

1. Introduction

- 1.1 The *Code of Practice for Victims of Crime* (Office for Criminal Justice Reform 2005) places an obligation on the police to identify vulnerable or intimidated victims and to provide them with an enhanced service. Where vulnerable or intimidated victims are also witnesses, the code obliges police to explain the special measures set out in the Youth Justice and Criminal Evidence Act 1999 to them. The *Witness Charter* (Office for Criminal Justice Reform 2007) sets a similar standard for the police in respect of all witnesses.
- 1.2 This guidance is designed to assist the police through a number of processes that will afford a vulnerable or intimidated witness equal access to the criminal justice system and provide them with an opportunity to give their best evidence at any subsequent trial. The police are the gateway to the system and it is imperative that these witnesses are identified and assisted from the very first point of their contact with it, otherwise they might not have access to the special measures that they could need.
- 1.3 In the course of their work, the police often interact with people who might be vulnerable or intimidated.
- 1.4 Some people with disabilities may have particular difficulties with receiving information, communicating and/or entering into dialogue. Indeed some individuals experience multiple disabilities which may make communication even more difficult. This, however, should not prevent the individual receiving the quality of service that is expected from the police. Vulnerable witnesses are entitled to a service that is comparable to any other witness; they must be given equal access to the criminal justice system. While some disabilities might have precluded a victim or a witness from being considered credible in the past, steps have now been taken to change matters so that the criminal justice system is more supportive and able to accommodate disabilities up to and including the trial.
- 1.5 People who are intimidated by their circumstances or those of the offence may also find it difficult to give evidence. Intimidation will not always be an obvious reason for a witness's reservations about giving evidence, particularly where low level threats or harassment form the basis of their fears, but it must be considered if they are to be given equal access to justice and achieve their best evidence in court.