

**I wasn't just  
another  
witness, I was  
an individual.**

**citizens  
advice**

**The impact of the  
Witness Service  
during coronavirus  
2020/21**

**“The support and reassurance I received was outstanding. All of my needs were met and they made me feel completely safe. They eased my anxiety and the service I received throughout was excellent. There is nothing they could have done better.”**

**—Witness**

# Foreword by Clare Moriarty, Chief Executive of Citizens Advice

The Citizens Advice Witness Service provides vital support for anyone giving evidence in criminal trials in England and Wales. Its work helps witnesses to give their best evidence and supports trials to go ahead as planned. The criminal justice system needs the Witness Service - and never more so than during the coronavirus pandemic.

At Citizens Advice we're here for everyone, whoever they are, and whatever their problem. The Witness Service has been helping people for 25 years and since April 2015 we've been proud to count it among our services. That pride has only increased as we've seen how staff and volunteers have risen to the challenges thrown up by the pandemic, continuing to advocate in support of witnesses.

# Introduction by Gina Perkins, Head of Funded Services

Living through a pandemic is an experience no one expected, and we've all had to make changes in our personal and professional lives to weather the challenges imposed by coronavirus. The Witness Service, and in fact the entire criminal justice system, has been no exception.

Courts have undergone constant change to keep users safe and address the growing backlog of cases caused by courts' reduced capacity in the pandemic. And, for the Witness Service, our priority was to continue supporting witnesses.

We're delighted with what we've achieved this year. Our staff and volunteers have worked tirelessly to help witnesses give their best evidence in these extraordinary circumstances.

Our coronavirus impact report shows how the Witness Service has responded and adapted through this time of change. By understanding our impact we can work towards even better outcomes for witnesses in future.

# What our service looks like

Giving evidence in court as a witness can be a stressful and worrying experience. The Witness Service, funded by the Ministry of Justice, provides free, confidential and independent support, information and practical help to witnesses attending trials and hearings in England and Wales. We help witnesses to stand up in court and give their best evidence.

## What our service usually looks like

We give witnesses:

### Pre-trial support

- showing witnesses around the court before the day of trial, explaining who they will see, what will happen and addressing any concerns

### Outreach service

- enhanced support for vulnerable and intimidated witnesses, including preparation sessions, pre-trial visits and post-trial support

### Support on the day

- meet and greet, answering questions about the court process, providing emotional support and advocating for their needs

### Support for family court hearings

- our Family Court Domestic Abuse Service delivers support, information and help to victims of domestic abuse in 12 family courts in England so that they feel valued, respected, informed and confident when attending family court hearings

## How our service has changed during coronavirus

During the coronavirus pandemic, we had to adapt how we deliver our services to ensure the safety of witnesses, our staff and our volunteers. The changes we put in place included...

### Pre-trial support

- observing social distancing in all courts
- providing support by phone through our National Remote Support number
- remote pre-trial meetings conducted by phone or video call

### Outreach service

- enhanced support delivered through video conferencing, so we can still support the most vulnerable victims and witnesses

### Support on the day

- 'dialling in' to remote hearings to support witnesses giving evidence from home
- additional staff in Nightingale courts

# Our service in numbers

## Delivering our service

-  We supported **more than 51,650 witnesses** to give their best evidence in court
-  We provided enhanced support for **2,340 vulnerable and intimidated witnesses** through our outreach programme
-  We increased the proportion of vulnerable and intimidated witnesses who received enhanced support from 15% in 2019/20, to 21% in 2020/21—an **all-time high for us**
-  We delivered **6,380 pre-trial meetings**, including visits to court, phone calls and video calls

Due to coronavirus, these numbers were lower in 2020/21 than they were the previous year. However, we've seen positive signs of recovery: these figures have increased every quarter since the beginning of the pandemic, and in the final quarter of last year they were either back to normal or even better. In Q1 of 2020 we supported 2,500 witnesses—that same figure for Q4 was 18,300, comparable to the 21,300 witnesses

we supported in Q4 of 2019. We also provided enhanced support to more vulnerable and intimidated witnesses in Q3 and Q4 than in the same period the previous year.

