



Forensic Medical Services (Victims of Sexual Offences) Act 2021 Summary

This Act proposes a number of reforms that cover how victim-survivors and witnesses are treated, how criminal courts operate, and how serious offences (especially sexual offences) are handled. The Act would create an independent Victims and Witnesses Commissioner for Scotland whose job is to represent and safeguard the rights of victims and witnesses, monitor how agencies comply with their legal duties, and promote best practice.

In the civil courts, the Act extends ‘special measures’ for vulnerable victim-survivors and witnesses (for example giving evidence by video) and also places limits on self-representation in certain sensitive cases. The Act also proposes major changes to criminal trials: it would abolish Scotland’s ‘not proven’ verdict, change the way juries are composed and make it harder to convict by majority alone.

For serious sexual offences, the Act would establish a specialist Sexual Offences Court, give victim-survivors lifetime anonymity and ensure they have the right to independent legal representation when certain evidence is introduced.

How does this relate to Older Victim-Survivors?

Special measures provide victim-survivors with more accessible options to obtain justice in courts allowing individuals to give evidence in ways that reduce distress, such as through screens and video links. This is particularly important for older victim-survivors who may have additional needs.