



Agenda Item 4.3

<b>Meeting</b>	<b>Policing Performance Committee</b>
<b>Date</b>	<b>9 December 2025</b>
<b>Location</b>	<b>Video Conference</b>
<b>Title of Paper</b>	<b>Victims, Witnesses and Justice Reform (Scotland) Act</b>
<b>Presented By</b>	<b>ACC Catriona Paton, Policing Together</b>
<b>Recommendation to Members</b>	<b>For Discussion</b>
<b>Appendix Attached</b>	<b>No</b>

**PURPOSE**

The purpose of this report is to provide the Policing Performance Committee with an update on the Victims, Witnesses and Justice Reform (Scotland) Act.

Members are invited to discuss the content of this report.

## 1 BACKGROUND

- 1.1. The Victims, Witnesses and Justice Reform (Scotland) Bill was introduced to the Scottish Parliament on 25 April 2023.
- 1.2. The Bill was passed by Scottish Parliament on 17 September 2025.
- 1.3. The Bill received Royal Assent on 30 October 2025 and has become an Act of the Scottish Parliament now known as the [Victims, Witnesses, and Justice Reform \(Scotland\) Act 2025](#).
- 1.4. Overview of the contents of the Act:

The Act will progress the ambition and priorities set out in the [Vision for Justice in Scotland](#) of delivering person centred and trauma-informed practices, including taking greater action to improve the experience of women and children and to hear victims' voices.

The Act contains 13 parts, which are listed below:

- Part 1 – Victims and Witnesses Commissioner for Scotland
- Part 2 – Trauma-informed practice
- Part 3 – Victims' rights to receive information and to give views (includes provisions relating to the Victim Notification Scheme)
- Part 4 – Release of prisoners
- Part 5 – Special measures in civil cases
- Part 6 – Criminal juries and verdicts (includes the abolition of not proven verdict)
- Part 7 – Sexual Offences Court
- Part 8 – Special measures for vulnerable witnesses under the 1995 Act
- Part 9 – Sexual offences: further reform (includes anonymity for victims and independent legal representation)
- Part 10 – Non-harassment orders
- Part 11 – Enforcement of protective orders made outwith Scotland
- Part 12 – Domestic abuse cases
- Part 13 – Final provisions (includes a requirement to review the operation of the Act)

## 2 TRAUMA-INFORMED PRACTICE

- 2.1. Of most organisational significance to Police Scotland, Part 2 of the Act seeks to embed trauma-informed practice across the justice system (both criminal and civil).

- 2.2. S114 defines “trauma-informed practice” as a means of operating that:
- (a) recognises that a person may have experienced trauma,
  - (b) understands the effects which trauma may have on the person, including how trauma may affect any evidence given by the person, and
  - (c) based on that understanding, involves adapting and implementing processes and practices to—
    - (i) seek to avoid, or minimise the risk of, exposing the person to any recurrence of past trauma or to further trauma,
    - (ii) seek to avoid, or minimise the risk of, negatively impacting the person’s recovery from trauma,
    - (iii) enable the person to participate effectively in court proceedings.
- 2.3. Part 2 of the Act amends the Victims and Witnesses (Scotland) Act 2014 so that justice agencies must have regard to the principle of trauma-informed practice and mandates that standards of service are published by relevant agencies (including Police Scotland) setting out how this will be carried out.
- 2.4. Although timescales have yet to be confirmed, it is expected that Part 2 of the Act will be enacted during the first half of 2026. Standards of Service will need to be set no later than 18 months following enactment.

### **3 TRAUMA-INFORMED PRACTICE GOVERNANCE**

- 3.1. In early 2025, Police Scotland established a dedicated Trauma-Informed Implementation Team with the ambition of driving and embedding trauma-informed practice across the organisation. Revenue Investment Group (RIG) funding finances the team and is currently in place until March 2026.
- 3.2. To support this work and drive a coordinated, national approach, robust governance routes have been established, including a Trauma-Informed Strategic Oversight Board, chaired by ACC Paton, and a Working Group, involving colleagues and business areas from across the organisation.
- 3.3. The Trauma-Informed Implementation Team are working with members from both governance groups and colleagues from across the wider organisation to develop an organisational trauma-informed implementation plan to ensure our approach is collaborative, coordinated, and sustainable.

