



# **Citizens Advice Witness Service**

## **Consultation Summary Report**

*Prepared By Supporting Justice*

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## Introduction

Supporting Justice conducted three online surveys via Survey Monkey and ran Focus groups on behalf of Citizens Advice in May 2015.

These focus groups and surveys were targeted at:

- Victims and witnesses
- Witness Service Staff
- Witness Service Volunteers
- Key CJS stakeholders and partners

The surveys highlighted some key issues to be addressed by the Witness Service itself, by key partner agencies e.g. the Witness Care Units (WCU) and Her Majesty's Courts and Tribunal Service (HMCTS), and it raised issues relating to how the service works with all criminal justice agencies.

Broadly the overall survey indicates a positive picture. Staff and volunteers noted a number of issues arising from the transfer of the service from Victim Support to Citizens Advice, but the comprehensive response was positive. 5% of responses from stakeholders, suggest that the service is running better than before with 85% feeling it was running as well as before, impressive considering this survey was conducted only a month after the transfer.

The level of responses was very good:

Staff - 262 responses out of 276 (95%)

Volunteers - 477 out of estimated 2045 volunteers sent the survey (23%)

Stakeholders - 319 responses

Focus Groups - 13 victims and witnesses

The surveys, therefore, can be seen as presenting a balanced and fairly comprehensive response to the questions raised and the key issues that were consulted on. The level of response in the focus groups was fairly low with only 13 victims and witnesses engaged. This is likely to have been a result of the short timescales which was available to recruit participants. However their engagement provided valuable feedback.

The purpose of the surveys and focus groups was to help determine what is good about the Witness Service, what does not work so well, what needs to change, how the service can work better with other partners and to note more general developments and gather ideas on potential innovation.

The consultation summary report has been grouped into a number of key emerging themes. With so many responses there are a vast number of recommendations. Supporting Justice have extrapolated from this feedback 5 key recommendations which should be the focus of work in the coming months. Through joint working with our criminal justice partners, implementation of these recommendations would see substantial improvement to the services delivered for victims and witnesses.

**Recommendations:**

1. Devise an effective referral process that increases the number of witnesses referred and the quality of the information received
2. Raise the profile of the Witness Service to all stakeholders to increase their understanding of the Witness Service role, including a focus on engaging with the defence community to increase support to defence witnesses.
3. Increase the level of pre-trial support and preparation for witnesses including increasing the take up of pre-trial visits and the offer of outreach support to witnesses.
4. Increase the number of volunteers in order to improve the availability of support for witnesses particularly recruiting from diverse groups
5. Championing for improvement in facilities for witnesses attending court ensuring separate waiting areas for defence and prosecution witnesses and keeping witnesses in mind when making any decisions about facilities.

## Key overall themes

### Relationships

The survey provided positive evidence that an overwhelming number (95%) of both staff and volunteers see key relationships with both HMCTS and the Crown Prosecution Service (CPS) as being very good, though there are some areas that are highlighted for improvement.

Over 90% of staff feel that they have a good or very good relationship with their WCU.

Over 65% of staff and volunteers feel they have a good or very good relationship with the defence community.

These figures are replicated in the responses from stakeholders, with 90% of respondents rating the relationship as good or very good; positive relationships are often best developed through the mechanisms afforded by the Local Criminal Justice Boards (LCJBs). Liaison and effective communications are seen as crucial if these relationships are to continue to be effective and develop.

Whilst the statistics themselves indicate very positive relationships, the comments attached to them give a more nuanced and mixed picture. For example, whilst the relationship with the WCUs is reported as very good, there are a considerable number of concerns raised about the lack of advanced referrals and the lack of full details that accompany referrals. This indicates that there is work to do around the issue of referrals.

A number of recommendations were made on how to improve overall effectiveness in key relationships and these should be considered for future development.

Key recommendations included:

- Introduce meetings between key stakeholders and Citizens Advice senior management
- Greater and better use of online materials for partners to access
- Better use of promotional materials on behalf of the service to facilitate greater levels of awareness and understanding among stakeholders
- Development of onward referral agreements to improve levels of service to witnesses and meet wider needs
- Work on relationships, especially with WCUs

Victims and witnesses were not directly asked about relationships, but they did raise a concern about information sharing, suggesting that if agencies shared more information then they would not need to repeat their story.

