

# Guidelines on Prosecuting Cases of Child Sexual Abuse

Issued by the Director of Public Prosecutions on  
17 October 2013, revised 26 July 2017

## Contents

Introduction.....	2
Early consultation between the police and CPS .....	3
How cases will be managed within the CPS.....	3
Context and circumstances of child sexual abuse .....	3
Supporting victims and witnesses.....	5
The statement taking stage .....	8
Telling a victim about other allegations.....	9
The credibility or reliability of a child or young person .....	10
Identifying children who may be at risk of sexual exploitation.....	11
Merits-based approach .....	13
Previous convictions of the child/young witness .....	13
Assessing the credibility of child abuse allegations: circumstances of the suspect ...	14
Other case building issues.....	15
Offending patterns/behaviour of the offender .....	19
Case presentation in court.....	20
Special measures .....	21
Support given to victims and witnesses in court .....	22
Adult victims of childhood sexual abuse .....	24
Witnesses who withdraw support for the prosecution or indicate that they are no longer willing to give evidence .....	24
Criminal and family proceedings.....	25
Third party material.....	27
Protocol with the Local Authority.....	27
Obtaining material relating to Family Court proceedings .....	28
Information sharing between agencies .....	28
ANNEX A .....	30
ANNEX B .....	31
ANNEX C .....	33

- if the advocate fails to comply with limitations, the judge should give relevant directions to the jury when that occurs; and
- instead of commenting on inconsistencies during cross-examination, the advocate/judge may point out important inconsistencies after (instead of during) the witness's evidence, following discussion with the advocates. The judge should be alert to alleged inconsistencies that are not in fact inconsistent, or are trivial."

112. As set out above, in multiple defendant cases the judge should be asked to consider whether repeat cross examination on similar points should be restricted. Being accused of lying, particularly if repeated, may cause the witness to give inaccurate answers or to agree simply to bring questioning to an end. It may also have a longer term damaging impact on the child or young person. If such a challenge is essential, it should be addressed separately, in simple language, at the end of cross examination.

## **Adult victims of childhood sexual abuse**

113. Some victims of sexual abuse may not feel confident or strong enough to report until many years after the abuse has taken place, and often not until they are adults. This delay in reporting can be for a wide range of reasons, but many of the same considerations for child victims will also apply to adults who were victims of sexual abuse in their childhood, particularly around assessing the credibility of the overall allegation and the need for effective and proactive case-building.

114. Prosecutors should be mindful of the potential for severe re-traumatisation faced by some victims. The process of giving an account of the abuse may cause flashbacks where an adult finds themselves in the same emotional state as when the sexual abuse took place and with the resilience and understanding of a child of that age. Consistent and effective support should be provided including keeping under constant review whether there is a need for counselling and special measures.

115. It is recognised that some adult victims of childhood sexual abuse may suffer severe mental health problems as a result of their experience and may never be able to give evidence in court. However, it should not be overlooked that they may have important information which might be of assistance in supporting the account given by other victim(s) against the same offender(s).

## **Witnesses who withdraw support for the prosecution or indicate that they are no longer willing to give evidence**

116. Chapter 5 of the CPS [Rape and Sexual Offences](#) Legal Guidance deals with this issue in detail. In child sexual abuse cases, prosecutors must ensure that the reason for a victim's ostensible retraction is thoroughly investigated by the police before a decision about how to proceed is made. Prosecutors must be sure that the victim (and where appropriate, their parents/guardian) has had special measures