## In our Witness Experience Survey...<sup>1</sup>

-  96% said they were 'very satisfied' or 'satisfied' with our support
-  99% said we treated them fairly and respectfully
-  96% said we helped them to feel safe at court
-  96% said we helped them to feel more informed about the court process
-  90% said we helped them feel more confident about giving evidence
-  98% said we helped them feel welcomed and supported in court
-  93% said we met all or most of their needs

<sup>1</sup> All witness feedback figures quoted in this report are sourced from the findings of our Witness Experience Survey (offered to every witness after attending a trial) and our quarterly follow-up survey (sent to witnesses after the trial has closed and our support has been completed).

# Looking back at last year

The coronavirus pandemic created unanticipated challenges for the Witness Service, but we rapidly adapted our service model so we could continue providing high quality support for witnesses.

## Keeping our focus on supporting witnesses

We continued to advocate for witnesses both nationally and locally. While our service is always flexible, delivering individualised support has never been so important.

We're really proud of the work we've done this year to make sure the voice of witnesses is heard throughout the criminal justice system.



**We reported witness issues** to key justice system decision-makers and supported the process of finding solutions



**We attended national justice system coronavirus decision-making meetings**, using our platform to advocate for process changes to support witnesses' safety and comfort



**We collaborated with justice system partners** to ensure that key decision-makers were aware of the effects that coronavirus operating measures were having on witnesses



**We advocated for witnesses in local meetings**, ensuring that local courts and justice support agencies could accommodate witness needs



## Coping with logistical challenges

Our resources were stretched this year by the measures HM Courts and Tribunals Service (HMCTS) introduced to support the coronavirus recovery work in criminal court, including:

- new Nightingale court sites
- ongoing availability of remote link sites allowing witnesses to give evidence by video
- the trialling of longer court opening hours at a handful of courts
- changes to listing patterns in courts

### **But these additional challenges didn't prevent us from helping witnesses.**

To meet these extra demands on our service, we recruited temporary staff and brought 961 new volunteers into the Service between January and May 2021 to replace those who stood down due to the pandemic, and to support our drive for diversity and resilience.

## Supporting our people

We've prioritised the safety and wellbeing of our staff, volunteers and witnesses, and we recognise the emotional impact that the pandemic has had on our people.

We put rigorous risk assessment processes and wellbeing checks in place for all our people working from court, and developed clear escalation processes for reporting concerns. We worked closely with our partners to ensure courts were fully risk-assessed and COVID-secure.

Understandably, many volunteers have had anxieties about returning to supporting witnesses. In response, we've put in place a volunteer wellbeing package to support those who are returning or have returned to court.

## Collaborating with partners

We've worked with stakeholders to deliver a joined-up response to the pandemic. We contributed to a coronavirus working group which brought together national representatives from the Witness Service, the Crown Prosecution Service, HMCTS, the police and the Ministry of Justice. This followed on from the Ministry of Justice's Covid-19 Victims and Witnesses Silver Command group. It meant we could make quick strategic decisions and collaborate on joint actions, while ensuring the needs of witnesses were always considered.

The working group has been immensely useful throughout the pandemic, and its work resulted in an increase in notifications of witnesses attending court. Our achievements included developing new escalation processes so staff and volunteers could raise queries and safety concerns, and creating coronavirus-specific resources for witnesses giving evidence in the pandemic.

# Being there for witnesses during a pandemic



96% of witnesses said they were 'very satisfied' or 'satisfied' with the service they received from us

The coronavirus pandemic has affected us all in ways we never imagined. As 2020 unfolded, so much of our lives needed to change. Going to court is no different—it's often a new and daunting task for witnesses, whatever their circumstances.

As the world around us kept changing, we were here to offer consistent support and comfort to witnesses. Here's how we did it...

## We maintained our high quality support

We've continued to provide unwavering support for witnesses throughout this turbulent year. This has meant that the impact of our service on witnesses—and the contribution they make to the criminal justice system by giving evidence—has also remained consistent.

Our staff and volunteers' expert support makes witnesses feel safe, less anxious, and more informed about what to expect. Last year, we introduced a new digital learning pathway for our volunteers, including new training and accreditation for delivering pre-trial support by phone as a direct response to the pandemic.