## **Advance Referrals**

Over 45% of staff are not happy with current referral levels and stakeholders also noted some issues that must be addressed.

Victims and witnesses also referred to an issue of not being told about the Witness Service. It was apparent that a referral would have allowed them to get the information and support they needed to attend the trial.

Key recommendations included:

- Looking at the level of appropriate detail needed to make the referral effective
- Providing clarity around what details can be shared with the Witness Service by the WCUs
- A consistent and effective referral process across the service
- Offer additional measures such as: trauma counselling; information and preparation for cross examination; home or off-site visits; having a single point of contact for witnesses
- Providing input into the scripts and engagement with witnesses offered by the WCUs
- Providing clarity of respective roles and responsibilities

## **Pre-Trial Visits (PTVs)**

Almost 100% of stakeholders see these as being valuable to witnesses. Volunteers seem more content with the current levels of PTVs (75%) than staff do (60%).

Victims and witnesses receiving PTVs said they found them helpful and recommended that they were promoted more, as it enabled them to become familiar with the environment and to be less nervous when giving evidence.

Key recommendations included:

- An online booking system should be actively considered.
- Overall liaison with WCUs needs to improve (relationship building)
- Discussions with the courts on extending opening hours to facilitate a more flexible and witness-friendly approach to the timing of PTVs should be explored
- The service needs to make sure that appropriately trained volunteers are available to deliver effective PTVs and greater focus is needed on how the issue of special measures is raised, so as not to artificially raise witness expectations
- A consistent approach to the delivery of PTVs should be maintained as it was suggested that it would provide partners with confidence in the service
- Citizens Advice should look at recruiting volunteers with the specific role of providing PTVs
- Consideration should be given to what other support packages should be in place in addition to PTVs – 70% of stakeholders highlighted this
- Developing more effective PTVs (including virtual PTVs)

## **Vulnerable and Intimidated witnesses (VIWs)**

Over 90% of stakeholders recognised that additional support is important for VIWs. Whilst over 85% of staff and volunteers feel they are able to offer adequate support on the day, 60% of staff and volunteers feel that some witnesses require additional support beyond a PTV, though only 20% of current volunteers indicated they would be prepared to undertake this work. Almost 80% of stakeholders think that there is sufficient support for VIWs.

Some key issues emerging are:

- Support is often compromised by a failure of equipment in the live link room
- Transport can sometimes be an issue (the witness not being able to reach the court easily)
- Court facilities are often not adequate to provide an effective service
- Advance referrals are often not made effectively
- There are not always sufficient numbers of volunteers available to deliver the level of support required
- A majority of Police and Crime Commissioners (PCCs) responding suggest the need for greater levels of PCC scrutiny and would welcome more engagement with Citizens Advice management

Key recommendations included:

- More and better levels of advance referrals – it was suggested that the LWAC (list of Witnesses Attending Court) includes notes of any special measures already agreed
- Improved levels of volunteer availability
- A single point of contact in the Witness Service to facilitate better support
- Better and earlier identification of issues around vulnerability and intimidation – in particular focusing on better performance by the police and more effective communication between the police and the Witness Service
- Improved relationships between the Witness Service and other key supporters – Independent Sexual Violence Advocates (ISVAs) and Independent Domestic Violence Advocates (IDVAs)
- Greater clarity around respective roles, especially at court, and improved awareness improvement of the roles in the Witness Service and with partners agencies

## **Support for defence witnesses**

Despite the fact they provide support to defence witnesses, the survey found that only 60% of volunteers feel confident about this role. This is a key concern and has implications for how the service is perceived by the CJS as a whole.

Overall there is a clear perception that more can and should be done to increase confidence and improve overall support rates for defence witnesses.

Key recommendations included:

- Better court facilities to allow for the separation of defence and prosecution witnesses and their families and friends
- Increased numbers of volunteers to provide adequate levels of support
- Better guidance and training for volunteers
- Conducting an analysis of the potentially differing needs of defence witnesses
- Better promotion of the service among the defence community, including development of a national strategy
- Development of a referral pathway for the defence community
- Better corporate branding of the service
- Improved local relationships (possibly through the LCJBs)
- The development of an online referral hub for self-referrals

### **Volunteer capacity and profile**

65% of staff feel that the service has a sufficient number of volunteers to deliver effective support. However fewer than 20% of staff feel that the volunteer pool completely reflects the diversity of their local communities; 30% of volunteers feel that they do. Understaffing was highlighted as an issue by some stakeholder respondents, with 40% suggesting that the Witness Service does not have sufficient resources available at court to provide an excellent service.

