



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 update you provided in response 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 a pilot scheme is being established and look forward to its commencement.

The Committee did, however, seek an assurance that this scheme will be open to those whose cases have concluded some time ago. Furthermore, 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 most commonly relate to. While this is entirely appropriate some members expressed a view that disclosing the reason why a transcript is requested 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.

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