



RASAC

Kirklees, Calderdale and Wakefield

The Criminal Justice System

Easy Read

What is the Criminal Justice System?

This booklet is all about the **Criminal Justice System**.
The **Criminal Justice System** involves lots of different people



Such as:

The police



The Crown Prosecution Service



People at Court

Throughout this booklet, we will refer to the person who hurt you as the **perpetrator**

Helpline: 0300 303 4787 - www.rasac.co.uk

What is the Criminal Justice System?

If something bad has happened to you, you might be thinking about reporting this to the police. This booklet will explain the process

It is completely **your choice** if you want to report

If you decide to report, you can do this in different ways



By going to the police station



By calling 101

What happens when I speak to the police?

Once you have gone into the police station or called 101, the first person you speak to will ask your details and details of what has happened. You will then meet with a police officer



They will do a **written statement**

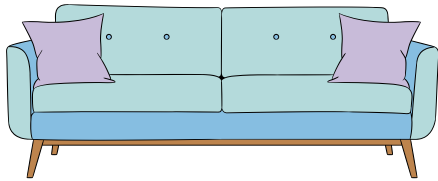


They will ask you for more details about what has happened and write this down

They will then ask you to check it and sign it at the bottom

What happens when I speak to the police?

After the written statement, they will contact you and ask you to come in for a **Video Recorded Interview (VRI)**



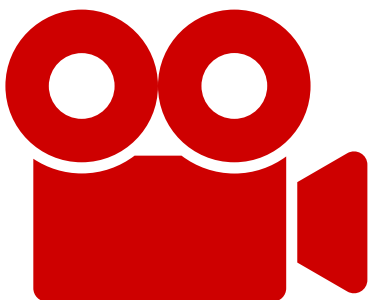
This is where you will meet with another police officer in a small room with some sofas



There will also be some cameras in the room but they won't be obvious



The police officer will ask you to talk more about what has happened to you in as much detail as you can



This is then recorded so the police can use it to **investigate**

What happens after the VRI?

Once you have done your **Video Recorded Interview**. An officer will be allocated to your case, this is called the **officer in charge (OIC)**

The **officer in charge's** job is to investigate the person who hurt you and to find as much **evidence** as they can



They may speak to you directly or you might ask them to speak to a support worker and pass on any updates through them

Evidence is what the police need to help prove what has happened to you

This does not mean they don't believe you

Under Investigation

When the **officer in charge** is looking at your case, this is called **under investigation**



Some investigations might only take a few months but some investigations might take a really long time even a few years



Once the **officer in charge** has finished the investigation, they will take your case to their boss

Their boss is called the **Detective Sergeant** or the **Detective Inspector**

Next Steps

The **Detective Sergeant (DS)** or **Detective Inspector's (DI)** job is to look at what the **officer in charge** has done and all of the **evidence**

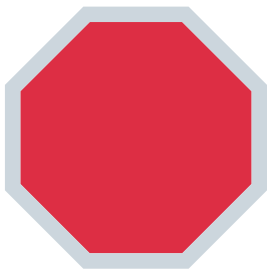


The **DS** or **DI** will then decide whether the case will:

Be passed back to the **officer in charge** to get more evidence



Go to the **Crown Prosecution Service**



Be **No Further Actioned (NFA'd)** / dropped

NFA'd is another word for dropping the case. **This does not mean that you are not believed, it just means they don't have enough evidence. You do have options if this happens**

What to do if my case has been dropped?

Getting an **NFA** decision can be really upsetting and you might feel a lot of emotions after hearing this.

If your case has been **NFA'd** this means that it will be closed and filed away and no one else will be looking at it

But you do have options



If you don't agree with this decision, you can ask them to re-look at it



This is called a **Victim's Right to Review (VRR)**

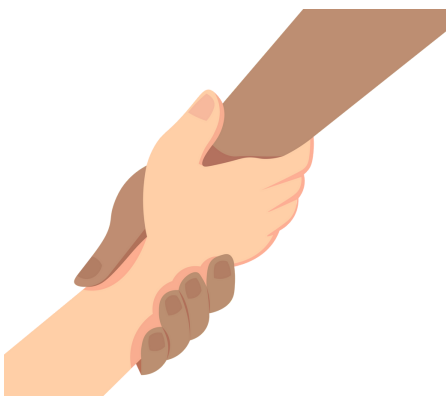
What to do if my case has been dropped?

If you decide to submit a **VRR**, the case will be re-looked at and they will then decide whether they want to keep the **NFA** decision or they can decide to re-open the case.