Key recommendations included:

- The need for additional recruitment of volunteers to increase capacity, build appropriate profile and offer increased support
- Recruitment should be appropriately targeted – to particularly include ethnic minorities and younger people
- Understand that staff availability at court is important – its absence places additional pressure on volunteers and communication can sometimes be affected

### **Witness facilities**

Despite not specifically asking victims and witness about facilities at courts, this came out as a strong theme. Specifically the issues were to do with the lack of dedicated space for the service and its quality. The court layout and facilities often had an impact on the witnesses coming face to face with defendants, which was a major factor impacting their court experience.

While 60% of volunteers and 55% of staff suggest that court facilities were good or very good, the remainder feel they are only adequate or poor in terms of enabling effective support. There were many comments to the contrary.



Key recommendations included;

- The need for separate rooms to keep prosecution and defence witnesses apart
- Improvement in the quality of facilities e.g. no windows, drinking water
- Acknowledge and resolve the issues with the layout of the court – facilities too far away from safe waiting areas
- Allow witnesses access to safe entrances

## **General Suggestions**

The surveys and focus groups have also provided some general suggestions as to how the service may be improved and better support offered to witnesses.

Some key recommendations included:

- Promotion of the service within local CABs to improve accessibility and profile
- Consideration of using local CAB facilities as remote video link sites and closer liaison with the Witness Service
- Outreach (Home/off-site) visits (including offering support to families and friends)
- A better focus on assessing need
- Follow up calls to witnesses post trial
- Better court signage
- General raising of the service's profile
- Promotion and development of links to PCCs
- Development of personal/tailored support plan for witnesses
- Better understanding of differing demographic needs (e.g. rural areas)
- Increased and better links to other support agencies
- Victims and witnesses to be kept informed between court visits
- Better onward referral to other agencies

## **Conclusion**

Overall the surveys and focus groups provide a positive view of the service and partner relationships. There are areas for improvement and some of these are significant, particularly issues of better and timelier referrals, increased numbers of volunteers and consistency of approach, improvement in the facilities for witnesses within the courts, and improved support for defence witnesses. There were also multiple suggestions for service advancement, particularly; greater use of off-site facilities (to meet witnesses and potentially facilitate live link usage), the requirement of VIWs to receive support away from the court, and alternative methods of communication (e.g. Skype, text messaging).

This consultation has provided valuable information. Citizens Advice will use the areas for improvement and the suggestions for innovation in the re-design of the service. This will

ensure it better meets the needs of victims and witnesses and works well with its stakeholders and the volunteers and staff that provide the service.

## Summary Reports

Four individual reports were produced for each section of the consultation and these are summarised below.

### Volunteer Survey Summary

#### Summary of statistics and key comments:

There was a response rate from volunteers of around 23% (477 out of 2045<sup>1</sup>). This was a welcome and positive response from unpaid colleagues.

60% of those responding offer one day a week to the service and 26% offer more than one day, with 14% offering less than one day.

Over 95% of volunteers see the relationships with HMCTS and CPS as being good.

Approximately 65% see the relationship with the defence community as good or very good. Despite the relatively high figures for defence witnesses, the comments accompanying the statistics indicate that there are very few referrals for defence witnesses and only 60% feel confident in supporting defence witnesses. This suggests a real need for additional training among the volunteer community.

Around 40% believe that relationships with other supporters (IDVAs and ISVAs) could be improved.

75% are happy with the level of PTVs they are able to offer.

Over 85% feel able to adequately support VIWs on the day of a trial.

60% feel that some witnesses require additional support beyond a PTV, though only 20% would be interested in providing pre-trial support outside of the court environment e.g. home visits.

While almost 60% suggest that court facilities are good or very good the remainder think they are only adequate or poor in terms of enabling effective support. There were many comments suggesting this should be an area for focus.

Around 30% of volunteers feel that the service completely reflects the diversity of the community in which they work.

90% feel adequately supported to carry out their role. This suggests most volunteers do feel valued, though staff accessibility is an issue that needs to be monitored. Additional volunteer numbers would allow volunteers to have an appropriate break during the day.

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<sup>1</sup> All volunteers were given the opportunity to complete the survey.

