

**Public Prosecution Service
for Northern Ireland**

VICTIM AND WITNESS POLICY

Draft for Consultation



Independent, Fair and Effective



This document is available in a range of alternative formats

Contact Us

You can download this document from our website at www.ppsni.gov.uk.

The document can also be made available in an alternative format, such as large print, paper copy, Audio CD/MP3, Braille, Computer Disk and other languages.

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Victim Policy

Introduction

If you have been a victim of crime you may come into contact with the Public Prosecution Service (PPS). The PPS is responsible for most criminal prosecutions in Northern Ireland and is committed to providing the best possible service to victims of crime. The purpose of this policy is to explain the standards of service you can expect from the PPS throughout your dealings with us.

The policy has been broken down into the journey that you are likely to undertake as your case progresses through the criminal justice system. Each step is explained in detail and the services to you as a victim are outlined. At every stage the PPS is committed to ensuring the following:

- that you are recognised and treated in a courteous, dignified, respectful, sensitive, professional and non-discriminatory way;
- that appropriate measures are taken by our staff to help you understand what we are telling you and make sure that we understand what you are telling us;
- that you receive the appropriate information at various key stages;
- that every effort will be made to identify your specific needs and to ensure that appropriate actions are taken to meet these;
- that you have access to free translation or interpretation when you do not understand English and you have asked for it at the key stages of your case's progress.

Whilst the PPS makes every effort to make the process easier for you, it is important to understand that the PPS is not your legal representative. This is often very difficult for victims to accept, as the defendant in your case will most likely have

access to their own legal representative, whilst you as the victim will not. The reason for this is that the PPS has an obligation to be independent in the exercise of its function. This cannot be achieved if we were to act as your lawyer. The PPS does however recognise that we have a duty to victims. This Policy outlines exactly what that duty involves and how the PPS will provide it.

Section 1

Receipt of Investigation File

Once a crime has been reported, an investigating authority, usually the PSNI will investigate it. Following this they may forward an investigation file containing evidence to the PPS. When we receive this we will make contact with you through the Victim and Witness Care Unit (VWCU).

Once the investigation file is received by the PPS, the VWCU becomes the main point of contact for all victims. It is a dedicated unit made up of specially trained staff whose role is to keep you informed of the progress of your case at key stages throughout the criminal justice process. The VWCU can also offer referrals to additional support provided by other organisations.

Once your case is received by the PPS a named VWCU case officer will be appointed to you and will act as your single point of contact from this point through to the final outcome of the case.

Through the VWCU the PPS is committed to providing you with the following information:

- Contact details for the PPS and Victim Support;
- Inform you when the PPS receives the investigation file;
- Explain what happens when all the evidence is received from the investigating authority;
- Outline the role of the Public Prosecution Service.

The VWCU works closely with Victim Support NI (VSNI). VSNI representatives are based within the VWCU and can provide immediate advice and emotional support by

telephone. They can also make a referral to a VSNI Community Office for further help such as counselling or assistance with making a compensation claim. The VWCU also works with NSPCC Young Witness Service who can provide support to young victims and witnesses.

Service for Bereaved Families

The PPS has a separate process to provide information to bereaved families. These provisions are in recognition of the particular distress that may be experienced by the families of a deceased person who has died as a result of a criminal act.

Upon receipt of such a case the VWCU case officer will contact the family either directly or via the PSNI Family Liaison Officer. This is to ascertain who the family wish to act as their nominated family representative. The PPS acknowledge and accept that in some circumstances it may be appropriate to have more than one nominated family member.

An Assistant Director of the PPS will then write to the nominated representative(s) within 10 days of a suspect being charged by police or within 10 days of the investigating authority submitting a file. This letter will provide information on the role of the PPS, the judicial process, information on requesting a meeting and details of the relevant support agencies.

A bereaved family's nominated representative has the same entitlements to meetings with the PPS as a victim. In addition you are entitled to ask for a meeting with a prosecution representative at any other point.

In the event of a trial the nominated representative will receive a notification indicating the dates of their case and will be eligible to claim expenses for the days they wish to attend.

The PPS is also committed to providing additional services to those bereaved families in cases where the victim has died but where the cause of death is not related to the criminal act in question, for example, through illness or accident. The

services offered will depend on the particular circumstances of the case. Information on what services will be made available can be accessed by contacting the VWCU.