**The percentage of witnesses who said they were 'very satisfied' or 'satisfied' with the support we gave them** was almost identical to the previous year's figure (96% in 2020/21 compared with 98% in 2019/20), showing we've been able to continue providing excellent support despite difficult circumstances.

## Witness satisfaction, 2017 to 2021



## We continued to meet the needs of all types of witnesses



99% of witnesses felt the Witness Service treated them fairly and respectfully

We offer our support to all witnesses attending criminal trials, including victims, prosecution witnesses, defence witnesses, bereaved family members, and supporters or carers of witnesses. Our volunteers and staff give independent, impartial support to all clients, and **99% of witnesses felt they were treated fairly and respectfully by our service.** At Citizens Advice, we're here for everyone, whoever they are, and whatever their problem, and the Witness Service is no different.

**“I was a witness for the defendant. The volunteer could not have helped more. He was knowledgeable, informative, kind, compassionate and understanding.”**

—Witness

During the pandemic, of the more than 51,650 witnesses we supported, around 80% were victims of crime. This is significantly higher than the proportion of victims we'd usually see accessing our services—around 65% in 2019/20—but reflects the focus of the criminal justice system on prioritising

high-priority, sensitive, or otherwise urgent cases while court capacity was limited.

During the pandemic, we worked flexibly to meet witnesses' differing support needs, despite coronavirus restrictions at times affecting the type of support we could give. With the support of HMCTS, we created safe, supportive and respectful environments for witnesses, appropriate to their circumstances.

The pandemic also pushed us to become even more adaptable and inclusive. Social distancing spurred us to develop new ways of supporting witnesses, including conducting pre-trial meetings by phone and video, which made up 45% of all our pre-trial support in 2020/21. As a national service working at a local level, we've always been equipped to operate across geographical boundaries. Now, we're even better placed to meet the individual needs of witnesses, regardless of their location, resources and access needs.

As a result, **93% of witnesses said all or most of their individual needs were met by the Witness Service.** This means that whichever court a witness attended, our staff and volunteers could provide them with the right support and information to give their best evidence.

## We made witnesses feel supported and cared for



98% of witnesses said that the Witness Service helped them feel welcomed and supported in court

Our staff and volunteers have continued to help witnesses feel calmer, safer and supported during the criminal justice process, despite the added anxieties of attending court during a pandemic. **98% of witnesses said that staff and volunteers helped them feel welcomed and supported in court.**

**“Being a witness in court was overwhelming and scary. However, the volunteers made us feel so comfortable and supported us throughout the day. They were truly amazing and we couldn’t have done it without their help.”**

—Witness

In a year where many witnesses weren’t able to attend court with supporters due to shielding and other constraints, the assistance of a friendly and empathetic Witness Service volunteer was more valuable than ever.

**“We are so fortunate... to have such a superb team of Witness Service volunteers who take such excellent care of witnesses who are often frightened and nervous as they come to court, perhaps for the first time in their lives, after sometimes experiencing the most awful incidents.**

Coming to relive those events is an enormously stressful experience and we would be lost without the volunteers to support them... The fact that even in times of COVID the volunteers are always ready and willing to help is a huge testament to them.”

—Judge

## We made witnesses feel safe and secure in court



96% of witnesses attending court said that Witness Service staff and volunteers helped them to feel safe

We know many witnesses are worried about whether they'll be safe in court. This often relates to fears of coming face-to-face with other people involved in the trial, or the consequences of giving evidence. This past year, witnesses' anxieties around safety have been made worse by coronavirus and potential health risks.

Last year, we supported HMCTS to put measures in place to help witnesses feel safer in court, including:

- ⊕ providing safe private waiting areas
- ⊕ arranging for the use of alternative routes in and out of courts
- ⊕ assisting with applications for Special Measures to protect witnesses
- ⊕ ensuring health and safety guidelines related to coronavirus are adhered to

Our work has delivered incredibly positive results, with **96% of witnesses attending court saying that we helped them to feel safe.**

**“My granddaughter and I would have not been able to be witnesses without this service being allocated to us. My granddaughter has learning difficulties and so needed more support ... both volunteers supported her and made her feel safe and confident in being able to give her version of events in court.”**

—Witness

More than ever during the pandemic, helping witnesses feel safe has required us to work collaboratively with our partners in the criminal justice system. As well as coordinating efforts at a national level, within each court we've worked with HMCTS and other professional court users to ensure the safety of witnesses.

