



The Scottish Parliament
Pàrlamaid na h-Alba

Criminal Justice Committee

Angela Constance MSP
Cabinet Secretary for Justice and
Home Affairs
The Scottish Government

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26 October, 2023

Dear Cabinet Secretary,

Re. Access to court transcripts for complainers in rape cases

I am writing to you in response to your letter of 6 October. We discussed this at the Committee meeting of 25 October and the Committee welcomes the positive way that you have responded to our call that complainers in rape cases should be provided with access to transcripts of their court case with no charges applied. These had previously been estimated at £3000 to £4000 per request. We are pleased that you agree and have decided to set up a pilot scheme. We look forward to its commencement.

The Committee did, however, seek a reassurance from you that this scheme will be retrospective, i.e. will be open to those whose cases have concluded some time ago. Furthermore, whilst we welcome your assurance that application forms will be produced in conjunction with those directly affected, we would request that the bureaucracy surrounding the scheme is as light-touch and straightforward as is possible.

We also note that you want to gather data on the reasons why people are accessing them, and which parts of a trial requests are most commonly made. This is understandable but we request that providing information of this nature should not be compulsory. If a complainer does not want to explain why they wish access to their transcripts, this should be respected.

Finally, we note the sums being made available and we trust that any demand over and above the level currently on offer would be viewed sympathetically. It would be a shame if a small number of complainers lost out because of a relatively small cost to the Scottish Government.

I look forward to your response and thank you again for engaging with us and responding to our call for free access to transcripts. I believe this small step will go a long way to help a group of courageous people who have campaigned for this to happen and I note with interest developments elsewhere in the UK for similar schemes.

Best wishes,

A handwritten signature in black ink that reads "Audrey N: CN". The signature is written in a cursive, flowing style.

Audrey Nicoll MSP
Convener, Criminal Justice Committee