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Going to Court as a Victim

You are more than this moment.
Don't let it **define you.**

She Voice™ a Kulturalism initiative

Going to Court as a Victim

A SHE Voice book — a Kulturalism initiative

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GOING TO COURT AS A VICTIM

You are more than this moment. Don't let it define you.

This book is for anyone in England or Wales who has been harmed by crime and finds themselves drawn into the criminal justice system — frightened, unsure, and often expected to understand a process nobody ever explained to them. It is written to be read in whatever order you need it. You do not have to take it in all at once. You do not have to be brave to read it. You only have to turn the page.

Throughout, the law described is the law of England and Wales. Scotland and Northern Ireland have their own systems, which differ in important ways.

Where this book mentions a right, a law, a scheme or a support service, you can find it again at the back. The closing section, "References and Useful Links," gathers the official sources and the helplines in one place, so you never have to hunt back through the chapters to find a number or a name.

A NOTE BEFORE YOU BEGIN

There is a particular kind of fear that has no name. It is not the fear of the crime itself — that came first, and it was its own thing. This is the fear that comes afterwards, in the long grey middle, when the police have your statement and the letters arrive with reference numbers and acronyms, and you are told that your case is "progressing" while your life sits still. It is the fear of a system you did not choose to enter, written in a language you were never taught, asking you to relive the worst day of your life in front of strangers.

If you are holding that fear right now, you should know two things.

The first is that it is normal. Almost everyone who walks into a courtroom as a victim or a witness feels some version of it. The people who work in the courts every day know this. The fear is not a sign that you are weak, or that you cannot cope, or that you should not have come forward. It is a sign that you are a human being who has been hurt and is being asked to do a hard thing.

The second is that you have more protection, and more rights, than you have probably been told. The system can be slow, and it can be clumsy, and at times it can feel as though it has forgotten you are a person and not a file. But underneath it there is a framework built specifically to keep you safe, to keep you informed, and to keep your dignity intact. Much of this book is simply telling you what that framework is, so that you can ask for it by name.

You did not ask to be a victim. You did not choose the courtroom. But you can choose to walk into it knowing what is coming, who will be there, what they are allowed to do, and what they are not. Knowledge will not take the fear away entirely. It will make it smaller, and it will make it yours.

CHAPTER ONE — REPORTING THE CRIME

Everything that follows in this book begins with a single, often terrifying act: telling someone what happened.

You can report a crime by calling the police on 101, the non-emergency number, or 999 if a crime is happening now, if someone is in danger, or if a suspect is nearby. You can walk into a police station. You can ask a trusted professional — a doctor, a teacher, a support worker, a charity — to help you make the report, and many people find this easier than doing it alone.

There is no time limit on reporting most crimes. People sometimes believe that because weeks, months or even years have passed, it is "too late" to come forward. For the great majority of offences, that is not true. You can report a crime long after it happened, and you can access support whether or not you ever report it at all. That last point matters and is worth repeating: support does not depend on reporting. You do not have to give the police anything to be entitled to help.

When you report, the police should take the details of the crime without unjustified delay, listen to you, and give you a crime reference number. That number is your case's name in the system; keep it somewhere safe, because you will be asked for it. The police should treat you with respect and sensitivity, and they should explain what happens next. If you are a victim of certain serious crimes, you can ask for the gender of the officer who interviews you, and you can ask for an interpreter if you need one.

This is also the moment where your rights as a victim begin. In England and Wales, those rights are set out in a document called the Victims' Code — the Code of Practice for Victims of Crime. It is not a leaflet of polite suggestions. It is a statutory code, established by the Domestic Violence, Crime and Victims Act 2004 and strengthened by the Victims and Prisoners Act 2024, and it places duties on the police, the Crown Prosecution Service, the courts and the Probation Service. We will return to the Code in its own chapter, because it is the backbone of everything you are owed. For now, it is enough to know that the moment you report, you are owed things — and the first of them is information.

Soon after you report, unless you ask them not to, the police will usually pass your details to Victim Support or a local support service, who will contact you to offer help. You do not have to wait for that call. You can reach Victim Support yourself, free, at any hour, on 0808 168 9111. They are independent of the police, they are confidential, and they will talk to you whether or not you have reported anything.

The investigation that follows is not something you control, and that can be hard. The police gather evidence — statements, forensics, CCTV, phone data, medical records — and build a picture. It can feel slow, and silence can feel like neglect. Under the Victims' Code you have the right to be kept informed about the investigation, including if a suspect is arrested, interviewed, released or charged. If that information is not coming, you are entitled to ask for it, and asking is not a nuisance. It is your right.

CHAPTER TWO — THE INVESTIGATION AND THE DECISION TO CHARGE

When the police believe they have gathered enough, the case may be passed to the Crown Prosecution Service, the CPS. The CPS are the independent lawyers who decide, on behalf of the state, whether someone should be prosecuted. They are not your lawyer — there is no lawyer who is exclusively yours in a criminal trial, which surprises many victims — but they act in the public interest, and the public interest includes you.

The CPS apply a two-stage test, known as the Full Code Test, to decide whether to charge.

The first stage is the evidential stage. The question is not whether the prosecutor personally believes you, and it is not whether the crime "obviously" happened. The question is narrower and more technical: is there a realistic prospect of conviction? In plain terms, is a court more likely than not to find the person guilty on the evidence available? This is a higher bar than it sounds, because a criminal court must be sure of guilt before it convicts, and the prosecutor has to look ahead and judge whether the evidence can carry that weight.

