

Scottish COVID-19 Inquiry
Witness statement of Stephanie Wallace
Witness Number: PSR0085

INTRODUCTION

1. My name is Stephanie Kate Wallace. My date of birth is Personal Data. My personal details are known to the Inquiry.
2. I am the Chief Executive of Victim Support Scotland (VSS) and have been for seven years. I started this role on 31 October 2017. I was Chief Executive during the pandemic.
3. I have a Masters Business Administration (Public Service) from the University of Stirling.

OPERATION OF ORGANISATION PRE-PANDEMIC

Description Of Victim Support Scotland

4. Victim Support Scotland is a national charity established in 1985. It provides emotional and practical support to victims of any type of crime, anywhere in Scotland. Services are provided by locality teams across Scotland via staff and volunteers. It has a national freephone helpline and live webchat. In 2019 a new national service to provide key work support to families bereaved by murder or culpable homicide was set up. This is the Supporting Families Bereaved by Crime (SFBC) Team.
5. VSS also has a remit to provide support to vulnerable witnesses to enable them to give their best evidence. This includes ensuring special measures are enacted and acting as a 'supporter' in court if this special measure is granted. VSS has staff and volunteers embedded in courts across Scotland and will provide support in any Sheriff or High Court where a referral is received.

Staff

6. Victim Support Scotland has around 101 staff (headcount), 72 full time and 29 part time (October 2024), and a substantial number of volunteers. Volunteer numbers vary, however in October 2024 VSS had 227 active and accredited volunteers (those actively supporting victims) with another 223 undergoing the 12-week induction training programme.

PRE-PANDEMIC PLANNING AND EXERCISES EFFECTS

7. Victim Support Scotland was not consulted or invited to contribute to any Scottish Government planning for pandemics or other national emergencies.
8. Victim Support Scotland was not aware of any pandemic planning.

EFFECTS OF PANDEMIC

Impacts On Staff and Volunteers

9. A staff member was dismissed on the ground of medical capability after a thorough process. This was a result of the impacts of the pandemic on the person's mental health and resilience.
10. VSS experienced a larger impact amongst its volunteer population and over 100 volunteers left the organisation between March 2020 and April 2020. This was due to concerns about health and the lack of safety in courts in particular. Concerns around the lack of safety in courts were mainly around perceptions of crowded courts with people attending who were visibly unwell. Despite a significant amount of effort on the part of VSS, the vast majority of these volunteers did not return to active service with Victim Support Scotland.

11. Staff and volunteers reported high levels of vicarious trauma, and many had negative impacts on their mental health due to bringing trauma into their own homes. We did a lot of work on vicarious trauma, health and wellbeing and provided a lot of resources including resilience workshops so that staff and volunteers could develop strategies to safeguard their own health and wellbeing.
12. However, despite this, many felt their home, their safe space, had been violated. We moved staff and volunteers back into offices as soon as we could. In one case a member of staff never recovered from this and went through capability proceedings on the basis of ill-health. We lost many more staff (around 8 in total which is a significant proportion of our staff team) who left the organisation with mental health impacts of the COVID pandemic being a significant or contributory factor.
13. Delivering support services remotely was exceptionally difficult on service users as it was harder to establish trust and build a rapport which is crucial for people experiencing trauma.
14. Our records show that safeguarding incidents increased immediately, and this increase has been sustained since the pandemic. We are averaging as many reports weekly as we would have had monthly prior to the pandemic. Safeguarding incidents in VSS are where we have to report to another organisation because someone is a risk to themselves or someone else and they are unable to safeguard themselves.
15. Also, for people victimised in their own home, for example children or victims of domestic abuse, them accessing support for example over the phone from home is not a safe option. Victim Support Scotland enhanced its livechat offering at this time where victims could live chat to a supporter via its website rather than speaking into a phone and risking being overheard.

16. An impact on the training and recruitment of staff during the pandemic was that we moved everything online and some volunteers did not like this.

