

## YOUNG VICTIMS AND WITNESSES LEFT TO FLOUNDER IN AN IMPERFECT JUSTICE SYSTEM

A Joint Thematic Inspection of the Experience of Young Victims and Witnesses in the Criminal Justice System led by Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI) with Her Majesty's Inspectorate of Constabulary (HMIC)

Today HMCPSI and HMIC publish the report *Experience of Young Victims and Witnesses in the Criminal Justice System*. The report explores progress made against recommendations given in the 2009 report *A Joint Thematic Review of Victim and Witness Experiences in the CJS*.

The joint inspection team found that only limited progress had been made in addressing the majority of the previous Report's recommendations and highlighted several areas of concern. For example:

- Young people were too often not consulted on if they wished to make a written statement or video evidence statement, with instances reported of pressure being placed on young witnesses to go into court and give evidence from behind a screen rather than via video link. Technical problems in playing DVDs in court rooms also saw trials being delayed or adjourned in some cases for several months.
- Inspectors were concerned to find conflicting attitudes to young victims accessing therapy and counselling with some prosecutors instructing young people not to provide details of the offence to counsellors. This made it impossible for some children to be given help.
- Concern was expressed because some Witness Care Units (WCUs) were ignoring guidance by trying to assess vulnerable witnesses needs by post instead of speaking to them. Many WCUs also experience problems receiving timely and accurate information from Police, adding to the difficulty of providing a quality service.

Inspectors did find a number of cases of excellent and innovative practices and has highlighted these in the Report to show how improvements can be made by other areas.

Findings were drawn from extensive fieldwork in five CJS areas that included interviews with representatives of the judiciary, staff responsible for dealing with young victims and witnesses, members of Victim Support (VS) and the Young Witness Service (YWS). Inspectors also spoke directly to a number of young victims and witnesses directly and conducted file examinations of recently completed cases.

HMCPSI Chief Inspector Michael Fuller QPM said:

*"The criminal justice system pledged back in 2007 to put victims at its heart, young victims and witnesses are amongst the most vulnerable of these. Although we found some excellent examples of good work too often in the most serious of cases young people were not served well. Young people are being left to flounder in an imperfect system. The way the interests of young people are considered must improve and their interests must be taken seriously."*

HM Inspector of Constabulary Dru Sharpling said:

*"The recommendations and examples of good practice in this report capture the best of the system and aim to promote its consistent delivery. It is key to the criminal justice system that young people have the confidence to report a crime and are then supported throughout the process of appearing as witnesses."*

## Notes to Editors:

- 1 An advanced copy of the report is available on request. The previous 2009 report *A Joint Thematic Review of Victim and Witness Experiences in the CJS* can be found on the HMCPSI website.

The report was carried out by HMCPSI ([www.hmcpsi.gov.uk](http://www.hmcpsi.gov.uk)) and HMIC ([www.hmic.gov.uk](http://www.hmic.gov.uk)) under the Criminal Justice Joint Inspection (CJJI) programme. The CJJI group brings together a number of Inspectorates to undertake a programme of joint inspections across the criminal justice system

- 2 Summary of main inspection findings:
  - The needs of young victims and witnesses and the appropriate special measures they need to enable them to give their best evidence are not always identified
  - The timeliness of applications for special measures has improved
  - Video recorded interviews are not used as often as would be appropriate and are of variable quality, potentially making them less effective in court
  - Early consultations or early investigative advice is often not sought from the CPS by the police in appropriate cases
  - The poor quality of initial assessments of the needs of young people has a detrimental effect in cases which progress to trial
  - There was a low level of awareness about the benefits of intermediaries, who can help young people communicate better, and very little use of them to assist the witness during video recorded interviews
  - There are mixed and conflicting attitudes to the access of young victims to therapy and counselling between the offence and the start of the trial, preventing some young people from getting vital assistance
  - Young witnesses are not routinely given the opportunity to view their recorded evidence before the day of the trial and close to the trial date, this makes recalling what happened sometimes months ago more difficult
  - Most young people found that visiting the court before the trial date was very helpful preparation, however not all young victims and witnesses were offered this or could take it up due to court opening times
  - The waiting time for trials involving young victims and witnesses to come to court, and waiting times on the day of the trial need to be reduced
  - The work of the specialised young witness service is extremely valuable. It meets essential needs that otherwise would not be met, in a way that is sensitive to the particular needs of young people, however this service is only available in a small number of areas
- 3 Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI) is the independent Inspectorate for the Crown Prosecution Service (CPS). Its purpose is to enhance the quality of justice through independent inspection and assessment. HMCPSI's Chief Inspector reports directly to the Attorney General and the Justice Committee of the House of Commons.
- 4 Her Majesty's Inspectorate of Constabulary (HMIC) is an independent inspectorate, inspecting policing in the public interest, and rigorously examines the efficiency and effectiveness of police forces and authorities to tackle crime and terrorism, improve criminal justice and raise confidence. HMIC inspects and regulates all 43 police forces in England and Wales together with other major policing bodies. For more information please visit our website [www.hmic.gov.uk](http://www.hmic.gov.uk)