The second stage is the public interest stage. Even where there is enough evidence, the CPS asks whether a prosecution is the right course in all the circumstances — considering the seriousness of the offence, the harm caused, the suspect's age and situation, and the impact on you.

If the answer to both is yes, the suspect is formally charged. From that point they are called the defendant, and the case moves towards a criminal trial.

Sometimes the answer is no, and this is one of the hardest things a victim can be told. A decision not to charge, or to stop a case that has already begun, can feel like a verdict on whether you were believed. It is not. It is a judgement about evidence and law, made under rules that demand a great deal before the machinery of a prosecution is set in motion.

You are not powerless when this happens. The CPS runs a scheme called the Victims' Right to Review. If the CPS decides not to bring charges, or to discontinue a case, in qualifying circumstances you have the right to ask for that decision to be looked at again by a different, more senior prosecutor. There are time limits, so if you want a review you should ask promptly, and Victim Support or the police can help you do it. The right to ask someone to think again is a real right, and it exists precisely because these decisions are so heavy.

This stage can be long, especially in complex cases, and especially given the pressure the courts are under. You are entitled to be told the key decisions and the reasons behind them. Nothing in this process is a test of your worth, and nothing in it can be failed by you.

CHAPTER THREE — WAITING

Nobody warns you about the waiting.

Once a charge is brought, there is often a long gap before the trial — sometimes weeks, frequently months, and in the Crown Court, where the most serious cases are heard, sometimes more than a year. There is a well-documented and growing backlog of cases in the courts of England and Wales — record numbers of outstanding Crown Court cases — and it means that the calendar of your life can be put on hold by forces that have nothing to do with you. A date is set and then moved. A hearing is listed and then adjourned. You brace yourself for a day that does not come.

This limbo has its own particular cruelty. The crisis of the crime has passed, and the rest of the world expects you to have moved on, while you are quietly carrying a date in the future that you cannot see around. People stop asking. You stop talking about it because there is nothing new to say. And underneath it all sits the knowledge that, one day, you may have to stand up and account for the worst thing that ever happened to you.

A few things are true about this period, and holding onto them helps.

You are not forgotten, even when it feels that way. Under the Victims' Code you should continue to receive updates, and you are entitled to ask for them when they do not arrive. A witness care unit — a team whose specific job is to keep witnesses informed and supported — should be in contact with you about the practical details of the case as it approaches trial.

You can be supported the whole way through. Victim Support and, as the trial nears, the Witness Service (run by Citizens Advice and present in every criminal court) are there for exactly this stretch. For certain kinds of crime there are specialist advocates whose entire role is to walk beside you: Independent Sexual Violence Advisers (ISVAs) for victims of sexual offences, and Independent Domestic Violence Advisers (IDVAs) for victims of domestic abuse. If your case is one of these, ask whether an ISVA or IDVA can be assigned to you. They are among the most valuable people you can have in your corner.

You are also allowed to look after yourself. There is a long-standing myth that a victim must not have therapy or counselling before a trial in case it "contaminates" their evidence. This is not the rule. Victims of crime are entitled to access pre-trial therapy and emotional support, and the CPS has guidance that recognises this. If a service ever tells you that you cannot have support until after you give evidence, that is worth questioning. Your mental health does not have to wait for a court date.

The waiting is real, and it is hard, and it is not a sign that anything has gone wrong. It is, for now, simply the shape of the road.

CHAPTER FOUR — YOUR RIGHTS: THE VICTIMS' CODE

Most of the fear of the court process comes from the feeling of having no standing — of being a guest, or worse, an inconvenience, in a system run for and around other people. The single most powerful thing you can carry into that system is the knowledge that you have defined rights, written down, that the agencies dealing with you are obliged to meet.

In England and Wales those rights live in the Victims' Code. The current Code is structured around twelve overarching rights. You do not need to memorise them, but it helps to know they exist, because you can ask for them by name.

Right 1 — To be able to understand and to be understood. To receive information in a way you can take in, with help if you have communication needs, and to be heard.

Right 2 — To have the details of the crime recorded without unjustified delay.

Right 3 — To be provided with information when you report the crime, including a written confirmation and a crime reference number.

Right 4 — To be referred to services that support victims, and to have that support tailored to your needs.

Right 5 — To be provided with information about compensation, including the Criminal Injuries Compensation Scheme where it may apply.

Right 6 — To be provided with information about the investigation and the prosecution, including key decisions and the reasons for them.

Right 7 — To make a Victim Personal Statement, in your own words, about how the crime has affected you.

Right 8 — To be given information about the trial, the trial process, and your role as a witness.

Right 9 — To be given information about the outcome of the case and any appeals.

Right 10 — To be paid expenses where you are a witness, and to have your property returned.

Right 11 — To be given information about the offender after a conviction, including, for serious cases, through the Victim Contact Scheme run by the Probation Service.

Right 12 — To make a complaint if your rights under the Code are not met.

That last right is the one people forget, and it is the one that gives all the others their teeth. If a criminal justice agency fails to do what the Code requires, you can complain first to the agency itself — the police force, the CPS, the court service. If you are still not satisfied, your complaint can be taken to the Parliamentary and Health Service Ombudsman. The Victims and Prisoners Act 2024 made this easier by removing the old requirement to route such complaints through your MP. You are allowed to hold the system to its promises.