Section 2

Support Pre-Decision

The PPS is committed to ensuring that the interests of victims are considered at every stage of the criminal justice process.

Before taking a decision a prosecutor will consider all of the available evidence, following the guidance set out in the Code for Prosecutors and other related policies.

If the Evidential Test is met, the prosecutor must then decide if a prosecution is required in the public interest. In order to do this, the prosecutor will take into account the interests of the victim, along with other relevant factors.

In addition you as the victim are entitled to ask for your specific views to be taken into account as part of the decision-making process. Should you choose to do so, your views will be given careful consideration by the prosecutor before they make their decision.

In cases where the prosecutor is considering offering an alternative to prosecution (for example, a caution or informed warning) you will be informed of this without unnecessary delay where possible and be given an opportunity to tell us your views on this course of action. Again these will be carefully considered by the prosecutor before a decision is reached.

Updates on the decision-making process can be provided by contacting your case officer in the VWCU. They will then liaise with the prosecutor in order to provide you with as much detail as possible on the process, including timelines.

Section 3

When a Decision is Taken

Once a decision has been made by the PPS you will be notified by the VWCU within five days of what that decision is by letter. This letter will include the name of your case officer and their direct telephone number.

The next step will depend on what the decision was:

Cases where a prosecution decision is made

In cases where a prosecution decision is issued your case officer will conduct an initial needs assessment. This is usually done over the phone after you have received your decision letter. During this your case officer will:

- Establish what your preferred means of contact are i.e. by letter, email, telephone, etc. and your preferred time of day for contact, where possible;
- Provide you with information about the VWCU and the services that it provides;
- Provide you with an opportunity to ask questions about the processes and the documents you have received;
- Establish if you have any specific needs or vulnerabilities that need to be addressed should you need to go to court. This includes any medical conditions, disabilities, learning difficulties, language requirements, childcare issues or employer worries;
- Consider whether you may require special measures if you are vulnerable or intimidated (see page 15);
- Provide information on other support services that may be available to you;

- Invite you to make contact at any stage should you require anything further in relation to your case;
- Provide you with information on making a victim personal statement.

Victim Personal Statements

These are statements that allow you to say in your own words how a crime has affected you or continues to affect you.

It can only be used when a case goes to court and the defendant is convicted. The prosecutor will give it to the judge before they sentence the defendant so they are aware of what your views are. The defendant and their legal representative will also see it.

You do not have to make one- it is entirely your choice. If you decide not to make one, no one will assume that you have been unaffected by the crime.

You should not give your views on the defendant, any alleged offences, or on any punishment you think should be given. This is because these views are not admissible in court. The prosecutor will have to remove any information that should not be in your statement before it is given to the court.

Sometimes it may not be possible for a statement to be considered if the case is dealt with very quickly by the courts- for example, if the defendant pleads guilty at a very early stage, before you have had an opportunity to make one.

Following this, your case officer will make contact next when a plea is entered in your case. See page 15.

Cases where a no prosecution decision is made

If there is insufficient evidence or it is not in the public interest to prosecute an individual, a decision of no prosecution will be issued. This is often very difficult for victims to hear. It does not mean that the prosecutor does not believe you or that you are not a victim. It is simply that there is not enough evidence to meet the very high standard of proof that the law requires to be proved or that it is not in the public interest to prosecute this particular case.

You will be informed of this decision by letter from your case officer within the VWCU. You will also be provided with reasons for this decision. In most cases the reasons will be provided in general terms. This will indicate if the case failed to meet the Test for Prosecution because of insufficient evidence or on public interest grounds.

In the event that you do not agree with the decision not to prosecute, the PPS is committed to the following upon request:

- **Detailed reasons**

You are entitled to request more detailed reasons for the no prosecution decision. Your case officer will provide information on how you can ask for these. Where detailed reasons are requested the PPS will consider what information about the decision may be provided to you balancing the interests of all parties together with any other considerations which seem material to the particular facts and circumstances of the case.

- **Meetings**

Where you have requested detailed reasons but require further explanation you are entitled to ask for a meeting with the PPS to discuss the decision. Whilst we will try to accommodate your request this may not always be possible. Your case officer will explain how to make such a request.

It should be noted that in a wide range of cases which might be classified as more serious, either due to the nature of the offence or to the vulnerability of the victim, detailed reasons will automatically be given for the decision not to prosecute and a meeting offered.