## 4 COLLABORATION AND CULTURE

- 4.1. The National Trauma Transformation Programme (NTTP) is a long-term change programme, funded by the Scottish Government (SG), which aims to support “a trauma-informed and responsive workforce and services that can recognise where people are affected by trauma and adversity, and that respond in ways that prevent further harm, support recovery, address inequalities and improve life chances.” Police Scotland’s Trauma-Informed Implementation Team have been developing our organisational approach and plan in line with the NTTP, utilising their learning resources and implementation tools to progress and support positive change.

## 5 TRAUMA-INFORMED IMPLEMENTATION

- 5.1. Whilst examples of trauma-informed practice and processes already exist and are embedded within Police Scotland, further work is underway to build on and enhance our trauma-informed approach.
- 5.2. Work is progressing across a number of areas of the organisation including:
- Enhancing and ensuring alignment across existing training, and developing and introducing new training, including ongoing work to roll out the NES trauma-informed and trauma-skilled e-modules on Moodle and the development of a trauma-enhanced training pilot.
  - Understanding and learning from lived experience and feedback shared by our workforce and the communities we serve as we shape our trauma-informed approach. Working closely with Insight & Engagement colleagues to review existing insights and explore new feedback loops and engagement opportunities.
  - Working closely with the Health & Wellbeing Team to ensure our workstreams are aligned, recognising the trauma experienced among our workforce and ensuring our people are appropriately supported.
  - Raising awareness of trauma-informed practice within policing, providing inputs at events and conferences, and working closely with the corporate communications team to share messaging with our workforce.
  - Developing a guidance document to support business areas to write and review policy through a trauma-informed lens.

## **6 REFERRAL TO PROVIDERS OF VICTIM SUPPORT SERVICES**

- 6.1. At both stage 2 and stage 3 proceedings, opposition amendments were tabled proposing a change from the current opt-in process for victim support referrals to an opt-out process.
- 6.2. Extensive consultation took place with Police Scotland's Information Assurance (IA) and legal teams. SG also consulted with their legal team and the Information Commissioner (ICO), and all concluded that an opt-out scheme would be incompatible with General Data Protection Regulations (GDPR) and the Data Protection Act 2018.
- 6.3. On this basis, SG tabled an alternative, rights-based amendment which reflects the consent-based model but strengthens the duty on a constable to inform a victim about the available support services and adds a duty to make and publish guidance for constables on the process of referral. This amendment has been accepted and is included in Part 3 of the Act.
- 6.4. Timescales for Part 3 of the Act have still to be determined however work continues to scope and implement improvements to the victim support referral process including updating workforce guidance and training, enhanced use of technology and collaborative learning.

## **7 STRATEGIC ALIGNMENT**

- 7.1. The work being progressed is documented in our 3-year business plan with milestones and deliverables clearly defined. Our trauma-informed implementation plan is expected to be published Q4 2025/2026. It is important that the implementation phase of this organisational wide plan is co-ordinated and supported in order to achieve our vision and meet our legislative obligations under the Act.

## **8 FINANCIAL IMPLICATIONS**

- 8.1. There are no financial implications in this report.

## **9 PERSONNEL IMPLICATIONS**

- 9.1. There are no personnel implications in this report.

## **10 LEGAL IMPLICATIONS**

- 10.1. There are no legal implications in this report.

**11 REPUTATIONAL IMPLICATIONS**

11.1. There are no reputational implications in this report.

**12 SOCIAL IMPLICATIONS**

12.1. There are no social implications in this report.

**13 COMMUNITY IMPACT**

13.1. There are no community implications in this report.

**14 EQUALITIES IMPLICATIONS**

14.1. There are no equality implications in this report.

**15 ENVIRONMENT IMPLICATIONS**

15.1. There are no environmental implications in this report.

**RECOMMENDATIONS**

Members are invited to discuss the content of this report.