None of this makes the Code a magic wand. Rights on paper are only as good as the people who honour them, and victims' organisations have spent years pointing out where the system falls short. But knowing the Code exists changes how you stand in the process. You are not asking for favours. You are asking for what is owed.

CHAPTER FIVE — SPECIAL MEASURES AND THE PROTECTIONS IN PLACE

This is the chapter to read closely, because it is the one that answers the fear most people carry above all others: I cannot do this if I have to face them.

You very often do not.

The courts have a set of legal tools called Special Measures, set out in the Youth Justice and Criminal Evidence Act 1999. They exist to help vulnerable and intimidated witnesses give their best evidence without being retraumatised by the process of giving it. Some witnesses are automatically eligible — for example, complainants in sexual offences, and complainants in domestic abuse cases — and others are eligible because the quality of their evidence is likely to be affected by fear or distress, or by a disability, disorder or impairment. If you think you might qualify, raise it early, with the police, the CPS or your support worker, so that an application can be made to the court in good time. The decision rests with the judge or magistrates, but the application is your route in.

The measures available include, among others:

A screen around the witness box, so that you give evidence without seeing the defendant and the defendant does not see you. You can still be seen by the judge, the jury and the lawyers.

A live video link, so that you give your evidence from a separate room — sometimes elsewhere in the building, sometimes from another location entirely — appearing on screens in the courtroom. You never have to enter the courtroom at all.

Pre-recorded evidence. Your account given in a video-recorded police interview can stand as your main evidence (your "evidence-in-chief"), so you do not have to tell the whole story again live. In a growing number of cases, even the cross-examination can be pre-recorded in advance and played at trial, so that the most stressful part is over long before the trial day.

Clearing the public gallery, so that members of the public and the press are asked to leave while you give evidence in certain cases.

Removal of wigs and gowns by the judge and barristers, to make the room less intimidating.

An intermediary — a trained, neutral specialist who helps you understand questions and helps the court understand your answers, where communication is a barrier.

Beyond Special Measures, there are other protections that exist as a matter of law, not as favours.

In sexual offence cases the defendant is never permitted to personally cross-examine the complainant, and in a wider range of cases — including domestic abuse — the court has the power to prohibit the defendant from questioning you in person. Where that applies, even a defendant representing themselves cannot question you directly: the court appoints a legal representative to ask the questions instead, so that you are never questioned by the person accused of harming you.

There are limits on the questions you can be asked. In sexual offence trials, strict rules restrict questioning about a complainant's previous sexual history; such questions are not automatically allowed and require the court's permission under tight conditions. The defence cannot simply rake over your private life because it might embarrass you.

You have lifelong anonymity if you are the complainant in a sexual offence. Under the Sexual Offences (Amendment) Act 1992, your identity is protected for life from the moment you make an allegation, and it is a criminal offence for anyone — including the media — to publish anything likely to identify you. This protection is automatic. You do not have to apply for it.

And on the day itself, the practical protections matter as much as the legal ones. You can ask to arrive and leave at different times from the defendant and their supporters. You can ask to wait in a separate witness room rather than a shared waiting area. You can use a different entrance. You can have a supporter with you. The Witness Service can arrange much of this. These are not special pleading; they are ordinary, expected adjustments, and you are entitled to ask for them.

Read that fear again — I cannot do this if I have to face them — and set against it everything in this chapter. The honest answer is that, in most cases, you will not have to face them at all.

CHAPTER SIX — THE PRE-TRIAL COURT VISIT

Fear feeds on the unknown. A courtroom you have only ever seen on television — vast, panelled, full of robed strangers and raised voices — is far more frightening than a courtroom you have actually stood in.

This is why the pre-trial court visit exists. Before the trial, you can ask to visit the court and be shown around. It is completely optional, and many people who take it up say it was the single thing that most reduced their dread.

On a visit, the Witness Service will show you a real courtroom. You can sit in the witness box and feel how close, or how far, everyone is. You can see where the judge sits, where the jury sits, where the lawyers stand, and where the defendant sits — and, importantly, you can see how a screen or a live link would change what you can and cannot see. You can ask every question you have been afraid to ask. You can find out where the toilets are and where you would wait. None of this is trivial; it is the difference between walking into a strange building on the worst morning of the year and walking into a place you already know.

As one survivor put it: "The courtroom was smaller and calmer than I imagined. That visit really helped me feel less afraid."

You can bring someone with you for support. You can ask to do the visit close to the trial date or well before it, whatever settles you more. To arrange it, speak to the Witness Service or Victim Support, or ask your witness care unit. It costs you nothing, and it can give you back something the crime took: a sense of control over what happens to you next.

CHAPTER SEVEN — INSIDE THE COURTROOM: WHO IS WHO

Walking in for the first time is less frightening when the room is full of roles instead of strangers. Here is who you may see, and what each of them is actually doing.

The judge, in the Crown Court, sits at the front, usually raised, and is responsible for making sure the trial is fair and follows the law. The judge does not decide whether the defendant is guilty. In the Magistrates' Court, that role is held either by a bench of magistrates — trained volunteers from the community, usually sitting in threes — or by a District Judge sitting alone.

The jury, in the Crown Court, is twelve members of the public chosen at random. They, and only they, decide whether the defendant is guilty or not guilty. They are ordinary people, and they are listening carefully.