Review of decisions not to prosecute

You are also entitled to ask for a review of the decision not to prosecute after you have requested and / or received detailed reasons. Such requests should be made in writing within three months of the date you received your decision letter. If you have any difficulty with this, please contact your case officer. Once received, the PPS will conduct these reviews on your behalf. They will be conducted by a different prosecutor if there is no new evidence or information. If there is additional evidence or information the original prosecutor will reconsider the case. For further details on this process please refer to Section 4.59 of the Code for Prosecutors.

Section 4

Early Court Proceedings

This section covers the information, support and help that are available to you as your case progresses through the early stages at court.

Your case officer from the VWCU will keep you updated on the progress of your case at key stages including the dates of any arraignments, pleas, sentencing hearings, trials or appeals.

They will also advise you on the following issues if they arise:

- **Bail:** if the defendant in your case is in custody your case officer from VWCU will tell you if they are subsequently granted bail and will outline any relevant bail conditions that they are subject to. Equally if the defendant in your case is on bail, your case officer will inform you if there are any significant changes to the relevant bail conditions imposed on them. Relevant bail conditions are those conditions that are likely to impact on you as the victim.
- **Warrants:** you will be informed of the outcome of a hearing if the defendant is re-arrested on foot of an arrest warrant issued in relation to your case.
- **Delay:** your case officer will inform you of any delay in the proceedings of any arraignments, sentencing hearings, trials or appeals where applicable. Where possible this will be done in advance, although circumstances may not always permit this.
- **Changes to Charges:** There are times when a decision is made to change the original decision or take a plea to a less serious offence. When considering whether this should be done, the prosecutor will, whenever possible, explain to you why this is being considered and listen to your views. In many cases this may not always be possible if issues have to be dealt with

quickly at court. Where a decision is taken by the PPS to substantially alter a charge, to discontinue all proceedings or to offer no evidence, you will be informed of this decision and given reasons for the decision where you request it. You are also entitled to ask for a meeting to discuss this decision. Whilst we will try to accommodate your request this may not always be possible. Your case officer will explain how to make such requests.

Your case officer will make contact with you when the defendant enters a guilty or not guilty plea. In cases where the defendant has pleaded guilty your case officer will inform you of this and advise you what the sentence was. Where the sentencing hearing has been adjourned to another date, you will be informed of this date. You can also ask your case officer for assistance to help you attend this hearing should you require it.

If the defendant pleads not guilty your case officer will contact you to explain that you will be required to attend court to give evidence. In preparation for this they will conduct a further enhanced needs assessment. The purpose of this is to ensure that any and all of your specific needs are addressed before attending court.

In order to achieve this consideration will be given to any of the following measures where applicable to your case:

Special Measures

Special measures are a range of facilities that can be arranged for you if the judge is satisfied that you are either vulnerable or intimidated. They aim to help you give your best evidence by putting in place certain facilities that will help to relieve some of the difficulties that you may have with giving evidence in court.

Special measures include:

- screens being used in court;
- evidence by live link;

- the removal of wigs and gowns;
- video recorded evidence in chief;
- aids to communication for vulnerable witnesses; and
- use of registered intermediaries to assist those persons with communication needs.

How do I get special measures?

If you are under 18 at the time of the application you will automatically be eligible for special measures. The prosecutor in your case will automatically apply for them on your behalf.

If you are over 18 special measures are NOT automatic. In order for you to receive them an application will have to be made to the court. These applications will only be granted by the judge if there is evidence to satisfy very specific legal requirements. In order to do this you will most likely have to provide the investigating officer in your case with an additional statement and you may also be required to provide medical evidence.

Am I a vulnerable victim?

Whilst the PPS believe that all victims may be vulnerable or intimidated in some capacity the law has been developed to provide very specific definitions.

The law states that you may be treated as a vulnerable victim if:

- You are under 18 years of age at the time of the hearing for special measures (see above);

OR

- The quality of your evidence is likely to be reduced because you have:
 - A mental disorder;
 - A significant impairment of intelligence and social functioning;
 - A physical disability or a physical disorder.

Am I an intimidated victim?

The law states that you may be treated as an intimidated victim if the quality of your evidence is likely to be reduced because of your fear or distress in relation to giving evidence at court. When deciding whether a victim is intimidated, the court must take into account different factors including, the nature of the circumstances of the alleged offence, your age and any behaviour towards you by the accused, their family or associates.