Impacts On Service Users

17. Victims lost their support and coping mechanisms that they used to help them deal with trauma. Loss of contact with friends and family that they would ordinarily rely on for support had a huge negative impact. Inability to use some health and leisure facilities had a big negative impact on some people.
18. Some victims experienced more crime and abuse directly as a result of the restrictions placed on them, and some perpetrators took their frustrations at the changes in their lifestyles, due to the pandemic, on victims. This was especially in relation to child abuse and domestic abuse¹ but can also be seen in relation to anti-social behaviour.
19. The lack of access to psychological support services in particular, that continues to this day, as well as delays in the justice system, means that all victim support organisations are supporting more traumatised people for longer periods of time.
20. Court closures caused lengthy delays, adding on years in most cases. This has resulted in increased trauma to those involved in this process. Repeated adjournments are commonplace now, which adds even more of a traumatic impact as it increases uncertainty and raises expectations for them to be quashed. Some victims were placed at even more risk, and this includes victims of domestic abuse as well as children abused at home due to the lack of the New Homes Ombudsman Service (NHOs) and protective orders being put in place. In trying to deliver support services remotely to

¹ Scottish Government, 'Coronavirus (COVID-19): domestic abuse and other forms of violence against women and girls during Phases 1, 2 and 3 of Scotland's route map (22 May to 11 August 2020)', 2020.

staff, we became an early adopter of Near Me NHS video conference technology but the take up was low.

21. The lack of information to victims' organisations and victims themselves during the pandemic about the delays and changes was shameful. The impacts are still ongoing today with a backlog of around 2000 High Court trials that have yet to be scheduled. This was reported to me as accurate in October 2024.
22. Victims are more traumatised due to the lack of support services, and for a longer period of time, mainly due to court delays. Victims feel they cannot move on with their lives until after the trial and they often feel under pressure to remember minute details so that they give their best evidence. This prevents people from recovering from trauma.
23. During the pandemic there were considerably fewer public services available in a timely manner, especially NHS psychological support services. The longer-term impact of the pandemic and associated ongoing impacts means there continues to be less help in the way of public services, in my experience, available for people who need it.
24. The criminal justice system has been irrevocably changed since COVID. It is now even less predictable for victims than it previously was, and delays are by far worse than they ever were. This is especially the case for the most serious cases. A report by Journey Associates for the Victims' Taskforce makes mention of some of the issues².
25. The situation that continues in the courts is heavily impacting on victims and witnesses. In the early stages of the pandemic when courts did open back up there was a lack of joined up communication³. There were restrictions on the number of people who could be in buildings together, and specific spaces, however this was not factored into managing

² Victim Support Scotland, 'A Victim-Centred Approach to Justice in Scotland: Scoping and Modelling Project', 2024.

³ Auditor General, 'Criminal Courts Backlog', 2023.

communication with victims and witnesses. An example of this is that Glasgow Sheriff Court could only have 39 witnesses in its witness room at any one time but there were many more witnesses being cited to appear in court every day. Over-citing of witnesses is not a COVID distinct problem but the impact of COVID and the closure of other services and facilities meant that this resulted in a huge amount of anxiety and trauma, as well as heightened risk, for victims who were waiting outside the court in a queue on the steps. We heard examples of threats and intimidation as well as witnesses taking unwell and fainting outside. They were unable to go somewhere else to wait due to closure of public spaces and businesses, for example cafes. It also led to a huge amount of work for COPFS staff who were desperately trying to contact people to tell them not to travel to court and inevitably many people did not get those messages in time.

26. Very few virtual court hearings actually took place – less than 12 in the pilot. This is a source of disappointment as more routine use of technology could have prevented the backlog becoming as large as it is currently. Many of the issues are picked up in Audit Scotland’s report on the court backlog⁴.

Impacts On Services

27. We routinely deal with difficulties with emergency re-housing DV survivors, and the Emergency Assistance Fund helps and did help during the pandemic. We increased the amounts awarded for removals. However, there were issues with organising removals for a while during the pandemic. In addition, accessing alternative housing was challenging due to the restrictions on travel, and the lack of access to housing services etc.
28. There was an impact of restrictions on access to victim support services. We had to be creative, for example meeting people outdoors. We implemented Near Me, a confidential and secure video call service, and

⁴ Auditor General, 'Criminal Courts Backlog', 2023.

many supporters switched to using the phone to provide support. This was impactful with many traumatised people for the reasons I have outlined above.