The prosecution advocate is the barrister or solicitor who presents the case on behalf of the CPS — that is, the case that says the defendant committed the crime. They are not your personal lawyer, but they are the lawyer arguing that what was done to you was a crime and should be answered for.

The defence advocate represents the defendant. Their job is to test the prosecution's case and to put the defendant's side. When they question you, it is not because they think you are lying; it is because the law requires that the evidence against an accused person be tested. This is one of the hardest things to hold onto in the moment, and we return to it in the next chapter.

The defendant is the person accused of the crime. In the Crown Court they usually sit in the dock, often a glass-fronted enclosure, towards the back or side of the room — not next to you, and, if you have Special Measures, not within your sight at all.

The court clerk or legal adviser sits below the judge or with the magistrates, managing the paperwork, the exhibits and the running of the case. The ushers, often in black gowns, are the people who guide you, call you in, and look after the practicalities; they are usually the warmest faces in the building, and they are there to help.

Witnesses, including you if you are giving evidence, come into the room (or appear by link) only when it is their turn. Witnesses usually wait outside until called, so that one person's evidence does not influence another's.

The defendant's family or friends, and your own supporters, may sit in the public gallery. The press may also be present in many cases, though they are bound by reporting restrictions — and where you have anonymity, they cannot identify you.

Knowing the geography of the room, and the purpose of each person in it, turns an overwhelming scene into a set of jobs being done around you. You are not the smallest person in that room. You are the reason the room has convened.

CHAPTER EIGHT — GIVING EVIDENCE

For many victims, this is the centre of the fear: the witness box, the questions, the watching faces. So let us be honest and practical about what actually happens, because the reality is more manageable than the dread.

You will only give evidence if your account is needed for the case, and you will be told in advance if it is. You will be told when to attend, and you will not normally have to sit through the whole trial — you come in for your part. While you wait, you can be in a separate room with a supporter.

When it is your turn, you will either enter the courtroom or appear by live link, depending on the Special Measures in place. You will be asked to take an oath or a solemn affirmation — to swear, on a holy book if you wish, or to affirm without religion, that your evidence will be truthful. Either is equally valid; choose whichever is right for you.

Your evidence usually comes in two parts.

The first is examination-in-chief: the prosecution advocate asks you questions that let you give your account. If your evidence-in-chief was video-recorded by the police, that recording may simply be played instead. This part is not adversarial. Its purpose is to let your account be heard.

The second is cross-examination: the defence advocate asks you questions. This is the part people fear most, so hold these truths close. The questions are about the evidence, not about your value as a person. The advocate may suggest a different version of events, or point to inconsistencies — that is their job, and it does not mean they personally disbelieve you or that the court does. You are allowed to take your time. You are allowed to say that you do not understand a question and ask for it to be put again. You are allowed to say that you do not remember, if you do not — guessing is not required, and "I don't know" is a complete and honest answer. You are allowed to ask for a break, and judges grant them. If a question is improper, the judge can and will stop it; you are not alone in defending yourself against unfair questioning, because the judge's duty is to keep the trial fair.

A few practical things help. Listen to the whole question before answering. Answer the question that was asked, not the one you feared. Speak to the person who asked, or to the judge, whichever is easier. If you feel yourself rising into panic, it is entirely acceptable to say so and to ask for a moment. Nobody expects you to be a polished performer. You are there to tell the truth as best you can remember it, and that is all that is asked.

When your evidence is finished, you are usually free to go, or to stay and watch from the public gallery if you wish and if it is permitted. Many people describe the moment they step down as the lifting of a weight they had carried for months.

CHAPTER NINE — WHAT HAPPENS DURING THE TRIAL

A trial can sound like a battle, but it is better understood as a structured way of testing a single question: has the prosecution proved that this person committed this crime, to the standard the law requires?

That standard matters enormously, and it shapes everything. In a criminal trial, the burden of proof is on the prosecution — the defendant does not have to prove their innocence — and the standard is high. The court must be sure of guilt before it convicts. Juries are commonly told they must be "satisfied so that they are sure," which is the modern way of expressing the old phrase "beyond reasonable doubt." This is deliberately demanding, because the consequences of a criminal conviction are severe, and the law would rather a guilty person sometimes go free than an innocent person be wrongly convicted. Understanding this in advance softens the blow if a verdict does not go the way you hoped: a "not guilty" is a statement about whether that very high bar was reached, not a statement that you lied.

The path of a trial depends on which court hears it.

Less serious offences (called summary offences) are tried in the Magistrates' Court, before magistrates or a District Judge, who decide both the facts and, if there is a conviction, the sentence. Some middle-ranking offences (called either-way offences) can be heard in either court. The most serious offences (called indictable offences) are tried in the Crown Court before a judge and a jury of twelve.

In broad shape, a trial runs like this. The prosecution opens by outlining the case. The prosecution then calls its evidence — witnesses, including perhaps you, and documents and exhibits. The defence tests that evidence through cross-examination, and may call its own evidence, including the defendant if they choose to give evidence (they cannot be forced to). Both sides then make closing speeches. In the Crown Court, the judge sums up the evidence and directs the jury on the law. The decision-makers then consider their verdict.