**Key comments from volunteers:**

- The Witness Service should have an input into the “script” used by WCUs when needs assessing witnesses so that needs can be assessed more comprehensively
- Consideration should be given to witnesses having a named WCO
- Local CABs could be used to facilitate drop-in sessions or off-site support for witnesses; support off-site could be extended to families and friends
- More volunteers should be recruited to provide PTVs and improve support to defence witnesses
- Volunteers should be provided with more knowledge around defence witnesses and their needs. Better use of volunteer meetings (more focused) should be considered alongside the induction process.
- More advance referrals of witnesses are needed, with better and more accurate information
- Local relationships with partners (CAB etc.) should be developed to improve better support provision
- The service needs to be promoted and awareness raised with partner agencies

## Staff Survey Summary

### Summary of statistics and key comments:

There was a response rate from staff of around 95% (262 out of 276). This was an impressive return rate.

Overall, 95% see relationships with key partners, the courts and the CPS as being good, 90% with the WCUs and around 65% with the defence community. Despite these relatively impressive figures, the comments accompanying the statistics indicate a different story, with a significant proportion of respondents feeling that more could be done nationally to improve relationships (62%).

Approximately 55% see the relationship with the defence community as good or very good.

Around 50% see relationships with other supporters (IDVAs and ISVAs) as being good, but 40% see room for improvement.

Around 45% of staff are not happy with the levels and quality of advance referrals.

Around 60% are content with the level of PTVs offered to witnesses, however many believe that, if they had more early referrals, they may not have the volunteer capacity to deal with them.

A significant proportion (87%) feel able to adequately support VIWs. Nearly 60% feel that some vulnerable witnesses require additional support away from the court, although around 90% do support witnesses in the live link room.

50% think they have sufficient volunteer capacity to offer an excellent service.

55% feel that court facilities in their area are good or very good, with the rest suggesting they are adequate or poor in meeting witness needs. This is reflected in some of the comments made.

### Key Comments from staff:

- Relationships between agencies could be improved nationally by raising awareness of the service and the distinctions of roles within each agency. Promotional materials could be developed to assist this, alongside conferences and joint training. A particular focus on relations with WCUs is important
- There is a need for greater clarity around the respective roles of other supporters (IDVAs and ISVAs)
- Formal onward referral agreements should be developed and consideration could be given to having a local CAB presence in the courts
- Offsite support, development of virtual PTVs and follow up calls to witnesses should be investigated as possible service developments
- A national strategy for engagement with the defence community should be developed alongside profile raising and development of an automatic referral system

- Lack of advance referrals limits the numbers and effectiveness of PTVs and consideration should be given to an online booking system and an increase in the number of volunteers able to provide this support
- Advance referral of VIWs is low and this needs to be addressed locally and nationally, as does a drive to ensure more accurate data accompanies the referral
- Focused training for volunteers would be helpful in addition to the building of additional capacity
- Facilities at court need to be dramatically improved, with non-public entrances available as a matter of course, separate waiting areas for prosecution and defence witnesses and upgrading of the facilities such as access to drinking water, waiting rooms with window etc.

## Stakeholder Survey Summary

### Summary of statistics and key comments:

There were 319 respondents from criminal justice partners including:

- PCCs
- Police
- HMCTS
- Judiciary and magistracy
- CPS
- Defence community
- Other Criminal justice professionals

5% of stakeholders think the service is running better than before, with the significant proportion (85%) think that the service is running as well as before. Key areas causing concern in the first months of transition were identified as being lack of contact, communications and the effectiveness of technology. Much of this was, perhaps, due to initial teething troubles around IT and telephony, and the breadth of the stakeholder community to be engaged with.

90% think the relationships with the Witness Service are good or very good. This is encouraging for the development of key relationships and future engagement. An effective mechanism to develop relations exists in the form of LCJBs and wider networks. It was thought that strategic relations could be improved nationally with meetings between senior managers within criminal justice agencies and Citizens Advice.

The referral process between the WCUs and the Witness Service is identified as not always working well and there are issue around early engagement with witnesses – especially in relation to conveying accurate information.

There seems to be confusion around what information WCUs can, and are expected to, share with the Witness Service.

Almost 100% of stakeholders see PTVs as being useful and 70% think that additional pre-trial support away from the court would be useful. Most (90%) think that VIWs need a different level of support to other witnesses, with 80% thinking that there is currently enough support available and 70% thinking that VIWs are currently well identified.