### **Working with HMCTS: a Witness Service staff member's experience**

“At our local court we worked closely with HMCTS to ensure witness waiting rooms and ‘live link’ facilities were COVID-safe. For example, HMCTS asked for our advice on how witness rooms could be configured appropriately for witness support once they had ensured that seats were 2 metres apart. Furthermore, after changes were made to courtrooms, HMCTS invited us to check the spaces and give feedback in relation to the witness experience. We also carried out walk-throughs of the reconfigured courts with volunteers to familiarise them with the new set-up, and HMCTS participated in these. In this way, they could answer any questions the volunteers had.”

—Witness Service Team Leader (Court)



# Helping witnesses give their best evidence



95% of witnesses who had a pre-trial visit to court said that the support of the Witness Service was 'extremely important' or 'quite important' to them attending their trial

Despite the challenging circumstances of this year, we've continued to help witnesses take an active part in the criminal justice process. Here's how...

## **We provided extra pre-trial support for vulnerable and intimidated witnesses**

An important part of our service is our additional pre-trial support for vulnerable and intimidated witnesses. Last year, many of these pre-trial outreach support meetings took place by phone or video call rather than in person, and arrangements had to be flexible to account for changing court schedules.

Despite the challenges of supporting witnesses remotely, last year we held 2,340 preparation meetings with witnesses. Of those witnesses who had received a preparation meeting, **87% gave their experience the highest rating of 'very good'**.

**"There was nothing for me that could have been improved about the preparation meeting. I was guided through the procedures all the way with great care and patience which helped me no end!"**

—Witness

## We helped witnesses prepare for going to court ahead of trial day

Witnesses who are referred to us ahead of their trial are offered pre-trial visits to court (PTVs). Coronavirus presented challenges for delivering pre-trial visits. For example, restrictions on the number of people allowed in courts prevented some face-to-face visits going ahead.

We worked with HMCTS and our other partners to find the best ways to continue offering PTVs safely, including offering pre-trial phone or video calls as an alternative. Our staff and volunteers delivered 6,380 pre-trial meetings in 2020/21:



55% face to face



35% by phone



10% by video

Those witnesses who received a PTV and responded to our surveys told us about the difference these visits made:

- 85% rated their experience 'very good'

95% said that the support of the Witness Service was 'extremely important' or 'quite important' to them attending the trial—this shows how critical our pre-trial support is in giving witnesses the confidence and support they need to give their best evidence

**"I was counted as a vulnerable witness and I was terrified of being in court. The Witness Service allowed me a visit to the court before the trial and they explained every aspect of the process. I was far more comfortable after that visit."**

—Witness

## **We made sure all witnesses felt ready to stand up in court**



96% of witnesses said the Witness Service helped them to feel more informed about the court process

Our support helps witnesses to better understand what happens during the trial and what's expected of them. Witnesses are also empowered to ask questions and seek guidance so that they can feel more comfortable on their journey through the criminal justice system.

**“I felt very supported, every detail seemed to be covered, and the staff didn't rush and were extremely patient, and really good at explaining things clearly. I was witness to a domestic violence incident which brought up difficult emotions ... The staff were very understanding and good at listening and taking my concerns seriously.”**

—Witness



90% of witnesses said the Witness Service helped them to feel confident about giving evidence

By making witnesses feel safer, less anxious, and more informed about what to expect, we help them feel more confident about participating in trials. Many witnesses told us the support they received from us made them feel better prepared and more confident about giving evidence.