If they decide to keep the **NFA** decision, **this does not mean they don't believe you**

It just means that the case will still be closed



If you need any support with a **VRR**, you can call RASAC's helpline and ask for an **ISVA**

If your case has gone to the Crown Prosecution Service

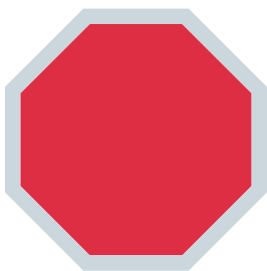
When your case gets sent to the **Crown Prosecution Service (CPS)**



A lawyer will look through your case and make one of the below decisions:

Be passed back to the **officer in charge** to get more evidence

Go to **trial**



Be **No Further Actioned (NFA'd)**

This may take some time for the lawyer to look at. If your case is NFA'd, it does not mean you are not believed. See above for what you can do if your case is dropped

If your case is going to trial

When your case gets sent to **trial** this can be quite scary

The trial process consists of lots of different hearings such as:



First Hearing
Ground Rules Hearing
Pre Trial and Preparation
Hearing
Trial
Sentencing

The perpetrator has to go to every hearing at court but you only have to go to a few

It can be really scary going into court but there are a few things that you can do that can help you to feel better such as a **Pre-Trial Visit** and **Special Measures**

Pre-Trial Visit

Before going to court, you can do what is called a **Pre-Trial Visit**



A **Pre-Trial Visit** consists of you going to court before the trial and having a look round

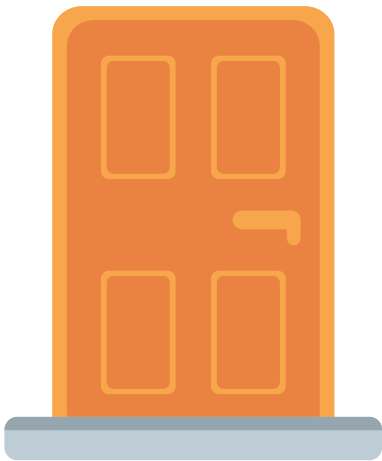
You can attend the **Pre-Trial Visit** with your **ISVA**, a friend or family member. **Witness Service** will help you look round the court

This can help you to feel less anxious or scared about going to trial and being **cross examined**. Your ISVA or the **OIC** can arrange the **Pre-Trial Visit**

At the **Pre-Trial Visit** it can also help you to decide if there is anything that the court can put in place to help you feel better on the day of trial. These are called **Special Measures**

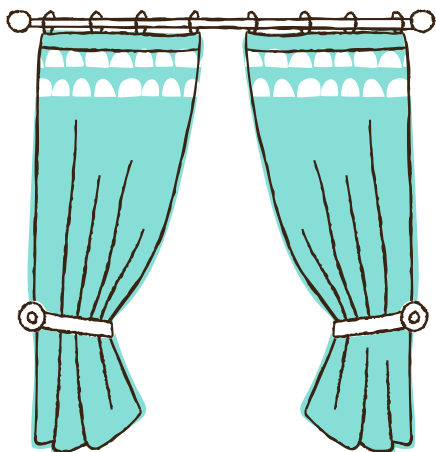
Special Measures

There are lots of different **Special Measures** that you can use, such as



Separate Entrance and Exit

This is there as it means you are less likely to bump into the person who hurt you



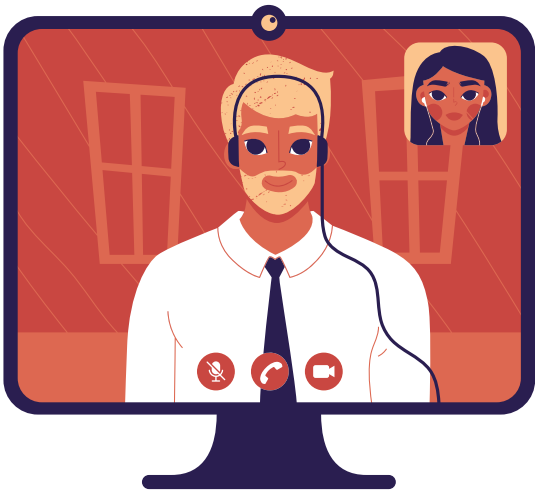
Screen

When you are being **cross-examined** you can use a screen in court, this is like a curtain that is pulled across so you can't see the perpetrator and he can't see you

Special Measures

There are lots of different **Special Measures** that you can use, such as

Live Link



You can also use a **Live Link** room, this means that you don't have to go into the court room and you can give your evidence from a different room over a tv screen. Like Skype or Facetime. This is then played to the court room live so the jury, barristers, judge and perpetrator will be able to see you

