

A photograph of a woman with blonde hair, wearing a red jacket over a dark top, smiling slightly. She is being interviewed by a person whose hands and a notepad are visible in the foreground. The background is blurred, showing an outdoor setting with a white building.

No Witness, No Justice

The National Victim and Witness Care Programme

'At least 22,000 cases were abandoned in 2002/03 because of prosecution witness issues'

CRIMINAL JUSTICE SYSTEM



As part of the Government's ongoing programme to transform the experiences of prosecution victims and witnesses of crime, a new £36 million scheme has been given the go ahead – supported by the Government's Invest to Save Budget funding programme.

The aim of the new scheme is to reform the criminal justice system so that it is better equipped to identify and understand the needs of victims and witnesses, and be more responsive to their individual requirements.

Many victims and witnesses do not receive the level of information and support they need when participating in the criminal justice process. This neglect can often lead to a withdrawal of support for the prosecution, non-attendance at court and dissatisfaction with the process, which can result in failed cases and a reluctance by witnesses to re-engage in the criminal justice process on future occasions.

This is why in March 2003 the Prime Minister and the Attorney General commissioned a pilot project to improve victim and witness care. The **No Witness, No Justice** programme is designed to ensure that the service provided to victims and witnesses is properly tailored to the needs of each individual, so that they are able to attend court. This publication provides more information about the project.

“Victims and witnesses have not always received the support they need from the criminal justice system. That must change. The criminal justice system has a responsibility to ensure victims and witnesses feel safe and able to give evidence. Giving evidence at court is a daunting experience for anyone. Victims and witnesses have a right to expect a smooth and co-ordinated service from the criminal justice agencies. This project will mean we can progress from ‘No Witness, No Justice’ to putting victims and witnesses at the heart of the criminal justice system.”

Attorney General, Lord Goldsmith QC

In 2002/03, 15% of all cracked and ineffective trials were due to witness problems.

What is the problem?

The guiding principle is that providing better information, reassurance and support will not only produce more confident and willing victims and witnesses, it should also reduce ineffective trials, help to bring more offenders to justice and improve public confidence in the criminal justice system.

Who is involved in solving it?

The **No Witness, No Justice** programme is a Crown Prosecution Service and Association of Chief Police Officers partnership supported by the Criminal Justice Group and the Prime Minister's Office of Public Services Reform.

These partners will be working closely with other criminal justice system agencies and Local Criminal Justice Boards to deliver a new model of victim and witness care. The initiative has received backing for national roll-out with £27.1 million from the Treasury Invest to Save Budget funding programme, matched by a further £8.9 million shared between the Crown Prosecution Service, the Association of Chief Police Officers and the Criminal Justice Group.

Only 19% of witnesses felt they had been kept properly informed about progress in their case.

28% of victims want some form of help, whilst 13% say they received support.

What is the programme trying to do?

The programme aims to improve confidence and reduce the number of trials abandoned because the system has failed to understand and respond adequately to the needs and circumstances of victims and witnesses. The programme also aims to achieve improved co-ordination within the criminal justice system so that each agency is clear on its roles and responsibilities for victim and witness care. By bringing all agencies together, we can ensure that the system provides them with the right level of support and information.

This new approach provides improved information and support during the criminal justice process. The police should assess the needs of a victim or witness when they are first interviewed. The victim or witness should then have the continued support of a Witness Care Officer from the point of charge through to any outcome that may follow. Where a victim or witness has particular difficulties – be it the absence of childcare on a trial day or fear of intimidation by the accused – actions to alleviate this can be taken in good time. And there should be no doubt in the mind of the victim or witness to whom they should turn for assistance.

By appointing Witness Care Officers, victims and witnesses should also be kept better informed of progress in their case and have the necessary court-day support (for example, special measures) to enable them to concentrate on giving their best evidence in court. By providing this level of care, we should be able to ensure that their experience of the process is an improved one, meaning that they will be willing witnesses in any future case.

21% of witnesses felt intimidated by the process of giving evidence or by the court environment.

Specialist childcare needs

A trial witness was worried about childcare arrangements for her two boys, aged 9 and 2. The elder had been expelled from school and had behavioural problems. She worried that this would prevent her attending court.

The Witness Care Officer made many phone calls in order to find a registered childminder who was able to look after both the boys, including the one with special needs. To reassure the mother, a meeting was set up with the childminder before the court hearing. The mother was then willing to come to court knowing her children were being properly looked after. The Witness Care Officer has now established a database of registered childminders who can look after children with special needs or can provide childcare at short notice as needed even if a court case has started.

“I am convinced that this programme will make a real and sustainable difference to the quality of service provided to those who should be at the centre of the criminal justice system – victims and witnesses. By working with all of our partners we will deliver a seamless, high quality service that puts victims and witnesses at the heart of the process rather than just players within it. The outcomes are clear – increased satisfaction, improved public confidence, better performance in bringing more offences to justice and enhanced value for money by reducing ineffective trials. This programme is a true partnership and one that is very focused on making things happen.”

Assistant Chief Constable, Association of Chief Police Officers lead for Victims and Witnesses,
John Broughton

What's happening on the ground?

Pilots have been established in five criminal justice areas in England and Wales: Essex, Gwent, North Wales, South Yorkshire and the West Midlands. Pilot development started in July 2003, and an interim evaluation study was conducted in March 2004. A full independent evaluation is to take place in June 2004, reporting in August 2004.