Applying for Special Measures

Once the prosecutor dealing with your case receives your statement and any other evidence they will decide whether an application can be made to the court on your behalf. If an application is made the defence will usually be given a copy of your statement and the other evidence. The prosecutor will then present the application to the court and the defendant's lawyers will be given an opportunity to object. The judge will then make the final decision. You do not have to attend court for these hearings as your case officer from the VWCU will inform you of the outcome.

In addition to special measures, the PPS may also consider the following:

- Removing the address of a victim or witness from the papers to be disclosed to the defence where that address is not material to an issue in the case;

- Seeking to agree witness statements with the defence so that the witness need not attend in person. It should be noted however that the defence cannot be made to agree the evidence of any witness.

These are normally dealt with by the prosecutor prior to the trial so as to ease your concerns in advance.

Fixing a Trial Date

As part of your enhanced needs assessment your VWCU case officer will also help you identify dates that suit you to attend to give evidence. This information will then be given to the court before a date is set for the trial. Every effort will be made to accommodate your availability. The judge will however make the final decision on the trial date. Once the judge has fixed a date for trial your case officer will send you an invitation to attend court. This will include the date, time and location of the trial and a referral to Victim Support.

Section 5

Attending Court

For many victims, attending court to give evidence is the most daunting part of the criminal justice process. The PPS is committed to trying to alleviate these concerns and make your attendance at court as stress free as possible. This section outlines the measures that can be arranged to counter the concern and anxiety suffered by victims when they attend court.

When the trial date is set your case officer can make arrangements, on request, for the following supports to be put in place which may help to make your attendance at court less stressful:

- Ensure that all appropriate arrangements are in place for you if you have a disability in order to allow you to access a court building and to provide your evidence at trial;
- Have an interpreter present at court to help if English is not your first language;
- Trained staff from Victim Support (for adults) and NSPCC Young Witness Service (for those under 18) to be available at court to provide you with support and to help reduce any anxiety;
- Trained staff from Victim Support (for adults) or NSPCC (for those under 18) can provide a tour of the court building in advance of the trial date and explain the court process;
- If the designated court has a witness room, arrangements can be made for you to wait there instead of the same area as the defendant;

- If you are worried about meeting the defendant, it may be possible to arrange for you to enter and leave the court building through an entrance other than the main entrance;
- Provide information about claiming for expenses that you have incurred in attending court (see Section 10);
- Ensure that you are provided with a copy of your statement prior to giving evidence.

On the day of trial itself the main point of contact will be the prosecutor. Normally you will meet them for the first time at court however in certain cases this may happen in advance of the trial date.

The prosecutor will make every effort to make themselves or another representative available to answer your questions and provide updates on the progress of the trial. They will also indicate how long you may have to wait before giving evidence. Where there is any delay or if your case cannot proceed they will inform you as soon as possible and provide an explanation for this.

When you are giving your evidence the prosecutor will treat you respectfully and where appropriate, will seek the court's intervention where they consider that the questioning by the defence is not appropriate or is aggressive. The prosecutor will do everything possible to make the process of giving evidence as easy as possible for you however it is up to the court and the judge to make sure that the trial is conducted in a fair and just manner.

Section Six

Trial Outcome, Sentencing and Appeals

If your case has been prosecuted at court you will understandably want to know the outcome. The PPS is committed to ensuring that you are made aware of the result in your case through your case officer and the prosecutor if you were present at court for the sentencing process.

If the defendant in your case was acquitted or convicted of a less serious charge you are entitled to ask for reasons to explain this outcome. The PPS will endeavour to provide reasons where possible. It should be noted that no reasons can be given in cases involving a jury, where the reasons are confidential or where they were not provided by the court. You are also entitled to ask the PPS for a meeting to discuss this outcome. Whilst we will try to accommodate your request this may not always be possible. This can be arranged through your case officer.

Sentencing

If the defendant is convicted the prosecutor will:

- provide the judge with a copy of your victim personal statement if you made one;
- inform the judge if the crime is a hate crime;
- apply for any ancillary orders that may be necessary including, compensation orders, sexual offences prevention orders and restraining orders;
- explain this outcome and the meaning and effect of the sentence if you were present at court. In addition they will ensure that your case officer will write to you providing these same details.

In all cases regardless of the outcome the PPS can upon request provide a referral to support services that you may avail of following the trial.

