

Justice Secretary comments on homicide figures

Justice Secretary Humza Yousaf has responded to the publication of the [latest official figures](#) showing there were 60 cases of homicide in 2018-19 – the third lowest level since 1976.

✘ Mr Yousaf said:

“While the number of homicides in Scotland is significantly lower than a decade ago – in line with the overall fall in crime – any death is one too many. Behind these figures are grieving families and friends and my sincere sympathies go out to all those who have lost a loved one.

“We are working to ensure that victims’ interests are at the heart of our criminal justice system and we recognise the enormous trauma experienced by families bereaved by murder and culpable homicide.

“As part of more than £18 million invested annually to improve support, advice and information for all victims of crime, we have funded Victim Support Scotland to deliver a free and confidential new caseworker support service for families bereaved by crime.

“We are determined to help people break free from cycles of violence. We will continue our efforts to drive down violent crime, both through education and enforcement, supporting prevention work with people of all ages and ensuring Scotland’s law enforcement agencies and courts have the resources to deal with those who harm others.”

The Scottish Government has provided £1.2 million funding over three years to establish the [Support for Families Bereaved by Crime](#) service. It will ensure all families affected by homicide have a dedicated case worker to provide support and information at every stage of the criminal justice process.

Over the last ten years, the Scottish Government has invested around £20 million in violence prevention including:

The [Scottish Violence Reduction Unit \(SVRU\)](#) – a national centre of expertise on violence. Supported by the Scottish Government, the SVRU has adopted a public health approach, treating violence as an infection which can be

prevented and cured. The SVRU aims to reduce violent crime and behaviour by working with partner agencies to achieve long-term societal and attitudinal change, and, by focusing on enforcement, to contain and manage individuals who carry weapons or who are involved in violent behaviour.

[Navigators Programme](#) – aims to interrupt violence by identifying and supporting people within the Emergency Department (ED) or ward at the point and time of need. The programme started at the Glasgow Royal Infirmary in December 2015 and was rolled out further to Edinburgh Royal Infirmary in 2017 and into Queen Elizabeth hospital in Glasgow and Cross House Hospital in the later part of 2018.

[Mentors in Violence Prevention Programme](#) – developed by the SVRU and is now led by Education Scotland, to promote positive relationships through health and wellbeing for young people in schools across Scotland. MVP Scotland is a bystander programme which aims to empower young people to safely challenge and speak out against gender based violence, including bullying, abusive and violent behaviour, as well as the negative attitudes and assumptions which underpin this behaviour.

[Medics Against Violence \(MAV\)](#) – set up a decade ago by three surgeons who dealt every day with the devastating consequences of violence. MAV deliver training to professionals and students to spot the signs of domestic abuse and refer people onto support services. MAV also works to prevent violence through education and deliver a secondary school programme, where MAV volunteers, who are all NHS professionals, work with local schools, going into classrooms and speaking directly to young people about how to avoid violent situations and stay safe.

[No Knives, Better Lives](#) – a youth engagement programme which aims to target young people aged 11-18 years, on the cusp of picking up a knife, to reduce the incidence of violence and knife carrying amongst young people. The programme raises awareness of the potentially devastating risks and consequences associated with carrying a knife and encourages young people to make positive life choices.

[Police Scotland Youth Volunteers](#) – seeks to deepen police engagement with young people, breaking down barriers with traditionally difficult to engage communities and promote positive role models. PSYV provides young people aged 13-18 with the opportunity to gain confidence and develop leadership skills by working with Police Scotland and volunteering in their local community.

The post [Justice Secretary comments on homicide figures](#) appeared first on [Justice and Safety](#).

[Working together to challenge human trafficking in Scotland](#)

by Justice Secretary Humza Yousaf

Human trafficking is a stain on modern society. We have given Scotland's police, prosecutors and the courts new powers to tackle those who prey on the vulnerable and sustain this nefarious trade in human misery.

It is often an international and cross-border crime which can be challenging to investigate, requiring close working between partners both within Scotland and beyond – something which is threatened by the UK Government's Brexit plans and the threat they pose to cross-border cooperation on criminal justice issues.

We are clear that human trafficking will not be tolerated in Scotland. Through the [Trafficking and Exploitation Strategy](#) we are working with partners to improve identification and support of victims, and to tackle those who exploit people in this way. We are also acting to address the conditions that allow trafficking to take place.

Police Scotland and the Crown Office and Procurator Fiscal Service are committed to disrupting criminality and removing the profits of those involved in this hideous activity. This kind of intervention can be particularly effective in discouraging traffickers, who cause terrible human suffering purely to increase their own profit.

This Friday, 18 October, is Anti-Slavery Day, when partners across the country will reassert their commitment to tackling human trafficking. On that day we will launch a review of the Trafficking Strategy, including a public survey to seek views on how we should focus our collective efforts during the next three years.

Our work to raise awareness is taking effect: in the first six months of 2019 there was a 74% increase in the number of victims identified in Scotland compared with the same period last year. We are getting better at rooting out this despicable crime where it occurs and moving people out of exploitation and into appropriate support. But there is always more to be done, and I look forward to working with our partners towards our shared goal of eliminating human trafficking and exploitation.

The post [Working together to challenge human trafficking in Scotland](#) appeared first on [Justice and Safety](#).