The **officer in charge** of your case will apply for **special measures** for you

Special Measures are there to make it easier for you to give your evidence. **You do not have to use special measures if you don't want to.**

Section 28

Another **Special Measure** you can use is a **Section 28**

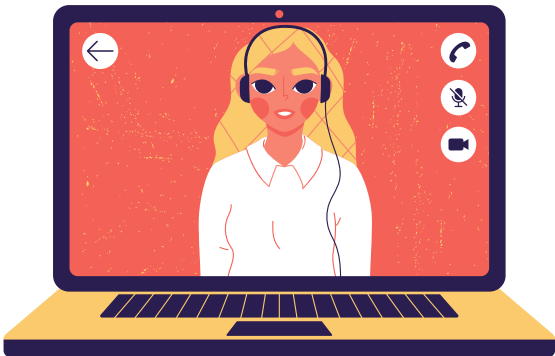


A **Section 28** is where you are **cross-examined** before the day of the trial. This means you don't have to attend on the day of the trial

A **Section 28** is similar to a **live link**. You will give your **evidence** in a room with a tv screen but this is recorded

The recording will then be shown on the day of the trial to the jury, perpetrator, judge and barristers

The **Section 28** is normally done a few months before the trial but you will get told of the date.



People at Court

There are lots of different people at court that you might see



The **Judge** is the person who oversees the whole trial. They are there to make sure that nothing goes wrong and everyone does what they are supposed to



The **Prosecution Barrister** is the person who is fighting for the courts. They will be one of the people who is asking you questions.

The **Defence Barrister** is the person who is fighting for the perpetrator. They will also be asking you questions.

People at Court

There are lots of different people at court that you might see



Your **ISVA** is the person who can support you while at court, if you want an **ISVA** you can contact **RASAC**



The **jury** are 12 people who are picked at random to watch the trial. These are the people who will decide whether the person who hurt you is found **guilty** or **not guilty**



The **person who hurt you** will be at trial as they have to see everything that happens. If you use a **special measure** you will not have to see them

People at Court

There are lots of different people at court that you might see



The **Intermediary** is someone that the courts might allocate to you to help you answer the questions you are asked. You will meet this person before the trial if you are using one. They will also want to do an assessment with you before the trial.



Witness Service are there to support any survivors, they will sit with you and make sure you are comfortable before you give your evidence.

People at Court

There are lots of different people at court that you might see



Family or Friends can come with you if you want as long as they are not a **witness** in the case

The **Public Gallery** is in every court room and any member of the public can sit in here so we cannot guarantee who will be there



The **Usher** works for the courts and is there to make sure everything runs smoothly. If you do a **section 28** or a **live link** they will sit in the room with you

What happens at trial

You will be told before the trial how many days this is listed for. It could be from 2 days to 10 days or even longer. You will only be required for one day to be **cross-examined**.



Lots of different things happen in a trial and every trial is different however there is a set structure that they normally follow.

The first thing that will happen is the **jury** will be sworn in. The **jury** will be asked if they know you, the person who hurt you or any of the **witnesses**. If they do, they will not be allowed to be part of the jury.



Once the jury are sworn in, the **barristers** will read their **opening statements**. These are outlines of the trial and the case.

What happens at trial

After the opening statements are read, the **barristers** will start to show the **jury** the **evidence**.



Normally the **prosecution barrister** will show their evidence first. This will include your **Video Recorded Interview**.

After showing your **VRI**, this is normally when you will give your evidence. You will be waiting in a separate room until now and then you will be asked to either go to the **live link** room or the **court room** to be **cross-examined**. This is only if you have not done a **Section 28**



At court, you will be referred to as the **complainant**. The perpetrator will be referred to as the **defendant**.

What does Cross-Examined mean?

Cross-Examined is what happens when you go to court, it can also be called **giving your evidence**



It can sound a bit daunting but being **Cross-Examined** consists of the two **barristers** asking you questions about what happened

Normally they are **yes** or **no** answers

You can have a break at any time while you are being **cross-examined**

It's important that you don't guess or answer wrong if you don't know the answer

It's okay to say 'I don't know' or 'I don't remember'

What happens next?

After you have been **cross-examined**, the barristers will show any other **evidence** that they have



This could include anything such as CCTV, phone statements or messages or **witness** statements

Because every trial is different, we can't tell you for sure what will be used as evidence at your trial



Witnesses are people that may have seen what has happened or that you have told what has happened

Defence Barrister

Once the **prosecution barrister** has shown all of his **evidence** to the **jury**. The **defence barrister** will now show their **evidence** to the **jury**.



