

VULNERABLE WITNESSES

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Guildhall
CHAMBERS

New Standard for Training

Commitment to Victims – strengthening the protection for victims by making the experience of going to court a better one

Rook Committee

ICCA set up training standard

Section 28 hearings

Pilot in Leeds, Liverpool and Kingston

Pilots being expanded

Arriving in Bristol within next year

Practicalities

Ground rules hearings

Much greater involvement of intermediaries

Questions have to be written down

Far fewer questions

Compliance with 20 Principles

Must put your case

But note – R –v- SG [2017] EWCA Crim 617

20 Principles

Three Principles for Preparation

1. Ground Rules Hearing
2. Issues
3. Pre-draft

20 Principles

Principles for conduct

4. Rapport
5. Ask, don't talk
6. Chronology
7. Pace
8. No statements
9. Signposting
10. No repetition
11. Behaviour
12. Distress

20 Principles

Principles for Questioning

13. No “remember” questions
14. No pronouns
15. Telling someone else
16. No “why” or “how” questions
17. No “tag” questions
18. No compound questions
19. Direct questions
20. No leading questions

Section 28 Practicalities

Front-loading preparation

In theory, complainant can be recalled

Financial impact

Manner of defence counsel is most important

Not a higher conviction rate

Much higher rate of pleas