

## Pre-Trial and Outreach Service Information for Defence Witnesses

Commissioned by the Mayor's Office for Policing and Crime (MOPAC) the Integrated Victims and Witness Service (IVWS) is a brand new support service for London residents who are affected by or witness to a crime. The new service will commence on 1 April 2019 and will be delivered through a number of specialist partnerships, led by Victim Support.

Key drivers for the implementation of the new service are to improve the experience of witnesses and victims when they are engaged in the criminal justice system, ensuring the services they are provided supports them to attend court as a witness and give their best evidence, as well as to cope and recover from their experience. The new service will provide end to end, dedicated and specialist support and will be provided on a needs led basis.

The new service brings together five key stands of support to witnesses and victims through a single integrated service:

- The service will provide support to adult (18+) victims of crime
- Provide specialist support for victims and survivors of domestic abuse (aged 16+)
- Provide access to Restorative Justice
- Deliver Pre-Trial and Outreach Support for prosecution and defence witnesses
- Provide support for people affected by major crime incidents.

This information outlines the delivery of the Pre-Trial and Outreach Service for defence witnesses.

The Pre-Trial and Outreach Service will provide support to defence witnesses who are London residents. The service will support defence witnesses before their attendance at court by undertaking Pre-Trial Visits (PTV's) ensuring familiarisation with the court environment before the day of trial; this will enable defence witnesses to see the inside of the courtroom and see where they will be required to give evidence from.

Defence witnesses will be provided with the same access and service provision through the Pre-Trial and Outreach Service that prosecution witnesses are entitled too. Defendants are out of scope for pre-trial and outreach support.

Victim Support have ensured all staff within the new service have received bespoke Witness Support training to enable them to provide clear and boundaried support to defence witnesses. Caseworkers will not provide support to prosecution and defence witnesses who are engaged in the same trial process and there is a rigorous checking and cross referencing process in place to ensure Caseworkers are not allocated witnesses' party to the same trial.

Where defence witnesses may be vulnerable or intimidated their IWVS Caseworker may be able to attend court with them on the day to provide additional support. The IVWS will work in partnership with the Citizens Advice Witness Service and notify them if defence witnesses with vulnerabilities or who are intimidated require support on the day (if the IVWS Caseworker is not attending). If the IVWS Caseworker does attend court on the day of trial they will not go into the court room to support the defence witness whilst they are giving evidence; Citizens Advice Witness Support will undertake this function if required.

Through the bespoke Witness Support training Caseworkers will be trained to understand the degree of separation necessary to ensure there is no cross over of support between defence and prosecution witnesses and that no discussions around the evidence the witness will give can be undertaken.

To further ensure the IVWS have ethical walls in place to maintain the degree of separation each defence witness will have an individual case created on our Case Management System, which will not be linked to any other witness case on the system and will not be accessed by Caseworkers supporting another party to the criminal trial.

For London resident defence witnesses required to attend a court outside of London they will be provided with Pre-Trial Visits at a criminal court nearest their home and outreach support will be provided through their IVWS Caseworker.

Upon entry to the IVWS Pre-Trial and Outreach Service all defence witnesses will undergo an assessment of need to ensure they are trial ready and feel confident to give their best evidence at court; the assessment will review:

- Whether the witness is vulnerable or subject to witness intimidation
- Whether an application for special measures has been considered/granted
- Whether special court access arrangements need to be put in place
- Whether safe meeting points before court need to be arranged
- Whether support on the day of court is required; by IVWS Caseworker or through CAWS
- Whether assistance with travelling to court is required
- Any barriers preventing witness attendance at court
- Whether support is needed around potential media reporting for high-profile cases

Outreach support will be provided before and after defence witnesses are required to attend court and will be provided in either the witness' home or an outreach location. In addition the IVWS will support the wider needs of defence witnesses around the impact the crime has had on the following areas of their lives:

- Health and wellbeing
- Feelings of safety
- Ability to manage aspects of everyday life
- Housing
- Finances
- Confidence
- Relationships/ Social Life
- Work, Study and Training

All defence witnesses will have a plan for support around how their needs will be supported through the court process.

After trial completion witness needs will be re-assessed to ensure a supportive step down from services. Post-trial, defence witnesses can be supported with:

- Claiming of travel and loss of earnings expenses
- Ongoing support to cope and recover from their experience of being a defence witness
- Referral on to other support services.

Defence witnesses can access pre-trial and outreach support by referral through the defence community or by accessing the service independently.

The IVWS will work in tandem with criminal justice partners to increase compliance with the Victim's Code of Practice to ensure victims and witnesses are informed of their rights under the code and provided with minimum standards as per the Witness Charter; ensuring they are provided with the level of care they require throughout the court process. The Citizens Advice Witness Service will continue to provide support on the day of trial and referrals to the IVWS Pre-Trial and Outreach Service should only be made where pre-trial support and outreach is required, not just support on the day.

**Defence Solicitors can refer victims and witnesses into the service by emailing the IVWS referral form securely to [IVWS@victimsupport.cjsm.net](mailto:IVWS@victimsupport.cjsm.net)**

**Defence Witnesses can self-refer themselves to the IVWS by emailing: [IVWS@victimsupport.org.uk](mailto:IVWS@victimsupport.org.uk) or by calling the London In-Bound Service on 0808 168 9291**