Normally, the first thing that the **defence barrister** will do is **cross-examine** the person who hurt you. This is the same as when **witnesses** are **cross-examined** or when you are **cross-examined**. The two **barristers** will ask the perpetrator questions about what happened.



Then the **defence barrister** will show the rest of their **evidence**, such as phone records, **witnesses**, etc.

Closing Statements

After both the **barristers** have shown their **evidence** to the **jury**. They will do what's called the **closing statements**.



The **closing statements** are when both the **barristers** briefly go back over the **evidence** to the jury and sum up the case and trial for the jury

Sometimes, the **judge** might say some things as well

Then the **jury** will go out to **deliberate** - this means to make a decision on the **outcome** of the trial

The Verdict

The **jury** will go into a seperate room with only them in it and they will talk about everything they have seen in the trial and all of the **evidence**



The **jury** then have to decide whether the perpetrator is **guilty** or **not guilty** - this is called the **verdict**

This could take a few hours or it could take a few days



Once the **jury** have made their decision, they will come back into the courtroom to say the **verdict**

The Verdict

There are three things that can happen when the **jury** say their **verdict**



They can say **guilty** - this means that they can prove the perpetrator has hurt you and he will now be **sentenced**

They can say **not guilty** - this means that they cannot prove the perpetrator has hurt you and nothing will happen to the perpetrator



There could be a **hung jury** - this means the **jury** cannot decide together whether the perpetrator is **guilty** or **not guilty** - this may result in there being another trial

If the perpetrator is found **not guilty** or is it a **hung jury**, this does not mean they don't believe you

Sentencing

If the perpetrator is found **guilty**, after the trial there will be a **sentencing**



A **sentencing** is where the **judge** will decide what punishment the perpetrator will get. This could be time in prison/jail, it could be a fine, it could be community service

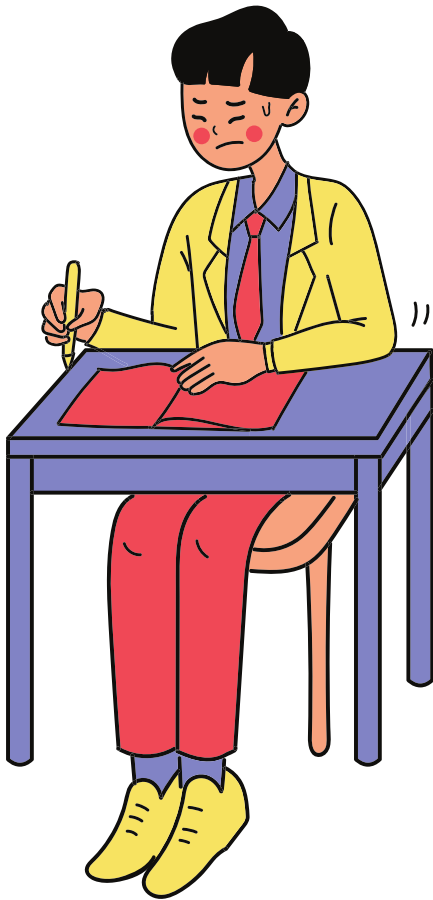
Sometimes the **sentencing** happens straight away after the trial or sometimes the **sentencing** is booked for two to four weeks after the trial has finished



If you want to go to the **sentencing** you can. You might also be asked to write a **VPS**

What is a VPS?

A **VPS** is a **Victim Personal Statement**



A **VPS** is what you might be asked to write where you can talk about how what has happened has changed you

This could be emotionally such as nightmares, flashbacks, sadness

This could be physically like panic attacks

It could be financially if you have lost any money from not being able to work

The **VPS** is personal to you so you write whatever feels right. It can be as long or as short as you want. It is up to you if you want to read this out at the **sentencing**

ISVA Support

Going through the **Criminal Justice System** can be really difficult and scary but RASAC are here to support you

You can get an **Independent Sexual Violence Advisor (ISVA)** to support you

The role of the **ISVA** is to ensure you are prepared and understand what is going to happen

Your **ISVA** can also help with the **VRR's** or **VPS's**

An **ISVA** can support with the **Criminal Justice System** but they can also support with **housing, finances, education** or **employment** and **emotional support** as well

Helpline: 0300 303 4787 - www.rasac.co.uk

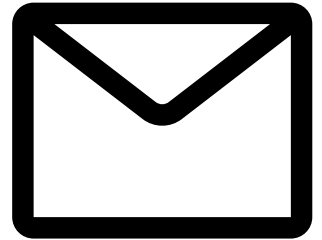


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