[Brexit guidance for legal professionals](#)

The Scottish Government has published guidance for legal professionals to help them cope with a possible 'no deal' exit.

Two guides cover the changes to cross border civil justice cooperation in family cases and in civil and commercial cases.

Minister for Community Safety Ash Denham said:

“With the UK Government refusing to take a ‘no deal’ Brexit off the table, the Scottish Government has taken what steps we can to ensure that Scotland’s legal system can continue to provide access to justice, through both the criminal and civil courts.

“We have made sure that for civil judicial co-operation – the law which facilitates resolution of private disputes that cross borders – the Scottish legal system will co-operate with courts in other countries via the Hague Conventions. This will enable family or business disputes to continue to be settled in Scottish courts in situations where one party is based abroad.

“As the Prime Minister clearly intends to try to remove the UK from the European Union on 31 October with or without a deal, it is important that legal professionals are aware of what changes will be made to the way they work as a result of such an outcome, however unwelcome these changes may be.”

Background

[Family law disputes involving EU after Brexit: guidance for legal professionals](#)

[Cross-border civil and commercial legal cases after Brexit: guidance for legal professionals](#)

Civil judicial cooperation is the means by which courts operate across national boundaries to resolve private disputes between individuals or businesses. These disputes can range from actions for compensation following injury, to divorce or contractual disputes.

As a member of the EU, Scotland is part of a number of EU wide regulations that regulate legal issues, including rules about which court should deal with a case and how to enforce a judgement made in one country in another jurisdiction. The EU regulations enable people and businesses in Scotland to resolve cross border disputes quickly, fairly and, generally, at a lower cost than would otherwise be the case. Scotland benefits from the Brussels regulations, the Maintenance Regulation, a number of ancillary regulations and the Lugano Convention through EU membership, which will all be lost as a result of a 'no deal' Brexit.

The UK is a signatory to several Hague Conventions which are used by countries around the world to ensure that legal systems of signatory nations can resolve civil legal disputes that cross national borders. The Hague Conventions currently provide the cross-border framework with non-EU countries in some, though not all, of the areas the EU rules covered. They would then also provide the rules between Scotland and EU countries.

The post [Brexit guidance for legal professionals](#) appeared first on [Justice and Safety](#).

[Throughcare support for people leaving prison](#)

Justice Secretary Humza Yousaf has welcomed news that two third sector partnerships will extend the range of support they deliver for people leaving prison.

The 'New Routes' and 'Shine' partnerships, led by Wise Group and Sacro respectively, will make support available for more prisoners released from short term sentences of up to four years.

The expansion means both partnerships will work with a wider range of prisoners who were, until recently, supported by the Scottish Prison Service.

Justice Secretary Humza Yousaf said:

"Scotland's firm focus on prevention and rehabilitation has contributed to a 20-year low in reconviction rates, helping to keep crime down and communities safe.

"Helping people to reintegrate into their communities – including providing practical help with everything from job applications to finding accommodation – is key to ensuring they do not get drawn back into a damaging cycle of offending.

"Following the Scottish Prison Service's decision to suspend its Throughcare services we worked closely with third sector partners to find an alternative. I'm pleased that the New Routes and Shine partnerships have been able to respond and this valuable support will remain available to prisoners who wish to access it."

Background

New Routes Public Service Partnership (PSP) works with male prisoners and Shine PSP works with female prisoners.

Individuals leaving long-term sentences will continue to be supervised by Criminal Justice Social Work, to ensure that they abide by the conditions of their release.

In July, the Scottish Prison Service announced plans to temporarily suspend its Throughcare service due to staffing pressures linked to the rising prison population.

The post [Throughcare support for people leaving prison](#) appeared first on [Justice and Safety](#).

Judicial factors consultation launched

A consultation has been launched on modernising the law around judicial factors to bring clarity, accessibility and efficiency to an important but outmoded area of the law.

A judicial factor is a person appointed by the court to hold, manage, administer and protect property in circumstances where it is not possible, practicable or sensible for those responsible for the property to do so.

Examples of appointments are where there has been a breach of professional practice in a solicitors' firm and the firm liabilities exceed, or appear likely to exceed, its assets; where a partnership is in dispute or where those running a charity appear to have been running it inappropriately.

In August 2013 the Scottish Law Commission published their report on judicial factors and the consultation is seeking views on the [Commission's draft bill](#) and some of the recommendations. It also asks about the approach to be taken on the estates of missing people and specific points to improve the safeguarding of children's property under the Children (Scotland) Act 1995.

The appointment of a judicial factor over a missing person's estate would help conserve and protect the estate until their return or until they are declared dead. The Scottish Government wants to make the appointment process as accessible as possible for family members.

Community Safety Minister Ash Denham said:

"The office of judicial factor has a long history in Scots law and there is a continuing need for capable administrators to be appointed

to manage the property of those who cannot, should not or will not manage it properly themselves. There has been no new primary legislation since the nineteenth century and it is recognised that the law needs to be updated.

“Although the volume of appointments of judicial factors is relatively small, they have an important role to play so we must ensure the legislation is fit for modern Scotland.”

The [Judicial Factors consultation](#) is open for responses until 20 November 2019.

The post [Judicial factors consultation launched](#) appeared first on [Justice and Safety](#).