



**The Witness
Charter –
A Charter
for witnesses
of crime**

**A guide for
young people
by young
people**

The story and experience of Pat

How it feels to be a young witness to a crime

Pat is a witness to a crime. It is very important that Pat can **tell a trusted person** about the crime. This can be anyone, a parent or carer, other people in the family, a friend or teacher.

Pat reported the incident to the police. The police gave Pat time to tell them what happened. There will be an investigation. Pat needs **support** and **information**.

Lots of different people will support Pat. **Pat will not be judged.**

Pat has support from a lot of people including friends, family, school and the **NSPCC Young Witness Service**.

The link person in the **Victim and Witness Care Unit** tells Pat and Pat's family about what is happening in the case.

Pat will meet the lawyer who will tell the court how someone may have broken the law. This can be confusing but also very helpful. Pat can be lost in all the big words but Pat can ask people when **not understanding** what they are saying. They will tell Pat things **more simply**.

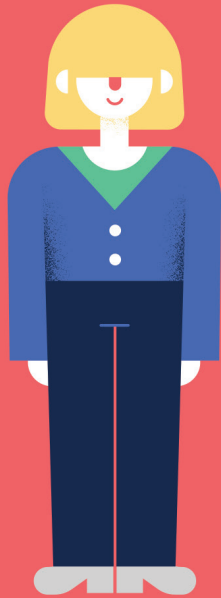
Meeting the judge – they are not as scary as they seem! They are there to help Pat tell the court what has happened.

Pat can give an opinion on giving evidence in court. Pat might want to answer questions in the courtroom or in a **quiet room with a TV**, where Pat can see and hear the court. The judge will say which is ok.

What you or Pat might feel after a crime, when talking to the police or going to court

- Happy
- Disappointed
- Disgust
- Traumatized
- Fearful
- Confused
- Relieved
- Unloved
- Scared
- Shocked
- Hopeful
- Emotional
- Worried
- Lonely
- Uncomfortable
- Don't know what to do
- Don't know who to trust
- Relieved – but scared in case you get in trouble
- Lost in words
- So many emotions

You may feel some or lots of these things. Try not to worry. Just be yourself and **tell the truth**, these are the most important things you can do.



Who's Who?

You may meet lots of different people after witnessing a crime. They all have different jobs but they are all there to help find out the truth and help you tell them what happened.

The Police (1) try to stop people from doing bad things. They will try and find out if someone has broken the law and who that person is. When the police think someone has broken the law, they tell the **Public Prosecution Service (2)**.

They set up any court case and ask everyone to come to court. The prosecutor will tell the court about how someone may have broken the law.



NSPCC Young Witness Service (3)

If you have to go to court the NSPCC Young Witness Service can help you before, during and after a trial.

A trial is when everyone comes to court to find out what happened. The court staff will help you find your way around. They will also tell you when it's your turn to talk.

The Victim and Witness Care Unit can also provide you (or your parent or carer) with information on what is happening.

There may be **a jury (4)**. This is a group of about 12 people who decide if they think someone has broken the law.

The Defence Lawyer (5)

is there to help the person who may have broken the law. It is up to the court to decide whether they think that the defendant did or not.

The Judge (6) is in charge of the courtroom and the trial. The judge listens carefully to what each person says and then decides what to do about it.

There may be a **translator** if you do not speak English.



How you can help others

Telling someone about a crime probably feels like quite a big deal to you. Telling the police and the court what you have seen is an important job. You should always believe in yourself. It is important that you tell the truth. This is the best way to make sure that everyone is treated fairly. Telling the truth and not hiding anything is the best thing that you can do.

Here are some things that may help you and other people in the system.

- Speak your mind.
- Say what you want.
- Always believe in yourself.
- Don't be afraid of what you believe.
- Make your own decisions.
- Trust your friends with your heart.
- Make sure you have people to go to, and talk to, if you are down.
- Believe in your friends and family.
- Remember that there are lots of people who can help and support you. This includes friends and family, the police, the NSPCC Young Witness Service, your link person in the Victim and Witness Care Unit and court staff.



The Witness' Charter

1.

Introduction



A crime is where a person has broken the law. If you have witnessed a crime telling someone you trust about what has happened is very important. This can be anyone, a parent or carer, other people in your family, a friend or teacher. This short guide will help you. It tells you what to expect, and what your rights are, if you have witnessed a crime. You can get help from when you tell the police what has happened until after any court hearing.

The Charter and the rights in it are for you and/or your parent or carer – depending on your age your parent or carer may be told about what is happening in the case. The rights may apply to them or someone else who can speak for you, such as a carer. If you want to be told information yourself please tell the police or your link person in the Victim and Witness Care Unit (providing a single point of contact in the criminal justice system) or the NSPCC Young Witness Service

(providing support and advice before, during and after a trial).