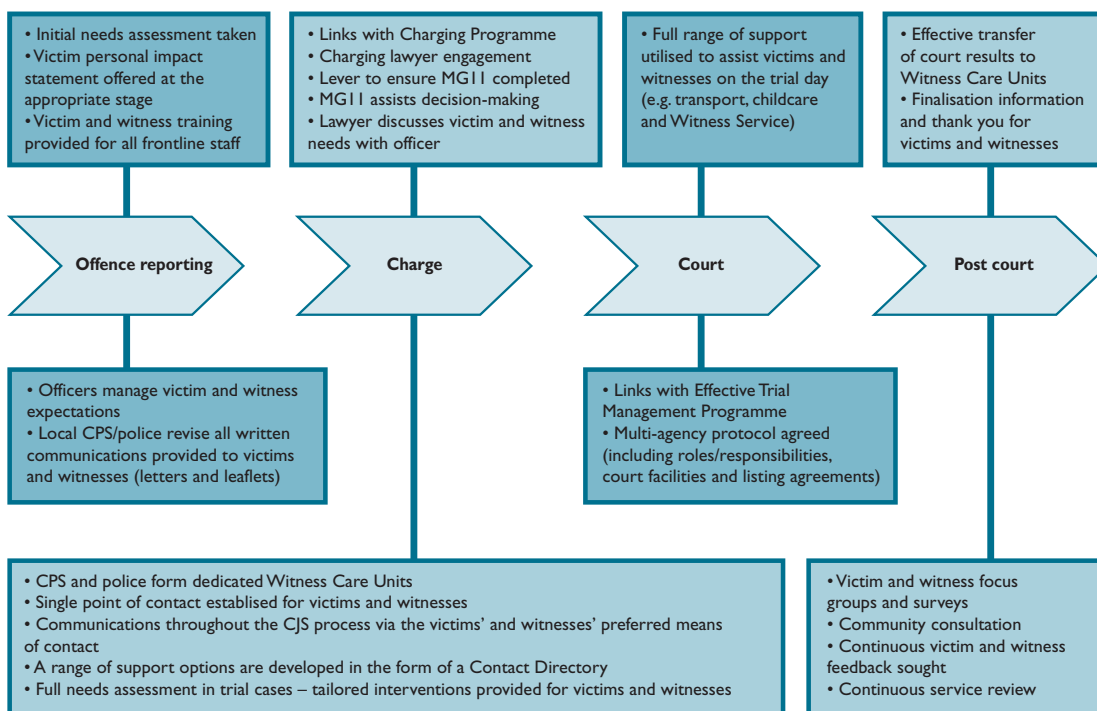
Pilot areas have appointed new police and CPS Witness Care Officers. They are based in Witness Care Units (built on existing witness warning teams) that are the key focus of the programme. As a result, victims and witnesses are receiving much more information about the progress of their case and improved help and support throughout the process. Early evidence shows that this is increasing witness attendance rates – which is having a positive impact on reducing the number of ineffective trials – and the public's feedback to the Witness Care Units is extremely positive.



Under the new approach:

- police officers assess the prosecution victims' and witnesses' needs when they make a formal statement. This now forms part of a revised Witness Statement form;
- dedicated Witness Care Officers then act as a single point of contact from the point of charge. They keep victims and witnesses informed about the progress of the case via their preferred means of contact. This includes the outcome of the case and thanking them for their time and contribution;
- Witness Care Officers also undertake a detailed needs assessment of each victim and witness. This provides an in-depth understanding of an individual's needs and requirements. The Witness Care Officers then have at their disposal a range of interventions to provide tailored support to those victims and witnesses who need it;
- there will be a crucial role for Victim Support and the Witness Service and other support agencies in providing support and practical help that victims and witnesses need.

Actions taken to support victims and witnesses at each stage of the criminal justice process



The fit with the Criminal Case Management Programme

The **No Witness, No Justice** programme forms part of a wider criminal justice reform programme – the Criminal Case Management Programme. Launched in November 2003, the Criminal Case Management Programme is an important step forward in the drive to reform the criminal justice system.

The programme brings together three major elements of criminal justice reform: Charging, the Effective Trial Management Programme and **No Witness, No Justice**. It also includes other initiatives to improve defendant management, provide further support for vulnerable and intimidated witnesses, and narrow the justice gap.

For the first time, one programme is focused on getting the whole of the criminal justice process right from arrest to sentence, rather than fixing the separate stages of the process in isolation. Teams that have made the links between the three main projects are finding that this consolidated package really works – enabling us to work more effectively together and share lessons learned as we move forward.



What are the next steps for the No Witness, No Justice programme?

Roll-out of the **No Witness, No Justice** programme will be phased from April 2004. The plan is to complete implementation in all 42 criminal justice areas by December 2005. The preparations for a phased programme of national implementation will involve consultation with each Local Criminal Justice Board to agree a timetable for implementation within this time frame – April 2004 to December 2005.

“I am delighted that the bid for funding has been successful and that all victims and witnesses in England and Wales will now benefit from the new approach to witness care that the CPS and the police have been spearheading at the pilot sites. This project is an important part of a wider area of work that we are involved in, to ensure that prosecutors and police work together in the early stages of a case to get key elements in place, such as the right charge and good witness care.”

Director of Public Prosecutions,
Ken Macdonald QC

“This support is indicative of the Government’s ongoing commitment to improving services for victims of crime. The project demonstrates the success that can be achieved when we work together. I am delighted that we are helping to ensure that victims and witnesses feel looked after and get the right support at the right time.”

Minister for Criminal Justice,
Baroness Patricia Scotland

**Who to contact and where to find
further information?**

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