Unduly Lenient Sentences

The law provides very specific circumstances where the Director of Public Prosecutions can apply to the court for leave to refer a sentence to the Court of Appeal where he thinks the sentence has been unduly lenient.

This power can only be used in cases involving certain types of more serious offences that were tried and sentenced in the Crown Court.

Referrals to the Court of Appeal must be made within 28 days of the sentence being imposed. As such you should bring any concerns to the attention of the Director as soon as possible. You can do this by writing to the Director or through a legal or public representative.

Appeals

All defendants have a right to exercise an appeal. If this occurs in your case your case officer will make contact to explain this and outline whether the appeal is against conviction and / or the sentence.

You will be informed of the dates, times and locations for any appeals. If it is an appeal against conviction you may have to attend court again to give evidence. A further needs assessment will be conducted to ensure that all your specific needs are addressed and adequate support services and other measures are put in place again at court where necessary.

Your case officer will inform you of the outcome of any appeal, including any changes to the original sentence following the completion of the appeal. If you are present at court for the appeal, the prosecutor will also explain the outcome and the effect of the sentence.

Witness Policy

Introduction

The PPS recognises the significant role that witnesses play in the operation of the criminal justice system. This recognition is embodied in our commitment to providing witnesses with a high quality service that is tailored to individual needs. As a witness our engagement with you will be triggered in the event that you are required to attend court to give your evidence. Each step in the process is explained in detail and the services to you as witness are outlined. At every stage the PPS is committed to ensuring the following:

- that you are recognised and treated in a courteous, dignified, respectful, sensitive, professional and non-discriminatory way;
- that appropriate measures are taken by our staff to help you understand what we are telling you and make sure that we understand what you are telling us;
- that you receive the appropriate information at various key stages;
- that every effort will be made to identify your specific needs and to ensure that appropriate actions are taken to meet these;
- that you have access to free translation or interpretation when you do not understand English and you have asked for it at the key stages of your cases progress.

Section Seven

Preparing for Court

If you are a witness in a case you will only be contacted by the PPS if you are required to attend court to give evidence. In most cases this is because the defendant in the case has pleaded not guilty. The PPS recognises that this can be a very daunting process and is committed to ensuring every effort is made to make the experience as easy as possible for you. The following section outlines what steps are taken to achieve this as well as outline what you should expect to happen prior to your attendance at court.

The PPS will make first contact with you through your case officer from the VWCU. This is a dedicated member of staff who has been specially trained to act as your single point of contact and identify your individual needs.

Once your VWCU case officer makes contact they will conduct a needs assessment. This will include the following:

- Identifying any needs you may have relating to interpretation, translation or being understood;
- Explaining the role of the Public Prosecution Service;
- Providing you with information about the VWCU and the services that it provides;
- Establishing what your preferred means of contact are i.e. by letter, email, telephone, etc. and your preferred time of day for contact, where possible;
- Providing you with an opportunity to ask questions about the court processes;

- Establishing if you have any specific needs or vulnerabilities that may require additional support in order for you to attend and / or give evidence at court;
- Considering whether you may require special measures if you are vulnerable or intimidated (see below);
- Providing information on other support services that may be available to you;
- Inviting you to make contact at any stage should you require anything further in relation to you attending court.

In addition your VWCU case officer will also help you identify dates that suit you to attend to give evidence. This information will then be given to the court before a date is set for the trial. Every effort will be made to accommodate your availability. The judge will however make the final decision on the trial date.

Once a trial date has been set, your VWCU case officer will contact you to make you aware of the date, time and location of the trial. If there are any changes to these details your VWCU case officer or the investigating officer will make contact to inform you.

Vulnerable and Intimidated Witnesses

As part of your enhanced needs assessment your VWCU case officer will make efforts to establish whether you require any additional support in order to give evidence. It is important for you to make them aware of any difficulties that you may have in giving evidence so that they can identify any additional support that you may require in advance of the trial date.

One such support mechanism is special measures. Special measures are a range of facilities that can be arranged for you if the Judge is satisfied that you are either vulnerable or intimidated. Whilst the PPS believe that all victims and witnesses may be vulnerable or intimidated in some capacity the law has been developed to provide very specific definitions and only the judge has the power to grant them.

The aim of special measures is to help you give your best evidence by putting in place certain facilities that will help to relieve some of the difficulties that you may have with giving evidence in court. Special measures include:

- screens being used in court;
- evidence by live link;
- the removal of wigs and gowns;
- video recorded evidence in chief;
- aids to communication for vulnerable witnesses; and
- use of registered intermediaries to assist those persons with communication needs.