Trials vary hugely in length — a few hours, several days, occasionally weeks. You will not need to be present for all of it unless you wish to be, and you will be kept informed of what to expect and when. The pace can feel strange: long stretches of waiting punctuated by intense moments. That rhythm is normal. It is the system being careful, and being careful is, in the end, on your side.

CHAPTER TEN — THE VERDICT AND SENTENCING

When all the evidence has been heard and the speeches made, the decision-makers withdraw to decide.

In the Crown Court, the jury goes to a private room to deliberate together; their discussions are secret and they are not to be influenced by anyone. They try first to reach a unanimous verdict — all twelve agreeing. If they cannot, after enough time the judge may accept a majority verdict, within limits the law sets. In the Magistrates' Court, the bench or District Judge reaches the decision.

If the verdict is guilty, the case moves to sentencing. Sometimes sentencing happens immediately; often it is adjourned to a later date so that reports can be prepared. The court — the judge in the Crown Court, the magistrates or District Judge in the Magistrates' Court — decides the sentence within guidelines set down for that offence. A sentence may be a period in prison (immediate or suspended), a community order, a fine, a compensation order, or a combination, alongside ancillary orders such as a restraining order to protect you.

This is where your voice has a formal place. Before sentence is passed, you are entitled to make a Victim Personal Statement — a VPS. This is your own account, in your own words, of how the crime has affected you: physically, emotionally, financially, in your relationships, in your sense of safety. It is not a chance to suggest a sentence — that is for the court — but it is the one part of the proceedings that exists purely to let the harm be heard in human terms rather than legal ones. You can write it earlier in the process and update it. You can ask for it to be read aloud, by you or by someone else, or simply read by the court. Many survivors describe the VPS as the moment they stopped being a witness to someone else's case and became a person again. If you are offered the chance to make one, consider taking it. If you are not offered it, you can ask — it is Right 7 of the Victims' Code.

A guilty verdict does not always feel the way people expect. Some feel vindicated; some feel strangely flat; some feel grief rather than triumph. There is no correct way to feel, and whatever you feel is allowed.

CHAPTER ELEVEN — WHEN THE VERDICT IS NOT GUILTY

This chapter is short, and it is one of the most important in the book, because a not-guilty verdict can land like a second wound.

If the defendant is found not guilty, they are acquitted, released, and the case ends. After everything — the reporting, the waiting, the giving of evidence — it can feel like being told that none of it counted, or worse, that you were not believed.

Hold on to what the law actually requires. To convict, the prosecution must make the court sure of guilt — the highest standard there is. A not-guilty verdict means the court was not made sure on the evidence presented. That is a statement about proof. It is not a finding that you lied. It is not a measure of your honesty, your courage, or your worth. Cases can fail to reach that high bar for many reasons that have nothing to do with the truth of what happened to you: evidence that exists but cannot be put before the court, a witness who cannot be found, the simple fact that the burden sits so heavily on the prosecution.

It is worth knowing, too, that an acquittal is not always the absolute end. For a small number of very serious offences, the law allows a case to be reopened if new and compelling evidence later emerges, under the rules introduced by the Criminal Justice Act 2003. This is rare and tightly controlled, and it should not be carried as false hope — but it exists.

What matters most in this chapter is this: whatever the verdict, the support around you does not switch off. You can talk to someone about how you feel. You can ask questions about what the outcome means. You can grieve, and rage, and rest. You came forward and told the truth in a system that demands a great deal of those who do. That act has value entirely independent of twelve strangers' verdict, and no court can take it from you.

CHAPTER TWELVE — AFTER THE TRIAL

Whatever the outcome, the closing of a trial is rarely the closing of the story. Here is what may come next.

If there was a conviction, the defendant may appeal — against the conviction, or against the sentence, or both. An appeal is not a sign that anything was done wrong; it is a built-in safeguard of the system. You should be told if an appeal is brought, under Right 9 of the Victims' Code, and what it means for you. Appeals can take time, and they can reopen feelings you hoped were settled; that is hard, and it is also normal.

If you believe a sentence was far too low, there is a route worth knowing. Under the Unduly Lenient Sentence scheme, for certain serious offences, anyone — including a victim — can ask the Attorney General to consider referring the sentence to the Court of Appeal as too lenient. The long-standing limit is a strict 28 days from sentencing, and reforms going through Parliament are extending the time for victims and bereaved families to ask for a sentence to be looked at again. Either way, act quickly, and ask for help to do it — the contact details are at the back of this book.

For the most serious sexual and violent offences, where the offender is sentenced to twelve months or more in custody, you are entitled to join the Victim Contact Scheme, run by the Probation Service. Through it, a victim liaison officer keeps you informed about key stages — for example, when the offender becomes eligible for parole, or is due to be released — and gives you the chance to ask for licence conditions that protect you, such as an exclusion zone keeping the offender away from where you live. This is Right 11 of the Code, and for many survivors it is what makes the future feel survivable: not being taken by surprise.

There are also protective orders. A restraining order can prohibit the offender from contacting you or coming near you, and can be made in some cases even following an acquittal where the court thinks it necessary. Breaching it is itself a criminal offence.

And then there is the rest of your life, which the system does not manage and cannot mend. The end of a case can bring an unexpected emptiness — the structure that organised your fear for so long simply stops. Support remains available for this part

too, and it is not weakness to reach for it once the formal process is over. Many people find that the hardest work begins after the verdict, and that it is also where the most healing happens.

