

## Supporting victims and witnesses

17. Victims and witnesses should be made aware from the outset of the investigation exactly what is expected of them, particularly in terms of attending court and giving evidence, and they should be offered support to help them in the process. Support for victims and witnesses can be provided in a number of ways before, during, and after criminal proceedings. It is important that the need for support is identified early and kept under close review during the progress of the case. Prosecutors should proactively raise this matter in case discussions with the police and other relevant agencies so that victims and witnesses are given the best possible support. Where appropriate, parents and guardians should also be made aware from the outset what is expected and the support that can be offered. (It would be inappropriate if a parent or guardian was at the centre of the allegations).
18. It is also important to recognise that since many of the victims and witnesses will be children or young people, the support available before, during and after trial in court should be explained to them in age appropriate terms (or developmentally appropriate terms) so that they understand what is being discussed and, where possible and appropriate, the parents or guardians are involved and the support available is also discussed with them. It should be noted that this support is distinct and separate from counselling (which is dealt with in paragraphs 32 to 34 below).
19. Some police forces may appoint Family Liaison Officers or officers with a similar role to support victims of child sexual abuse.

### Before the court case

20. Children and young people who have been the subject of sexual abuse are likely to require a very high level of support. The police will be responsible primarily for facilitating this, although they will not be responsible for delivering emotional or psychological support. [Achieving Best Evidence in Criminal Proceedings - Guidance on interviewing victims and witnesses, and guidance on using special measures](#) (ABE) provides guidelines for pre-trial preparation of young victims and witnesses and should be followed closely. The guidance (re-published in 2011) provides assistance for those responsible for conducting video-recorded interviews with vulnerable and intimidated witnesses as well as those tasked with preparing and supporting witnesses during the criminal justice process.
21. The prosecutor has an important part to play in ensuring that the requisite support is provided and should be asking questions about this from the outset of their involvement in the case. Prosecutors should be aware of the type of support available and, if necessary, should be able to signpost this support to the child or young person (or their parent/carer) via the police officer in the case or the Witness Care Unit, as appropriate.
22. Specialised support is provided by a range of organisations and such support is likely to be essential in ensuring that the child or young person (and where appropriate, their parents or guardian) maintains their engagement with the criminal justice process. Support can be provided by a wide range

of agencies both local and national, e.g. Rape Crisis England and Wales, the Survivor's Trust, National Society for the Prevention of Cruelty to Children, and Barnardo's. In some areas, the Witness Service/Victim Support provides a specialist Young Witness Service, and there are also other specialist support services such as Independent Sexual Violence Advisors (ISVAs) that play an important role and should be considered as a vital source of support.

## **Independent Sexual Violence Advisors**

23. ISVAs support victims of rape and sexual violence, including victims of child sexual abuse. They are victim-focused advocates who work with people who have experienced sexual violence, helping them to access the support services that they may need. They are independent from the police and are distinct from therapists, counsellors and Registered Intermediaries.
24. The support provided by an ISVA will vary from case to case, depending on the requirements of the victim and their particular circumstances. However, the main role of an ISVA includes making sure that victims of sexual abuse have the best possible practical advice on:
  - the counselling and other services available to them;
  - the process involved in reporting a crime to the police; and
  - taking their case through the criminal justice process, should they choose to do so.
25. Prosecutors should know whether ISVAs operate in their area and whether they specifically provide support to victims of child sexual abuse.

## **Attending court**

26. Attendance at court for trial should be discussed in advance with the victim or witnesses (and where appropriate, their parents/guardian) in order that any fears can be addressed, such as being cross examined or being seen entering the court building by the defendants and their associates. Wherever possible, practical arrangements should be made to address the concern, e.g. visits to court to take place in advance of the trial so that the victim can familiarise themselves with the venue and processes involved; and by using entrances and/or using vehicles at the trial itself that facilitate discreet arrival and departure from court. This discussion should take place more than once as the victim or witness may change their mind, or have new concerns, the nearer it gets to the date of the trial.
27. With the approval of the court, a victim or witness can have a supporter present when being cross examined in a live link room for the purposes of providing emotional support to reduce anxiety and distress and improve the accuracy of their recall. The Youth Justice and Criminal Evidence Act 1999, as amended by the Coroners and Justice Act 2009, provides that, when making a live links direction and after taking into account the views of the witness, the court may also direct that a person specified by the court can accompany the person when giving evidence by live link. This person could be, for example, a volunteer from Victim Support or the Witness Service or

from a more specialised support service such as the NSPCC or an ISVA. There are also a number of smaller local support services who can also provide effective support and should be considered. Where the trial is taking place in a court some distance away from where the victim or witness usually reside, active consideration should be given as to whether the victim or witness in these circumstances can give evidence by live link from a location nearer to their home.

28. The role of the supporter in the live link room is to provide emotional support and they must have received appropriate training. Victim Support and other support organisations locally may provide this service. The supporter should have a relationship of trust with the witness, should not be a party to, or a witness in, the case and must only have basic information about the case.
29. Supporting and engaging with victims (and where appropriate, their parents/guardian) should continue after the court process has concluded, regardless of the outcome, and is often provided by the relevant support organisations. There may also still be risks to the victim that need to be reduced and managed by the police and other agencies including social services; the victim may still be at risk of further exploitation by others.

## **Keeping victims and witnesses informed**

30. The [Code of Practice for Victims of Crime](#) (The Victims' Code) sets out the minimum standard of service and aims to ensure that victims of crime are provided with timely, accurate information about their case at all stages of the criminal justice process. Prosecutors should be aware of these minimum obligations.
31. The nature and sensitivity of child sexual abuse cases will inevitably mean that prosecutors (and the police) should go beyond the minimum requirements of the Victim's Code where appropriate to do so, and this should be agreed, recorded and actioned by the prosecutor and the police in the case