



Police Bill Team
Scottish Executive Justice Department
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Supporting Police, Protecting Communities – Proposals for Legislation

Victim Support Scotland is committed to working for people in Scotland affected by crime. As an organisation, Victim Support Scotland is widely recognised for its direct support offered to those who have been affected by crime. At the same time, Victim Support Scotland works to promote the rights of those affected by crime – helping to build a judicial system in Scotland that recognises the position of those affected by crime. Part of this includes the recognition that measures to reduce crime help to create fewer victims. In light of this, Victim Support Scotland broadly supports the measures proposed in Supporting Police, Protecting Communities.

Knife Crime

Becoming a victim of 'knife crime' causes serious physical, social, emotional and financial consequences which are often long term, sometimes with severe impacts on the life of not only the victim, but their family and friends also.

The number of knife related homicides recorded a small decrease from the high of 2002. However, knife crime carries a more significant threat than recorded homicides. In our experience, the use of knives, and other offensive weapons such as syringes or screwdrivers, may be used in assaults and robberies. Some Victim Support Scotland services have reported a steady increase in the number of victims wounded by knives over the last 2 years.

Although many people are aware of the physical damage that a knife wound can cause, it is worth noting some of the other consequences of a visible injury like a facial knife scar. We are aware of instances where victims have lost their jobs because of visible knife scarring. Other effects include problems with relationships, depression, mood swings – a cycle leading into long term psychiatric problems.

Beyond this some knife victims may thereafter carry a knife 'for protection', this perpetuating the cycle of knife crime.

Accordingly, Victim Support Scotland supports the proposals to increase the penalties for carrying a knife, bearing in mind that penalties must be proportional. At the same time, the root causes of carrying knives must be addressed – for example the fear experienced by many must be tackled.

VSS supports proposals to make carrying an offensive weapon to become an arrestable offence. This measure should reinforce the serious nature of carrying knives; and at the same time reinforce the serious regard that the system should have for such an offence.

Incentives for providing information or evidence against others

The proposals suggest that turning criminals against their associates is a useful tool in the fight against crime, noting that sentencing discounts to provide incentives in this way are used in other jurisdictions, and as are proposed in England and Wales.

- *Victims attending court*

This is a complex area in which a number of considerations come into play. The tendering of an early guilty plea by an accused, for example, is welcomed by certain victims and witnesses who are thus spared the ordeal of having to give or to listen to evidence. Similarly, immunity from proceedings or discontinuation of proceedings may remove the need for some victims and witnesses to attend court. However this must be balanced against the following points.

- *Proportionality*

Any incentive for providing information must be proportionate to the crime and the harm suffered by the victims. A sentence which is clearly disproportionate to the gravity of the crime cannot be justified and will undermine confidence in the criminal justice system.

- *Transparency and consistency*

Many victims find the current system clear. There is a clear requirement for sentencing to be both consistent and transparent. Victim Support Scotland stresses that at sentencing incentives must be made public in order to maintain the clarity of the current system and public confidence in sentencing.

These issues point towards clear parameters within which any system of incentives should operate.

We hope that you find our comments constructive and helpful. If you have any further queries, please do not hesitate to contact me at the address above.

Best regards,

Barry Jackson
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