85% are satisfied with current support provision at court.

40% do not believe that the Witness Service has sufficient resources at court to provide excellent service. This is a significant figure.

The Witness Service is perceived by most (80%) as having a clear presence at court.

### Key Comments from stakeholders:

- LCJBs should be used as an effective means of improving relationships

- Senior management in CA should also engage to develop wider, effective strategic relationships
- Relationships could be developed more effectively by greater use of local CAB offices (off-site support hubs, live link provision)
- Relationships and awareness could be improved by greater and better use of online materials
- Better communications between agencies would facilitate more effective referrals and greater clarity around respective roles
- More attention should be paid to discussion of special measures by the Witness Service so as not to raise witness expectations. Training could address this
- Consideration should be given to additional services such as trauma counselling, preparation for cross examination, off-site visits, offering a single point of contact, clarifying respective roles
- VIWs may benefit from additional support around transport
- Witnesses may benefit from having a personal support plan
- PCCs suggest they could exercise greater scrutiny around VIW service provision and better performance by the police in early identification
- Additional recruitment of volunteers would be helpful (particularly in relation to widening the volunteer profile)
- Better corporate branding would help raise the profile of the service and offer greater clarity to partner agencies. Signage and adequate facilities at court are also important
- A better understanding of differing demographic needs would be useful



## Focus Group Report

The full report minus the methodology has been included here, to ensure that the voices of victims and witnesses are heard in full.

### Witnesses

13 (3 male, 10 female) participants in total took part in two focus groups or provided information via 1:1 face-to-face or telephone interviews.

Participants fell into one or more of the following categories:

- Victims of crime (witnesses) = 5
- Vulnerable and intimidated witnesses (VIW) = 6
- Parent/carer of young victims/witnesses = 2
- Other witnesses (i.e. a witness, but not a victim of crime) = 7

Although the participants were self-selecting, and the sample small, there was a congruence in their experience and concerns and some themes emerged across the regions that give validity to the findings. There was praise for the empathy shown by the Witness Service and an appreciation for the volunteers. However, this seemed to be particularly about the alien environment that witnesses found themselves in and how it was helpful to see someone who '*looked like a normal person*' (Witness) that seemed to be on their side.

Because of the unfamiliarity of the court experience – and possibly, their proximity to their cases – participants found it difficult to make direct recommendations about how to improve the service. However, where direct recommendations were made we have highlighted these, and also extrapolated our own from the experiences told to us.

*It was good to have someone with you with 'calm authority' who was not a 'figure of authority'*

### Information and Co-ordination

A lack of information and clarity at all stages of the court process was a shared concern. If identified as a VIW it was less of an issue, but only one of the respondents had heard of the Witness Service before becoming a witness. There was a general lack of understanding of the differences between the Witness Service and the Witness Care Units (WCU), with one group in particular, saying that the WCU had not offered any information about the Witness Service prior to the trial. All the VIWs had pre-trial visits and this orientation was appreciated and provided a measure of comfort and confidence. Only one participant who was not a VIW had been contacted before the trial and offered this service and was able to attend for orientation the day before the trial. All had found this helpful ('*Excellent*' Witness,) and recommended that pre-trial visits be promoted more, as it enabled witnesses to become familiar with the environment and to be less nervous when giving evidence.

*On my pre-trial visit I was shown where the defendant would be walking in from so I knew where to look*

However, because of adjournments and delays to the more complicated trials, it was often months between the pre-trial visit and actually giving evidence. Approximately half of the respondents had been able to have a court orientation from the Witness Service on the day of the trial.

All respondents were very grateful for the information provided by the Witness Service volunteers during the trial, but it was a universal concern that this relied on the goodwill and relationships that the Witness Service had developed with court staff rather than information as a right. Many would have preferred to have known in good time when they were going to give evidence. Approximate timings would have helped in their preparation.

*I had to come in several days in a row and one day had to wait five hours with no information on when it would happen*

All witnesses had been provided with their statements to review before giving evidence in court, either by a police officer, or the prosecuting barrister. In all VIW cases the prosecuting barrister talked to the victim/witness before entering court, so they knew what to expect. This was not usual for other witnesses.

