

The court process

Usually the first hearing date is at the Magistrates Court. Depending on the charges and seriousness of the offences, the case may be moved to the Crown Court. The case will then progress through the court system and a number of hearings will take place at court which you do not need to attend. You do not need a lawyer/solicitor, as the case has been brought to court by the CPS and they provide one on your behalf.

The witness care unit (police staff) have a duty to keep you up to date on the case as it moves through court. A plea date will be set and if the accused pleads guilty the case will be adjourned for sentencing. If the accused pleads not guilty then a trial date will be set.

You will likely be asked to attend the trial and your video interview will be played. You will then be asked questions (cross examined) based on your evidence. The accused would also be cross examined and then it will be up to the Jury (12 members of the public) to decide if the offender is found guilty or not guilty. If the defendant is found not guilty, the case will be acquitted. If the defendant is found guilty, a sentence date will be set and the case concluded.

Throughout this process, an ISVA can provide independent support both practically and emotionally. They can advise you, ensure you are kept up to date on the progression of your case and advocate to the police/CPS on your behalf. ISVAs can also support you at court if you are required to attend for a trial and can arrange counselling and other support throughout this process.

You are in control of your situation and what happens next

Cheshire East
01260 697900

Cheshire West and Chester
01244 907710

Halton
01928 477980

Knowsley
0151 218 7960


St. Helens
01744 877987


Warrington
01925 221546


To make a referral, or for advice and information, you can visit us online, email, or call on

0330 363 0063

www.rapecentre.org.uk
support@rapecentre.org.uk

 @RapeSupport

 @RapeSupport

 @rasasc_cm

 BACP Accredited Service

 QUALITY STANDARD

 Home Office

 Police & Crime Commissioner for Cheshire

 POLICE COMMISSIONER Merseyside

Charity Registered in England & Wales Charity Reg No: 1049826

Whatever your decision, we will support you



Police Reporting

Advice and guidance on reporting an incident to the police and the support we offer.

rasasc



Rape and Sexual Abuse Support Centre

for adults, children and young people in Cheshire and Merseyside

Supporting you

We provide support and advice to enable you to make an informed decision on how you want to proceed and move forward.

Making the decision to report

Deciding whether to report to the police about a sexual offence that has happened to you can be an extremely difficult decision to make and takes a lot of courage. It may be the first time you have told someone and you may have lots of concerns, worries and questions.

RASASC is here to help and our specially trained Independent Sexual Violence Advisors (ISVAs) can advise you about your options, answer any questions you have and enable you to make an informed decision on how you wish to proceed. We will not tell you what you should, or shouldn't do, you are in control over your situation and what happens next. Whatever the decision you decide upon, RASASC can support you along the way.

There are a few different routes you can take with regards to speaking to the police about an offence which has happened to you, one of the options is making a formal complaint to the police.

How to make a formal complaint to the police

You can either go into your local police station or call 101. A friend or relative may also call on your behalf if you prefer. Once you are through to the control room, you will need to provide your full details, contact number and advise that you are wanting to report an incident/s of sexual violence/abuse. It would also be helpful to advise if this was a recent or historical incident.

The call handler will have a set of standard questions they have to go through with you.

We will listen to you, we will respect you and we will believe you.

The interview

You will likely then be contacted by a police officer from a specialised unit: Public Protection Department (PPD), Dedicated Rape Unit (DRU) or the Unity Team. They will invite you into a local police station or visit you at home and have a brief chat with you about the incident/s and record this in a police sexual offences booklet. They will explain what will happen if you make a formal police complaint and the steps they will take to investigate.

If you wish to proceed with the complaint after speaking to the police and they deem that an offence has been committed, you will be invited in to complete a detailed statement at a local police station. The statement is now normally completed as a video interview and is also referred to as an ABE interview (achieving best evidence).

You are able to take someone along to the video interview with you, but usually you will be alone in the interview room with the police officer. You should be offered a choice of a male or female officer who will complete the interview.

During the interview you will be asked in detail about the incident/s. The whole interview process can take a few hours. The interview is recorded and there will normally be another police officer in an adjoining room monitoring the interview.

Police Investigation

Once the interview is complete, the police will begin to investigate the offence and you should be provided with a point of contact (OIC or Officer In Charge) who will keep you up to date on the progress of the investigation.

Any other relevant persons— such as family, friends, doctors, or other professionals may be asked to provide a statement or release records if they have any information to add to the police investigation.

If the police identify a suspect, they may arrest or invite them in for an interview where they will be questioned. The suspect may be released under investigation (no conditions), remanded in custody (held in a prison), or released on bail (conditions applied) while the police investigation continues. This investigation can take several months and can end in various different ways. It also has to meet certain thresholds before it can progress.

If the police deem they do have enough evidence to proceed, the case then gets passed to the Crown Prosecution Service (CPS).

If the police deem they do not have enough evidence, then the case will be NFA'd —No Further Actioned. This means the investigation has come to an end. You can ask for a second opinion on your case decision under the Victims Right to Review Scheme.

Crown Prosecution Service (CPS)

A CPS lawyer decides if there is enough evidence to make a charge. This means there needs to be a 'realistic prospect' of the suspect being found guilty at court and if it is in the public interest to prosecute. The case will have to meet certain evidential thresholds before the prosecution can be approved and a charge brought.

If the CPS approve a prosecution then the suspect will be formally charged and the case will be sent to court for a first hearing. However, if they deem that there is no 'realistic chance of prosecution' or it doesn't meet the evidential threshold, then the case will be dropped and no charge will be brought. In this instance you can ask for a second opinion on your case decision under the Victim's Right to Review Scheme.