**“The staff member from the Witness Service has been a massive support. Putting my mind at rest and providing everything I asked for promptly and professionally. She has made both my son and I feel confident about giving evidence and was a tremendous support on the day. We couldn't have done it without this service as I was deeply traumatised.”**

—Witness

## **We made sure trials could go ahead as planned and helped the criminal justice system run smoothly**

Providing support for witnesses before and on the day of the trial has an impact beyond making the individual witness feel more comfortable. Many of our Witness Experience Survey respondents told us that our support reduced the stress and trauma they experienced on the day, which allowed them to successfully go through the process of giving evidence. Our partners in court, especially, have acknowledged our contribution to delivering a smooth trial:

### **Supporting local court teams**

**“It is my great pleasure... to pay tribute to our fantastic team of Witness Service volunteers. There has been no shortage of anxiety from even the most experienced court users since our return to jury trials last July, but with your help, we have steered the ship through stormy waters.**

**Since that time we have slowly been able to increase our trial capacity at our courts... Inevitably, this has seen increased footfall in the building as more and more witnesses were asked to attend to give evidence in the most serious criminal trials.**

**Without Witness Service volunteers, it simply wouldn't have been possible. You have kept our witnesses safe, kept their levels of anxiety to a minimum and facilitated communication between them and counsel. Their movement through the building has been managed with seemingly effortless grace.**

**That so many of these trials have gone so smoothly and without incident has been founded on your professionalism and commitment to the administration of justice in our county. I thank you all.”**

**—Judge**

The empathy and compassion of our staff and volunteers is a key aspect of our service. It equips witnesses—and particularly victims—with both the practical and emotional tools needed to effectively contribute to the criminal justice process.

# What we'll take away from this year

We're really proud of the work we've done to continue supporting witnesses to give evidence during coronavirus. The pandemic has created challenges, but it has also been an opportunity for us to make positive, long-lasting changes to how we work.

Here are just a few ways we'll take forward what we learned last year to inform how we support witnesses in future, and make our service more inclusive and easier to access...

## **We'll continue to use technology to reach more witnesses, victims and volunteers**

The adaptations we've made to our service during coronavirus have helped us focus on how we can better assist witnesses to give evidence in non-typical circumstances. We'll continue to offer video and phone support for witnesses before, during and after trial, as well as in person at court. This inclusive approach will allow us to provide a service tailored to the needs of every witness engaging with our service.

## **We'll support criminal justice reform in the interests of witnesses and victims**

Where changes are made to criminal justice system processes, we'll work with our partners to make sure they're considerate of witnesses' needs. For example, we'll continue to ensure we have processes in place to support witnesses recording evidence in advance for Section 28 trials<sup>2</sup>.

## **We'll continue to work collaboratively with our justice system partners**

All the adaptations the criminal justice system has had to make during coronavirus have made it clear just how important it is to work closely with others.

Our excellent stakeholder relationships, which have been strengthened during coronavirus, will allow us to continue to advocate for victims and witnesses, engaging with stakeholders at local, regional and national levels.

<sup>2</sup> Section 28 allows vulnerable witnesses to have their evidence and cross-examination recorded in advance. The recording can then be shown later at the trial so the witness doesn't have to attend court in person.

## **And most importantly, we'll continue to advocate for witnesses wherever we can**

Coronavirus has created new challenges for the criminal justice system, but it has also heightened the effects of issues witnesses already face, such as long delays between making a statement and giving evidence in court.

We'll continue to use our influence to make sure the voice of witnesses is heard throughout the justice system, and push for changes that will improve their experience of giving evidence.

### **Supporting witnesses throughout their journey**

"The person from the Witness Service who supported me was absolutely amazing. From the moment I met her she was so kind and supportive. She talked through the whole process with me and was happy to reword and explain in a way I understood.

She was brilliant at easing my panic, especially around the worries I had of my additional needs, i.e. hearing impairment and dyslexia. With my permission she went straight to talk to the relevant people to ensure the court was fully aware of my needs. After getting permission she was also brilliant at helping me go through my statement in a way and pace that I could understand and follow.

She stayed with me the whole time and explained the reasons for the few times she had to pop away.

She was happy to generally chat to me while waiting for my video link to start. But also regularly running through the process making sure I was still OK and understood it all.

When I was finished she took me back to my mum and sat with us, and again talked through what I'd done, making sure I was OK, and answered any new questions I had. She not only looked after me brilliantly but was also putting my mum at ease and showing how supportive she was.

I could not have asked for a nicer, more helpful, informative person."

—Witness

**“Being a witness in court was overwhelming and scary. However, the Witness Service volunteers made us feel so comfortable and supported us throughout the day. They were truly amazing and we couldn’t have done it without their help.”**

—Witness

# Citizens Advice helps people find a way forward.

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