

The experience of witnesses must be given value and significance by case managers. The status and importance of witnesses in case development must be made clear. They should be provided, as appropriate, with:

a simple method of capturing information - diaries, video/audio recording facilities and translation services.

information on services and procedures - about the way witness support services work, service access points, telephone numbers and the name of the case manager working on the case.

an active and respected role in developing the case - the case strategy should reflect their needs, particularly for reassurance about their safety, and they should have control over any information they provide, including agreeing the form in which it will be provided to the defence;

protection for themselves and their family - security for door and window access, emergency contact equipment, panic alarms and mobile phones may all be appropriate in particularly serious cases.

regular contact from the case manager, including telephone contact as agreed with the witness (daily, weekly, etc).

support for any court appearance - a briefing on court procedures and what they should expect, the presence with them in court of the case manager, transport to and from court (if necessary) and a secure space separate from perpetrators in which they can wait to be called; and

support after a court appearance - speedy delivery of information, copies of any orders which have been made and an explanation of the implications of the court decision.

Each key witness should also be engaged in a face-to-face meeting with the agencies, including those who do not wish to give a statement or attend court.

153.

Simon Cordell's Skeleton Argument (2) Pdf

Simon Cordell Skeleton Argument (3).pdf

Use of hearsay anti professional v Unless evidence

Agencies should publicise positive results - one way this can be done is through leaflet drops (these can be cost effective when targeted appropriately).

Witness support is an area where the benefits of partnership working can be clearly seen local authorities and the police have different skills and resources and can combine them to give well-rounded support.

Methods of supporting witnesses currently being used by agencies also include:

enclosing a letter with the summons advising the respondent to stay away from witnesses.

a higher police presence in the vicinity.

giving witnesses the personal mobile telephone number of a named police officer who can be called if they are threatened.

visits from neighbourhood wardens at pre-arranged times (sometimes daily); and

phone calls from the local authority at pre-arranged times.

The interim order enables witnesses to be protected from the outset of the court process.

Sections 48 and 49 of the Criminal Justice and Police Act 2001 make it an offence to intimidate witnesses in civil proceedings such as those for ASBOs.

Improving protection of witnesses in court

Manchester City Council protects witnesses

Issue

Witnesses felt anxious about giving evidence. Their concerns included the prospect of appearing in court, coming face to face with defendants and being threatened by defendants at the court building, as well as uncertainties about waiting room and refreshment facilities.