A number of witnesses wanted more information, but were unwilling to ask their police or legal representative, for fear of bothering them when they were so busy. It was agreed that they possibly were not always able to 'hear' the information given because of the stress they were under, so needed to be able to access information when they were ready. A common experience of frustration and worry were the delays as cases were adjourned and not understanding the reason why, or legal terms being used without adequate explanation.

The Witness Service was praised for helping witnesses to understand the technical terminology and participants suggested that a glossary of terms be provided in the Witness Suite, as well as the Witness Service volunteers on hand to explain the intricacies. Many of the questions arose after their evidence had been given, so it would be helpful if there was contact from the Witness Service either between verdict and sentencing, if there was a delay, or after sentencing, to reassure and answer any further questions, or signpost for further information and support.

One witness told of googling to find basic information about adjournments, and sentencing, and others shared similar experiences. The need for information that witnesses can access in their own space and in their own time was a recurrent theme.

### **Signage**

The two focus groups (Newcastle and Reading) were held in Crown Courts. Neither court had any signage in the entrance hall about the Witness Service. Witness Service volunteers did 'meet and greet' witnesses, but if a volunteer was not available, the witness would need to rely on the court receptionist to direct them to the Witness Service – that is if the witness asked for them!

## Information sharing

A shared concern from the parents/carers of young victims and victims of domestic violence where children were involved was the involvement of other agencies, particularly social services and health. The statutory concern about child protection, coupled with their lack of knowledge of the crime itself, meant that the victims, or parents and carers felt re-traumatised, having to explain the circumstances. A common theme was feeling that they (the victim) were considered the perpetrator rather than the victim.

One victim/witness of domestic violence told of a male social worker coming to her house on a winter's evening to discuss concerns about her children. She had not met him before and found the experience re-traumatising, but felt she could not protest in case he recommended taking her children into care.

Respondents accepted that statutory and other organisations had a job to do, under pressure, but felt that it would help if one organisation – the Witness Service? – could share enough of their circumstances with the relevant agencies to provide them with context when doing their job.

## Witness Accommodation

Although all Witness Services had been provided with dedicated space for the service, the quality of the space varied and was a major contributing factor to the court experience for witnesses. For example, one witness commented that in the crown court the witness area was claustrophobic; very small, outside a kitchen and next door to the toilets, which suffered from a lack of ventilation. There also was not enough room to ensure effective separation of prosecution and defence witnesses, particularly if the court was busy.

*The only bad experience we had was when my daughter had to give evidence. She was on the way to the live link room - the lift doors opened and the defendant was in the lift. So she fell apart before the live link*

*Some days I couldn't even get in to the room it was so packed. On three days there were queues to get in*

All the VIWs and those witnesses in cases of violence or abuse noted that whilst the Witness Service did an excellent job of reassuring them and keeping them safe, having to enter the court through back entrances, through narrow corridors, past cells and the judges' chambers contributed to their nerves. One witness commented on the irony of having to go through a back door which was not welcoming while the defendant could just walk in through the front.

*The entrance at the back was appalling. A proper entrance for [vulnerable] witnesses would have been good*

It was also noted that this care was wasted when witnesses met defendants in shared areas, such as the canteen, in smoking areas or in the car park.

*I was here for two days, I must have seen [the defendant] six times. It was sexual assault to my son... It made me so angry because my son was with me. When you come in you are just with other witnesses which is fine but there are times where you can't be separate to the defendant. My son was a bit intimidated. It's not fair when you are a victim and see that person*

Participants expressed a particular concern where witnesses were taken from the Witness Suite, to wait outside the court, where there is little room to keep a proper separation between prosecution and defence witnesses. We were told of trials where the victim coming to give evidence came face to face with the defendant or a family member or supporter and felt intimidated or unable to give evidence.

Break times were particularly stressful for the witnesses that had cases where they had to wait for parts of the day and the thought of bumping into defendants in the canteen or outside the building meant many stayed hidden away in the small witness room; this added to their feelings of not being cared for while defendants had free access to the building.

### **Emotional support during and post-trial**

The participants, particularly the nervous or vulnerable witnesses, appreciated that Witness Service volunteers were in eyeshot in the courtroom if required, or in the case of VIWs, in the video link room with them. There did seem to be some confusion by VIWs about whether it was a dedicated advocate such as an Independent Domestic Violence Advocate (IDVA) or the Witness Service who could sit with them whilst giving evidence.