CHAPTER THIRTEEN — IF YOUR CASE IS A SEXUAL OFFENCE

This chapter exists because the journey through the courts after a sexual offence is different — not only in its legal detail, but in how it feels. The harm is intimate. The fear of disbelief is sharper. And the dread that you, rather than the defendant, will somehow end up on trial is one of the most common, and most reasonable, fears survivors carry. So this chapter sets out, plainly, the protections built specifically around you, and the truths that the process can otherwise obscure.

First, and from the very beginning: you have anonymity for life. Under the Sexual Offences (Amendment) Act 1992, the moment you make an allegation of a sexual offence, your right to anonymity comes into being — automatically, with no application required — and it lasts for the rest of your life. It is a criminal offence for anyone, including the press and including people on social media, to publish anything likely to identify you as the complainant. This protection does not depend on whether the defendant is convicted; it continues whatever the verdict. You can choose to waive it if you ever wish to tell your own story publicly, but that choice is yours alone, and no one can take it from you.

Reporting can take more than one form. You can report to the police directly. You can also go to a Sexual Assault Referral Centre — a SARC — which offers specialist medical care, forensic examination and emotional support, and which you can attend whether or not you have decided to involve the police. In many areas you can self-refer to a SARC, and forensic evidence can sometimes be stored while you take time to decide what you want to do. You do not have to have everything worked out to ask for help. When you do speak to the police, you can ask to be interviewed by an officer of a particular gender, and forces have specially trained officers for these cases.

Early on, ask for an ISVA — an Independent Sexual Violence Adviser. This is the single most useful thing many survivors do. An ISVA is a trained, independent specialist whose entire role is to support you: to explain each stage, to liaise with the police and the CPS on your behalf, to be a steady point of contact through the long wait, and to stand beside you at court. They are independent of the police and the

prosecution, which means their loyalty is to you. If no one has offered you an ISVA, ask the police, the CPS, or a sexual violence charity such as Rape Crisis whether one can be arranged.

Be prepared, honestly, for delay. Sexual offence cases, and adult rape cases in particular, are among those that wait longest in a court system under severe pressure, with cases sometimes listed far into the future. This is not a reflection of how seriously your case is taken, and it is not your fault. It is the reality of the backlog, and it is one of the reasons the protections below – and the support of an ISVA – matter so much. Use the waiting time, if you can, to put support in place rather than carrying it alone.

When it comes to giving evidence, you are automatically eligible for Special Measures, because the law treats complainants in sexual offences as intimidated witnesses without your having to prove it. Everything in the special measures chapter is open to you: the screen, the live link, evidence given from another room, the cleared gallery. And in every Crown Court in England and Wales, you can now apply for your cross-examination to be pre-recorded under section 28 of the Youth Justice and Criminal Evidence Act 1999. This means that, where it is granted, you can give and complete all of your evidence – including the questioning by the defence – at a recorded hearing in advance, often months before the trial itself, and then play no part in the trial day at all. For many survivors, this changes everything: the ordeal is finished early, and the long wait that follows is no longer a wait to relive it.

Two protections deserve to be stated as plainly as possible, because they answer the fear of being put on trial yourself.

The defendant can never question you directly. In sexual offence cases the law forbids the accused from personally cross-examining the complainant. Even if the defendant has dismissed their lawyers and is representing themselves, they are not allowed to ask you a single question. The court appoints a legal representative to put any questions instead. You will never have to answer to the person you have accused.

Your sexual history is not on open display. Under section 41 of the same Act, there are strict statutory limits on questions and evidence about a complainant's previous sexual behaviour. Such material is not automatically admissible; the defence must

apply to the court, and the judge may allow it only through narrow legal gateways, not simply because it might cast you in a poor light or play to a jury's prejudice. The law was written precisely to stop trials from drifting into an examination of the complainant's character rather than the defendant's conduct. It is not a perfect shield, and survivors and campaigners continue to press for it to be applied more rigorously — but it exists, it is real, and your ISVA or the prosecution can explain how it applies in your case.

A word about your records and your phone. In building and testing a case, there can be requests to look at personal material — counselling notes, medical records, school records, or the contents of your mobile phone. This can feel like a second intrusion, and survivors have rightly described the sense of being searched all over again. You are entitled to ask why any such material is being sought, what exactly is being requested, and how it is relevant. Access to your private information is supposed to be necessary and proportionate, not a routine trawl, and reforms have aimed to curb unnecessary demands. You do not have to silently accept every request, and your ISVA or a specialist solicitor can help you understand and, where appropriate, challenge what is being asked.

And about therapy: you do not have to wait. The fear that having counselling will "damage the case" is one of the most harmful myths in this whole area. Current CPS guidance recognises that victims of sexual offences are entitled to the pre-trial therapy they need, and that their wellbeing comes first. If you are ever told you must go without support until after the trial, treat that as something to question, not to accept.

Finally, the truth that the adversarial process can hide from you: you are not the one being judged. It can feel, in the witness box, as though your credibility, your choices, your life are what is on trial. They are not. The question before the court is whether the defendant did what is alleged, to the criminal standard — and at the heart of most of these cases is the single issue of consent, which in law is about whether you agreed by choice, with the freedom and capacity to make that choice. The defendant's conduct is the subject of the trial. Your truth is your evidence. Whatever the verdict, it is a finding about them, never a finding about you.