You (or in some cases your parents or carers) have rights about:

- how you are treated, to be treated fairly and the same as others
- understanding what people are telling you, in your own language if needed
- being told about help you may get to tell the police and court about what happened to you
- bringing someone with you
- being told if the case is going to court
- being kept away from the alleged offender in the police station and at court wherever possible
- seeing the inside of the court;
- being told if you have to speak in court
- telling the police or others if you are not happy about how you have been treated.

This guide is for prosecution witnesses. These are witnesses who tell the police or court how someone may have broken the law.

2. Support



How are you feeling? As a witness to a crime you may be feeling nervous or scared. You may be confused or upset. When you are telling people what has happened to you, you have the right to be treated politely and with respect.

When you report the crime you have **the right to be able to get support and information** that will help you.

Someone from the Victim and Witness Care Unit will act as your link person. You can discuss any problems with them. They will give you advice and information about services you may need to help you. These services are free and confidential.

You may meet lots of different people to talk about the crime, at court or after this – such as the police, NSPCC Young Witness Service, or court staff. They all want to help to find out the truth. **You have the right to bring someone with you**, unless it could harm you or affect the case, when you talk about what happened to you. At court the NSPCC young witness

supporter should be there when you are telling the court what happened.

You have the right to be considered for extra help and support at every stage, to help you tell the police and court what happened to you. The judge will decide what support you get.

People providing you with these services should try and make sure that you understand what they tell you and that they understand what you tell them.

You have the right to this.

If you find it difficult to tell the police or court what happened, a registered intermediary can help you understand the questions you are asked and they can help the court understand your answers.

Don't be afraid to speak out and ask if you do not understand or have any questions.

QUICK TIP
**Speak your
mind**

“
Remember
there are lots
of people who
can help and
support you
”

3. Investigations



The police will try to find out what happened.

You have the right to be interviewed as few times as possible. You can use any words you want to explain what you saw, even if you think they might be rude. Telling the truth and not hiding anything is the best thing to do.

If the police tell the Public Prosecution Service about the case, and it is to go to court and you have to give evidence, you have the right to discuss what will happen next with your link person in the Victim and Witness Care Unit. They will also look at what help you may need to tell the court what happened.

4.

Going to court



You have the right to be told if the case is going to court and you have to give evidence. Someone from the Victim and Witness Care Unit will tell you about this.

You have the right to be told if you have to speak in court, to tell what you saw, and be considered for special help to do this. This could include talking to the court from a quiet room with a TV or in the courtroom behind a screen. The judge, the defence lawyer and the public prosecutor may also take off their wigs and gowns. The judge will decide on all this.

You have the right to discuss any problems or worries about giving evidence at court with your link person in the NSPCC Young Witness Service or the Victim and Witness Care Unit. If someone is making you feel scared, or is bullying you, about telling what you saw, you should tell the police or someone else that you trust.

“

The judge was
very caring
and considerate
and gave me
confidence

”

QUICK TIP

Take a deep
breath

If you have to give evidence you have the right to be given information about important dates for court (the trial) and details about going to court.

If you have to give evidence you have the right to ask your NSPCC young witness volunteer to see the court, before the case, to look around. This might help you. You can get to see the building and what it's like. You can see where you will go to tell the court and jury what you saw and you can ask questions about what will happen on the day. You may also be able to practise using the equipment in the TV room to talk to people in the courtroom.

In the police station and at court, **you have the right to be kept away from the alleged offender wherever possible. You also have the right to ask to enter the court building through a different door from them and sit in a separate waiting area, where possible.**

Meeting the lawyer can be confusing but helpful. Don't be lost in words. You should ask if you do not understand anything.

Giving evidence can be stressful but you have to be brave.

You will see the judge in court. They aren't as scary as they seem. Again you can ask if you do not understand what people are telling you.

QUICK TIP

It's okay to
be upset

5. General



You have the right to be told if you have to give evidence and the date of the trial. You can ask for information or ask about things you are worried about at any time. Ask your link person in the Victim and Witness Care Unit or the NSPCC Young Witness Service.

If you do not understand or speak English **you have the right to access to translation or interpretation when:**

- giving evidence to the police or at court
- receiving information about important court dates
- being told about what has happened in the case.

You have the right to complain if you are not happy with how you have been treated. You can also complain if the rights in this Charter have not been met. Tell someone about this. If they don't know they won't change.

You have the right to be protected.

At any time **you have the right to discuss any problems you have with your link person in the Victim and Witness Care Unit.**

QUICK TIP
Don't be
afraid to ask
questions

“
I’m not afraid
anymore
”

QUICK TIP
Remember:
Help is
at hand

6. After the trial



After the case you are not completely abandoned. You can receive ongoing help and support. If you need this after you have been to court, ask the NSPCC Young Witness Service or Victim and Witness Care Unit.

**Alternative formats of this document
can be requested by contacting:**

Victims and Witnesses Branch
Department of Justice
Castle Buildings
Stormont Estate
Belfast
BT4 3SG

Email: DOJSMVictimsand.WitnessesMailbox@justice-ni.x.gsi.gov.uk

With thanks to the NSPCC Craigavon
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