted bail to the accused person

If a crime does not go to court, it can be hard to understand why. It does not mean that it did not happen or that the police or Procurator Fiscal did not believe you. If the Procurator Fiscal decides not to take the case to court, the victim sometimes has the right to ask for a review of the decision. Victim Support Scotland can help you with this.





If you are a witness to crime

Attending court and giving evidence can be stressful and people may feel anxious about it. Victims of crime are often involved in court cases as witnesses. They do not have their own lawyer to speak for them.

If you are going to court, Victim Support Scotland's Witness Service can support you through the process. The service is free and in every Sheriff and High Court in Scotland. It is for ALL witnesses in court, including witnesses for the person accused of the crime.

We can help you before the trial and on the day of the trial even if you have not been in touch with us before. You can find the Witness Service by asking at the court reception desk.

How we can help you

- ▶ If you are nervous, worried or upset we can sit with you while you wait to go into the court room
- ▶ Sometimes, we can sit in court with you while you give your evidence
- ▶ We can explain the court process and your role as a victim/witness
- ▶ We can tell you about the agencies involved in your case and who can best answer any questions you have. We can sometimes speak to agencies for you
- ▶ We can help with practical matters, such as filling in your court expenses form, or finding your way round the court building
- ▶ We can provide information on special measures (see next page), which can help you give your best evidence
- ▶ If you have been granted the opportunity to write a Victim Statement telling the court how the crime has affected you, we can help you with this

Court familiarisation visit

We can also take you to an empty court in advance of the trial date. Some witnesses find that familiarisation with the court reduces some of the stress and anxiety on the day of the trial. During this visit we can discuss any additional needs or any concerns you have. We can explain the expectations of a witness, the possible sequence of events and offer reassurance about anything that may be troubling you, such as your personal safety.

Victim Information and Advice (VIA)

You may be contacted by VIA, which is part of the Crown Office and Procurator Fiscal Service (COPFS). It can give information to vulnerable witnesses about going to court and can arrange ‘special measures’, where needed, to help people give evidence in court.

Special measures are there to protect people and make them feel more comfortable. They include sitting behind a screen in court or giving evidence remotely by a web link.





After a trial

Victim Support Scotland can also support you following a trial. People often find it helps to talk things over with us at this time. We can provide emotional support and practical assistance, such as helping you discover the outcome of a trial (for example, the verdict and any sentence).

We can also tell you more about the Victim Notification Scheme. If you are eligible, it means you can choose to be told when the offender is to be released from prison.

Accessing support

Victim Support Scotland

We are here to support you after a crime or at court – whether the crime happened recently or a long time ago. You do not have to report the crime to the police to get our help. Our service is free, impartial and confidential, so we will not discuss personal details with anyone else without permission*.

If you would like to speak to us, please contact us using the details below.

Contact us

Call our free helpline on **0800 160 1985** (8am – 8pm, Mon – Fri) to speak to our friendly support team.

Find help, support and your local service at:

www.victimsupportsco.org.uk

info@victimsupportsco.org.uk

 **Webchat**

 **@vsscotland**

 **Victim Support Scotland**

We support people from all communities. If you'd like this leaflet in a different language, please contact us.



*We will need to alert someone else if there is a safeguarding issue or a risk to others.

President: HRH The Princess Royal

Victim Support Scotland is a Scottish Charitable Incorporated Organisation, registered in Scotland SC002138.

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