COMMUNICATIONS WITH PUBLIC AGENCIES

29. During the pandemic I was asked to represent victims' organisations on the Criminal Justice Board's COVID-19 subgroup, which was chaired by the Scottish Government (SG) Justice Hub. There was often a very quick turnaround for views, even on the same day, but these turnaround times were usually not achievable given the workload at the time.
30. Our sponsor branch, the Victims and Witness's Unit of the criminal justice division, met with all its grant funded organisations regularly throughout the pandemic. This is mostly third sector organisations. This started as weekly, fortnightly then monthly calls and then was reduced to quarterly. The main topics of discussion were around the impact on our clients and sharing good practice. Occasionally some other SG members would present work to us. These were very helpful meetings.

COMMUNICATION LESSONS

31. Treating the justice system as a whole system, and the third sector and other victims' organisations as part of that system, is a key lesson. They are impacted by changes to the justice system so need to know in advance what is happening, and this can help shape solutions. They have a key role to play in working with vulnerable members of the public so there should be a parity of esteem with criminal justice agencies and other statutory organisations.
32. Clear messages should be given. Much of the official communication from Scottish Government about official guidance was not clear and confusing,

which did not help us trying to explain it to our staff, volunteers and the people we support. A common theme in the meetings that victim organisations were having with Scottish Government at the time (meetings referenced above) was the difficulty of applying the official guidance to our situations. An example of this was face masks guidance as many of the victims we support, particularly victims of sexual violence have a deep-rooted fear of masks. Many leaders of victim organisations were grappling with guidance for their workforces about face masks given their knowledge of the potential additional trauma they would cause for victims.

KEYWORKERS

Keyworker Classification

33. We were never officially communicated with regarding keyworker classification, and we made many attempts to receive clarification from the SG.
34. In later stages of the pandemic, this caused issues with access to PPE and vaccination boosters when there was a focus on care inspectorate registered organisations as having keyworker status. It also caused problems for us with a lack of clarity around office working and access to the courts. This was raised by me with the COVID Justice Hub in the regular meetings but was never resolved.

DELIVERY OF TESTING, OUTBREAK MANAGEMENT AND SELF-ISOLATION

35. Victim Support Scotland was not eligible for any priority testing that I was aware of. I do not recall any impact on us of testing regimes imposed by other organisations.

SELF-ISOLATION

36. Self-isolating did have an impact on our staff and volunteers. We moved staff and volunteers back into offices as quickly as we could, as the negative impacts on their mental health around bringing trauma into their own homes was too great, so self-isolation did reduce our capacity at times.
37. I am not sure if any impacts were felt by our staff and volunteers as a result of the track and trace systems.

THE DESIGN AND DELIVERY OF VACCINATION STRATEGY

38. Our staff/volunteers were not prioritised for vaccination, and they should have been. This was raised by me with SG (Justice COVID hub) and I was asked to raise it on behalf of other third sector victim organisations which I did. I was told that the JCVI guidance was being adhered to.
39. There were also some minor issues faced by those who chose not to vaccinate but we managed to overcome these problems.

THE SUPPLY, DISTRIBUTION AND USE OF PPE

40. Face masks were needed along with hand sanitiser. We also purchased some air purifying systems. We had access initially through Lyreco who we already had an account with. We were working with SG but later on we had to create our own procurement routes.
41. Victim Support Scotland was provided with specific advice from the Scottish Government regarding the use of PPE from time to time, but we found it very difficult to understand in the context of our work and we know other victim support organisations did too. For example, how should we balance the risk of retraumatising victims of rape by wearing a mask with the risk of COVID infection.

SHIELDING

42. Shielding was a major reason we lost so many volunteers in the early stage of the pandemic. We provided the government guidance around shielding to all our staff and volunteers. We encouraged them to come forward but were aware that we did not always know the health conditions that our workforce had.
43. Shielding effected some people for whom we had to make reasonable adjustments to their role. We managed that impact.