How do I get special measures?

If you are under 18 at the time of the application you will automatically be eligible for special measures. The prosecutor in your case will automatically apply for them on your behalf.

If you are over 18 special measures are NOT automatic. In order for you to receive them an application will have to be made to the court. These applications will only be granted by the judge if there is evidence to satisfy very specific legal requirements. In order to do this you will most likely have to provide the investigating officer in the case with an additional statement and you may also be required to provide medical evidence.

Applying for Special Measures

Once the prosecutor dealing with the case receives your statement and any other evidence they will decide whether an application can be made to the court on your behalf. If an application is made the defence will usually be given a copy of your statement and the other evidence. The prosecutor will then present the application to the court and the defendant's lawyers will be given an opportunity to object. The judge will then make the final decision. You do not have to attend court for these hearings as your case officer from the VWCU will inform you of the outcome.

These applications are normally dealt with by the prosecutor prior to the trial date so as to ease your concerns in advance.

Section Eight

Attending Court

For many witnesses, attending court to give evidence is very daunting. The PPS is committed to trying to alleviate these concerns and make your attendance at court as stress free as possible. This section outlines the measures (other than special measures) that can be arranged to counter the concern and anxiety suffered by witnesses when they attend court.

When the trial date is set your VWCU case officer can make arrangements, on request, for the following supports to be put in place which may help to make your attendance at court less stressful:

- Ensure that all appropriate arrangements are in place for you if you have disability in order to allow you to access a court building and to provide your evidence at trial;
- Have an interpreter present at court to help if English is not your first language;
- Trained staff from the Victim Support (for adults) and NSPCC Young Witness Service (for those under 18) to be available at court to provide you with support and to help reduce any anxiety;
- Trained staff from Victim Support (for adults) or NSPCC (for those under 18) can provide a tour of the court building in advance of the trial date and explain the court process;
- If the designated court has a witness room, arrangements can be made for you to wait there instead of the same area as the defendant;

- If you are worried about meeting the defendant, it may be possible to arrange for you to enter and leave the court building through an entrance other than the main entrance;
- Provide information about claiming for expenses that you have incurred in attending court (see Section 10);

On the day of trial itself the main point of contact will be the prosecutor. Normally you will meet them for the first time at court however in certain cases this may happen in advance of the trial date.

The prosecutor will make every effort to make themselves or another representative available to answer your questions and provide updates on the progress of the trial. They will also indicate how long you may have to wait before giving evidence. Where there is any delay or if your case cannot proceed they will inform you as soon as possible and provide an explanation for this.

When you are giving your evidence the prosecutor will treat you respectfully and where appropriate, will seek the court's intervention where they consider that the questioning by the defence is not appropriate or is aggressive. The prosecutor will do everything possible to make the process of giving evidence as easy as possible for you however it is up to the court and the judge to make sure that the trial is conducted in a fair and just manner.

Once the trial is over the prosecutor will explain the outcome of the case to you if you have remained in court. Otherwise you can contact your case officer in the VWCU and they will inform you of the court result.

Section Nine

After Court

All defendants have a right to exercise an appeal. If this occurs and you are required to give evidence your case officer will make contact to explain this.

Your VWCU case officer will also inform you of the dates, times and locations for any appeals. Your case officer will conduct another needs assessment to ensure that all your specific needs are addressed and adequate support services and other measures are put in place at court.

If you are not present at court when the appeal is completed you can contact your case officer in the VWCU for the outcome of the appeal.

Additional Victim and Witness Provisions

Section Ten

Court Witness Expenses

The Public Prosecution Service is committed to alleviating any financial concerns you may have by reimbursing you for the expenses you may have incurred in order to attend court.

Claim Form

The Public Prosecution Service will reimburse you for your expenses upon completion of your claim form. You will receive this from your VWCU case officer at the same time as your invitation to attend court to give evidence.

It is important that you bring your claim form to court with you so that prosecution staff or a member of the PSNI can sign it to confirm your attendance. If this is not possible it will not prevent a claim from being paid to you as the PPS can use alternative means of verification, but it will usually delay payment.

If you are unsure about any aspect of the claim form you can access the court witness helpdesk on **0845 300 5770** or alternatively your case officer in the VWCU.

What expenses are covered?