CHAPTER FOURTEEN — IF YOUR CASE IS DOMESTIC ABUSE

Domestic abuse carries a fear that other crimes do not, because the person who harmed you is not a stranger. They are, or were, a partner, an ex, a family member — someone you may have loved, someone who may know your routines, your finances, your children, your fears. Reporting them, and giving evidence against them, can feel less like seeking justice and more like a betrayal you are being forced to commit. That feeling is one of the cruellest parts of this crime, and it is worth saying clearly at the outset: domestic abuse is a crime, it is never your fault, and protecting yourself is not disloyalty. It is survival.

The law now recognises domestic abuse for the wide thing it is. The Domestic Abuse Act 2021 created, for the first time, a statutory definition. Domestic abuse covers abusive behaviour between people aged sixteen or over who are personally connected — partners, former partners, or family members — and "abusive behaviour" is not limited to physical violence. It includes physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse (controlling your money, your access to work, your ability to provide for yourself), and psychological, emotional or other abuse. A single incident can be enough, and so can a pattern of behaviour over time. If what was done to you was control, fear, isolation or financial entrapment rather than a black eye, the law still sees it, and it has specific offences to match — including the offence of controlling or coercive behaviour in a relationship, and offences covering non-fatal strangulation and threats to share private sexual images. You do not have to have visible injuries to have been the victim of a crime.

Safety comes first, before and alongside any court process. If you are in immediate danger, call 999 — and if you cannot speak safely, you can call 999 and then press 55 when prompted, which signals to the police that you need help without having to talk. The National Domestic Abuse Helpline, run by Refuge, is free, confidential and open 24 hours a day on 0808 2000 247; they can talk through your options, help you find a refuge place, and connect you to local services. There is also the Domestic Violence Disclosure Scheme, often called Clare's Law, which gives you the right to ask the police whether a current or former partner has a history of abuse — and which can also mean the police proactively tell you if they hold such information.

Ask for an IDVA — an Independent Domestic Violence Adviser. Like an ISVA in sexual offence cases, an IDVA is a trained specialist whose focus is your safety and your route through the system. They assess the risks you face, help with practical safety planning, support you through the police and court process, and act as your steady point of contact. In higher-risk cases, your situation may be brought to a MARAC — a multi-agency meeting where the police, health services, housing and specialist organisations coordinate a plan to keep you safe. If you have not been offered an IDVA, ask the police or a domestic abuse charity whether one can be arranged.

A reality of these cases is the pressure to withdraw. After reporting, many victims feel pulled — by fear, by finances, by family, by the abuser themselves, by simple exhaustion — to ask for the case to be dropped, and that pull is part of the abuse, not a weakness in you. It is important to understand how the system responds. The decision to prosecute belongs to the CPS, not to you, and that fact can actually protect you: it means the abuser cannot pin the prosecution on your choice, and the CPS may decide to continue a case even where the victim does not want to give evidence, by building it on other evidence — body-worn camera footage, 999 recordings, photographs of injuries, neighbours' accounts, previous reports. This is sometimes called evidence-led prosecution, and it exists precisely so that the weight of the case does not rest on your shoulders alone. If you are frightened, say so; there are protections, and there are people whose job is to reduce the risk to you.

When it comes to giving evidence, the Domestic Abuse Act 2021 strengthened your position. Victims of domestic abuse now have a statutory presumption that they are eligible for Special Measures in the criminal courts — meaning the screen, the live link, evidence from a separate room and the other protections in the special measures chapter are open to you on the grounds of fear or distress, without your having to fight to establish it. And in a criminal trial, the court has the power to prohibit the defendant from cross-examining you in person; where that applies, even an abuser representing themselves cannot question you directly, and the court appoints a qualified legal representative to ask any questions instead. The person who controlled you does not get to control the witness box.

The protections continue beyond the verdict, and for domestic abuse this matters more than almost anywhere, because the danger does not end when the trial does. There are protective orders designed to keep an abuser away from you. Restraining orders can prohibit contact and can be imposed even after an acquittal where the court considers it necessary for your protection. A newer kind of order, the Domestic Abuse Protection Order, is being introduced and rolled out across England and Wales; it can be made in the criminal, civil or family courts, can attach positive requirements as well as prohibitions, and is designed to offer longer, more flexible protection. If you have children, and contact or family proceedings are part of your life, know that the ban on an abuser personally cross-examining you applies in the family courts too. And for the most serious offences resulting in twelve months or more in custody, the Victim Contact Scheme will keep you informed about release and let you ask for licence conditions, such as exclusion zones, that keep the offender away from where you live.

Hold on to this through all of it. The doubt that abusers cultivate — that it was not "really" abuse, that you provoked it, that no one will believe you, that you cannot manage alone — is the residue of their control, not the truth of your situation. The law sees what was done to you. There are people and orders and protections built to stand between you and the person who harmed you. Leaving, reporting, and giving evidence are among the most dangerous and most courageous things a person can do, and you do not have to do any of them without support. You are not betraying anyone by choosing to be safe. You are more than this moment, and you are allowed to want a life beyond it.

CHAPTER FIFTEEN — THE FEAR, AND CARRYING IT

We end where we began, with the fear, because no amount of legal explanation entirely dissolves it, and pretending otherwise would be dishonest.