BUSINESS AND WELFARE

Funding issues

44. VSS was lucky in that our funders indicated pretty quickly that they would be flexible around our use of funding. We identified immediate funding for victims who were experiencing hardship as we were concerned that COVID would compound the impact on them. We had expected the SG's Victims Surcharge Fund (VSF) to have collected enough funding for this to be released but it was some time before this happened. The suspension of court business for some months early in the pandemic meant court fines were not being issued therefore the levy that made up the VSF was not being collected. In the gap, VSS covered this from its own budget, and we launched an enhanced Victims Fund (now called the Emergency Assistance Fund) so that victims who were in severe financial hardship as a result of a crime had access to financial support.
45. We secured some additional funding for additional COVID expenditure. £63K for COVID emergency funding focussed our efforts on ensuring health and safety for our staff and volunteers who were at home in the early phases. We bought and delivered office furniture, computer equipment, headsets, PPE etc. We also invested in some wellbeing resources for our

workforce to help alleviate the stressful impact of the COVID pandemic on our workforce and we ran some workshops to help our staff and volunteers develop effective strategies to help them cope.

46. This funding came through quickly which was helpful.
47. We realised that the impact of bringing trauma into their own homes for staff and volunteers was far greater than we had anticipated. Despite the mitigating measures we had put in place we moved back to office working as soon as we could.

Funding support for victims

48. VSS, like other organisations, experienced capacity issues during the pandemic. This was for a couple of reasons. We were supporting more traumatised people who had less access to support services and many of their coping mechanisms were no longer available to them.
49. Some victims were being victimised more, e.g. domestic abuse survivors who lived with the perpetrator⁵. Victims of anti-social behaviour also reported increases. This impacted on the capacity in our services. With regards to what the police were doing about this, that would be a question for them to answer.

DIGITAL EXCLUSION

50. Victim Support Scotland already had Office 365 in place for all its staff and volunteers and we were already using MS Teams to a large extent. The pandemic normalised and accelerated our use of video calling. It was more problematic for us when trying to link with other organisations who were at

⁵ Scottish Government, 'Coronavirus (COVID-19): domestic abuse and other forms of violence against women and girls during Phases 1, 2 and 3 of Scotland's route map (22 May to 11 August 2020)', 2020.

different stages. All VSS staff and volunteers have a VSS smartphone too and this has been in place for a number of years prior to the pandemic.

51. We had to move quickly to softphones, and this was difficult as many of the landlines were being unanswered and we had a large number of landline contracts that had exorbitant charges for call forwarding. I had to spend a lot of my time negotiating our exit from those contracts. On reflection on the new softphone contract, whilst we saved a great deal of additional expense, we rushed this and did not get the best system.
52. In respect of digital exclusion in relation to service users, I feel there are barriers in terms of the subject matter for reasons outlined above. Also, for some victims, some people do not have access to the internet, and some cannot afford the equipment, and some are not confident to use it. VSS took part in the SCVO Connecting Scotland scheme to help with this. Also, VSS increased the amount of funding in its Emergency Assistance Fund, and this was used by victims experiencing financial hardship for some devices to help them access support. The devices we applied for were phones, data dongles and Chromebooks.
53. It is important to say here that VSS supports victims of all crime types, and these devices were used by victims of any who could demonstrate a genuine need and who otherwise met the criteria. The types of things victims were using devices were to access online counselling and to join ESOL classes online (the latter was particularly requested by victims of trafficking). This type of support was not appropriate for all victims e.g. victims of domestic abuse who still lived with the perpetrator and was generally not requested by them.

GUIDANCE TO VICTIM SUPPORT SCOTLAND

54. We did receive guidance from Scottish Government sometimes, but it was patchy and not consistent, was mostly generic and mostly not clear enough

for us to apply straightforwardly. We would raise this with the COVID Justice Hub to try and resolve. Social distancing guidance and FACTS summary was helpful.

55. I can see from my correspondence at the start of the pandemic (March 2020) that I was being given information by the Scottish Courts and Tribunal System about the pandemic and the likelihood of lockdowns, restrictions, guidance, etc. but there was no information from the Scottish Government to VSS at the early stages of the pandemic.