*I thought I'd never step into the court again, but now they've asked me to read my victim impact statement. At this moment in time I'm not sure my life will ever move on. I wish there was someone who could show me life can move on and I shouldn't feel guilty*

The participants in this small study showed exceptional emotional resilience, both in coming to talk to us and in the way they spoke of conducting themselves during the trials. However, without exception they all recognised they had on-going emotional issues, including one having a medical diagnosis of post-traumatic stress disorder. The lack of talking therapies was a stark reality for a number of participants. Even where they had been referred for counselling by their GPs, delays and adjournments in the court processes meant they still had unresolved issues, but had 'run out' of 'free' counselling from the NHS, or were delaying taking up the counselling until the case was resolved.

None had been signposted to organisations such as Victim Support. Referrals had either been initiated by their GP or in one case through the dedicated domestic violence support service. This does suggest that if the most resilient of witnesses report enduring on-going emotional issues, that there may be many more severe cases of post-traumatic stress and emotional disorders for those less resilient witnesses, which is unrecognised and unreported.

## Post-trial

After the trial, many of the VIWs were taken from the court by the police so did not see the Witness Service again. Other witnesses were offered a chance to rest and decompress after giving evidence. All agreed that it was too soon to ask questions and would have appreciated a follow-up call after. Not all would take up the option of asking questions or would need signposting to other services, but all felt it would provide a sense of closure to the experience.

A participant expressed the relief they felt in talking about the case. They had supported their son following a serious assault and through the subsequent court case. Until the time of the interview for this report, they had been carrying difficult and unexpressed feelings which had been somewhat relieved by the interview process. Another witness had a particular concern borne out of his experience of being a witness to a crime with a strong friendship group and community focus. There was concern in the community and with the victim that the sentence would soon be over and the offender would return to the community. This was causing anxiety and stress. Whilst the witness appreciated the difficulties involved, he made the point that the end of the court case is not necessarily the end of the trauma for victims and witnesses and there may be a case for the Witness Service to play a limited role in supporting victims on release of offenders. Other issues that came up post-trial by witnesses included guilt whether the defendant was found guilty or not.

*I thought my evidence wasn't good enough. It's tortured me for months. Why didn't I say that and not this?*

Broken friendships and irreparable damage caused in families and personal lives were also difficulties witnesses reported facing following the trial. Witnesses who faced long trials took longer to recover as the re-traumatisation of adjournments took their toll.

One witness endured 11 adjournments at magistrates and crown courts court to testify against a student that raped her. She talked about the strain on her marriage, her personal health, and her job.

Both these witnesses said how much they would have appreciated follow-up after some weeks.

## Conclusions

*The Witness Service was 'professional, but not cold'*

A common theme was that, although individual court officials were described as excellent, overall they felt that the courts did not value the Witness Service and by extension, witnesses (this was not true of VIWs, all of whom felt that judges, ushers and the police did their best to enable them to give their evidence). This view was reinforced by Witness Service staff and volunteers who at times were unable to give information about the length of trials or whether a witness would be required. As stated in the body of the report, the chances of meeting defence witnesses are increased when witnesses are called too early to

give evidence and have to sit outside court. They felt that their time was not valued and in some cases this created difficulties in their daily life, for example with employers and with childcare arrangements. The Witness Service could provide a mediation role between the courts, witnesses and external agencies to make this more efficient.

All the participants in this study made it clear that their experience as a witness did not start on the day of the trial and end at sentencing. The consequences, particularly for VIWs, reached far into their lives. Participants told us that they thought that after the trial they could get on with their lives, but the consequences of delays, uncertainty, 'aggressive' examination of their evidence and lack of information all contributed to a loss of confidence. Many participants identified the feeling of 'falling off a cliff'; the Witness Service (and others) had provided support during the trial, but that disappeared immediately after sentencing. Witnesses were left feeling bereft and concerned about the future.

The personal testimonies of witnesses interviewed presents a case for improved accommodation and access for witnesses at court as well as more joined-up information management within court and between the varying services witnesses interact with. Improved duty of care to witnesses in between court dates and following the end of court visits will go a long way to supporting those witnesses to return to their normal lives with better degrees of success.

## Authors' note

Supporting Justice is a community interest company (CIC). We work to bring benefits to the community and work mainly in the criminal justice arena, focusing on work relating to victims and witnesses. We are supporting Citizens Advice in the delivery and development of the Witness Service. We also work with a range of partner agencies and organisations to effect positive change for victims and witnesses.

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