PPS will pay expenses for you to attend consultations and court in prosecutions. Your case officer can book travel arrangements (flights, hotels etc.) on your behalf to save you from incurring these costs and having to reclaim them. They can also give approval for alternative arrangements for court attendance (e.g. to accommodate a vulnerable witness).

PPS will generally pay expenses only for the days on which you are requested to attend court. You will be paid whether or not you are actually required to give evidence. Should you attend court and refuse to give evidence your claim for expenses will not be paid.

The specific rates of expenses are available from the PPS Court Witness Expense Guidance. (Click [here](#))

Vulnerable and intimidated Victims and Witnesses

Where you have additional difficulties in relation to giving evidence and have been considered as vulnerable or intimidated by the PPS (see pages 16, 17 and 25) any additional support which the PPS can give you to attend court will be agreed and documented by your case officer. The PPS will then pay these expenses on the agreed basis. This may also include payment for the expenses of an accompanying adult to attend court with you when deemed appropriate.

When your invitation to attend is issued, a witness claim form will also be generated for your accompanying adult and they will be entitled to receive expenses on the same basis as you.

An individual under the age of 18

Where a victim or witness is under 18 they are required to be accompanied by an adult. This will generally be their parent or guardian as identified by the investigating authority. This appropriate adult is entitled to receive expenses on the same basis as the minor. A claim form for both persons will be issued at the same time as the invitation to attend court.

An individual who has a physical disability

Generally the PPS will only reimburse witnesses for the public transport costs of attending court provided a route is available.

Where you have a physical disability or mobility issue (whether through illness, age or other reason) which makes it difficult for you to attend court and give evidence your case officer may approve travel arrangements other than public transport.

Alternately or additionally the case officer may agree and record that a designated adult should attend with you as support. The PPS will then pay the expenses of this predetermined companion to attend court or consultations with you.

Nominated Representative

Where the victim of the crime is deceased, either as a result of the crime or subsequently, the VWCU case officer will request the bereaved family to choose a nominated representative to represent them. This may be done in consultation with the PSNI Family Liaison Officer where one has been appointed.

Where a family is unable to nominate a sole party the PPS will be willing to appoint a maximum of two representatives who will be responsible for communicating to the remainder of the family.

Section Eleven

Complaints

The PPS is committed to providing a high standard of service at all times. Comments from victims and witnesses are important as the information provided helps us to put things right if they have gone wrong and to improve the overall standard of our service over time.

If you are not satisfied with the service provided by the PPS, you are entitled to make a complaint. A complaint can be made directly or through a nominated representative, for example, a family member, solicitor, support group or public representative.

We commit to deal with all complaints fairly and impartially, in a timely and consistent manner.

There are a number of ways in which to make a complaint:

By letter to:

Central Co-ordination Branch
Public Prosecution Service
Belfast Chambers
93 Chichester Street
Belfast BT1 3JR

Using the PPS Website:

Details of your complaint can be submitted using the complaints 'web form' which can be accessed via the PPS website at www.ppsni.gov.uk/complaints.

By email:

Please send the details of the complaint to: complaints@ppsni.gsi.gov.uk.

Deaf/Hard of hearing (SMS)

A SMS text service is available on 07795 675528.

By Telephone:

Please contact the PPS Victim and Witness Care Unit (VWCU), which is located in the PPS's Belfast and Foyle offices. The telephone numbers are as follows:

Belfast (028) 90 544797

For complaints concerning Belfast and Eastern Region or any PPS Headquarters function.

Foyle (028) 71 340632

For complaints concerning Western and Southern Region (Foyle and Newry offices).

Some individuals who are dissatisfied with the service provided by the PPS will simply want someone to review their concerns as quickly as possible – without the need to lodge a formal complaint. The initial step is to contact us in order that the matter might be resolved informally. If you are interested in an informal resolution, please contact us either by telephone (02890 897100) or by email to info@ppsni.gsi.gov.uk.

If you wish to discuss your complaint in person with a PPS representative, you should make an appointment to visit one of our regional offices. Please call the VWCU for your area who will also record an initial outline of your complaint. We will then contact you to arrange an appointment with an appropriate member of staff. Normally this should happen within 2 to 3 working days.

Full details of the PPS's complaint handling arrangements are set out in the guidance booklet "How to Make a Complaint about the Public Prosecution Service".

A copy of this guidance will be provided on request, or can be accessed via the PPS website.



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