GUIDANCE ISSUED BY VICTIM SUPPORT SCOTLAND

56. We put signage up, Perspex screens, floor marking and posters etc. We also put out guidance about not coming to our service if you felt unwell etc.

GUIDANCE LESSONS

57. Organisations should be asked questions before guidance is issued so that Frequently Asked Questions (FAQs) can be released. Sense-checking in relation to content and perhaps getting a group of members of the public to feed back quickly on whether communication is understandable would be beneficial.

LESSONS FOR THE INQUIRY

58. There should be a whole system approach to understanding the impacts of changes on different parts of the justice system including victims and the organisations that support them. There should also be a parity of esteem with third sector and statutory agencies as well as between victim organisations and criminal justice agencies.

59. There has to be more involvement when planning, including the sharing of expertise and lessons, as many third sector organisations do not have the experience or capacity to do this work themselves effectively without support.
60. Victims must be given priority and there has to be an understanding of the impact on them before any changes or new approaches are implemented.
61. The importance of effective communication and joint planning at an early stage cannot be overstated and we have to learn to create specific wellbeing and mental health supports for victims of crime.
62. The lack of use of technology to move proceedings to a remote basis in criminal cases, like they have in civil cases, was a major flaw. Bolder decision making is needed about this in future as we have the infrastructure and often already have the legislation.
63. The use of 'administrative adjournments' by the courts where they would adjourn for 90 days at a time on an ongoing basis caused utter confusion, especially when courts began to run again, it was very unclear as to whether cases would actually run or be adjourned again. This phase was utter chaos and victims and witnesses bore the brunt of it.
64. Running trials in the absence of the accused is something that should be done more in Scotland. It is routinely done in England. It would help the major issue we still have as a legacy of COVID where cases are still being adjourned far more than they previously were. If we had taken this approach during COVID for example accused persons with COVID who could not attend a trial could be heard remotely or if they couldn't join at all then the trial could run in their absence then the backlog would not have been as problematic, in my opinion.
65. Much more strategic planning around the justice system as a 'whole system', thinking through impacts on other parts of the system, the

medium and long-term consequences and exit planning (for example juries in cinemas).

66. We were asked to represent victims' organisations in a regular COVID subgroup of criminal justice agencies forum. This was a sub-group of the Criminal Justice Board I believe and was chaired by SG's COVID Justice Hub. Initially we met every week, and I would feed into it and provide an update across all victim support organisations and would also cascade messages from it. It was a lot of work at the time. There should have been a separate sub-group for victims' organisations.
67. Courts should have been shut down earlier as they were not safe. I ended up in a position where I withdrew VSS support in courts for all new summary trials earlier than lockdown was announced (17th March 2020) but I should never have been in that position. I can see from my correspondence that large numbers of volunteers were failing to turn up to courts in early to mid-March 2020 and by 13 March I had withdrawn VSS staff and volunteers over the age of 70 from the court environment. I gave advance notice to SG, COPFS and Scottish Courts and Tribunal Service of this and they indicated that they understood my position. We lost a significant number of our volunteers between March and April 2020 and have struggled since then to get them back.
68. We found it exceptionally difficult to recruit and retain staff over this period and were given no help with this. We are still experiencing high turnover.
69. Strategic support for third sector organisations should have been (and should still be) put in place to assist with major incident planning.
70. Third sector organisations operating in the criminal justice sphere, especially those operating in courts, should be treated as equal partners and effective stakeholder communication and engagement plans should be introduced. There should be a principle of "no surprises". It is not acceptable that CEOs of Scotland's leading national charities were not

directly communicated with about developments across the course of the pandemic. We were relying on criminal justice agencies often for information (for example Police Scotland and the Fire and Rescue Service warned against the use of ill-fitting PPF3 masks for a long time) and quite often these people were not experts.

71. Staff and volunteers who work as part of the criminal justice system should be classed as key workers and should be able to access free PPE as well as vaccination and boosters.

Personal Data

Kate Wallace
Chief Executive

22nd January 2025