The fear is not only of the courtroom. It is of being doubted. Of breaking down in front of strangers. Of being made, somehow, into the one on trial. Of the defendant's eyes. Of the questions. Of remembering, out loud, what you have spent every day trying not to remember. These fears are reasonable, and naming them is not indulgence; it is the first step in carrying them.

So carry them with company. Almost no one does this alone, and the people who try tend to find it hardest. Lean on the Witness Service on the day, on Victim Support through the long middle, on an ISVA or IDVA if your case qualifies, on a counsellor for the parts no legal process can reach, and on the people who love you for everything else. Asking for help is not a failure of strength. It is strength, choosing not to be wasted.

Carry them with knowledge, which is the whole purpose of this book. The screen exists. The live link exists. The rule that keeps the defendant from questioning you exists. Your anonymity, your right to information, your right to make a statement, your right to complain — these exist, with names you can now say out loud. The unknown was always more frightening than the known. You know more now.

And carry them with this, which is truer than any statute: you are more than this moment. You are more than the crime, more than the case, more than the worst day and the long wait and the hour in the witness box. The legal system will reach a verdict about a defendant. It will never reach a verdict about you, because you are not the one being judged. Whatever happens in that room, you walk out of it still being everything you were before — and, very often, something braver than you knew.

REAL STORIES FROM SURVIVORS

The stories below are shared to show the different routes through the process and the support available at each one. Names and details have been changed.

Sarah's story. I was terrified to speak in court. I kept thinking — what if I froze? What if he looked straight at me? But the staff were kind. They explained everything, step by step, and never rushed me. I was offered something called special measures, which meant I could give evidence from behind a screen, so I never had to see him. Before the trial I went on a court visit. The room was smaller and calmer than I had imagined, and I saw exactly where I would sit and who would be there. On the day, I waited in a separate room and someone stayed with me the whole time. When it was my turn, I took a breath and told the truth. I was still scared — but I also felt protected. Looking back, I am proud I did it.

Alex's story. I could not face being in the same building as him. The police explained I could give my evidence by live video link from another court entirely. It felt strange at first, talking to a screen, but someone was with me the whole time and I never had to see the defendant. The link showed me the judge and the barristers, and I was allowed to take breaks when I needed them. My voice was heard — and I did not have to relive the trauma just to be allowed to speak.

Priya's story. I reported the crime, but I knew I did not want to give evidence in court, and I was told that was allowed. I was supported through counselling and through Victim Support, which helped me feel less alone in a time when I felt very alone. Instead of testifying, I made a Victim Personal Statement, and I put into my own words what the crime had done to my life. I never set foot in the courtroom. And I still felt seen, and I still felt heard.

WHERE TO GET SUPPORT

You do not have to face this alone, and you do not have to have reported anything to ask for help. The services below are a starting point; many areas also have local specialist organisations that the ones below can point you to.

Victim Support — 0808 168 9111. Free and confidential, 24 hours a day, every day of the year. Independent of the police. Emotional support, practical information, and referrals, whether or not you have reported the crime. Online live chat and further resources at victimsupport.org.uk.

The Witness Service — provided by Citizens Advice and present in every criminal court in England and Wales. Pre-trial court visits, someone to be with you on the day, and support before, during and immediately after giving evidence.

National Domestic Abuse Helpline — 0808 2000 247. Free and confidential, 24 hours a day, run by Refuge. Support and options for anyone experiencing domestic abuse, including help finding a refuge place. In immediate danger, call 999 — and if you cannot speak, dial 999 then press 55.

Men's Advice Line (Respect) — 0808 801 0327. Confidential support for men experiencing domestic abuse. Women's Aid also provides support and a Survivor's Handbook for women and children.

Independent Sexual Violence Advisers (ISVAs) and Independent Domestic Violence Advisers (IDVAs) — specialist advocates who can walk beside you through the whole process. Ask the police, the CPS, or a specialist charity whether one can be assigned to you.

Rape Crisis, and other specialist sexual violence services — confidential support, advocacy and counselling for anyone affected by sexual violence at any time in their life.

Sexual Assault Referral Centres (SARCs) — specialist centres offering medical care, forensic examination and support after a sexual assault, which you can often access whether or not you have reported to the police.

Your GP, and local counselling and mental health services — you are entitled to support for your wellbeing, and you do not have to wait until a case is over to seek it.

In an emergency, or if you are in danger now, call 999.

This is a sensitive subject, and reading about it can stir up difficult feelings. If anything in this book has brought the present moment too close, please reach out to one of the services above. You deserve support, and it is there for you.

A CLOSING WORD FROM SHE VOICE

Whether you give evidence or not, whether the verdict goes your way or not, your voice matters. This book was written to help you feel informed, supported and empowered through every step of a process that too often leaves victims in the dark.

The legal system can feel overwhelming — but you are not defined by this moment. You are more than what happened to you. You are more than this case.

Kulturalism offers free resources and educational materials, and we are always here. If we cannot help you directly, we will do our best to connect you with someone who can.

kulturalism.org | [she voice](#)

REFERENCES AND USEFUL LINKS

Everything this book refers to is gathered here. Web addresses change over time; if a link does not work, search for the title on the organisation's website. Government information is at [gov.uk](https://www.gov.uk), and the full text of any law is at [legislation.gov.uk](https://www.legislation.gov.uk).

Your rights and the Victims' Code

The Code of Practice for Victims of Crime (the Victims' Code) — [gov.uk/government/publications/the-code-of-practice-for-victims-of-crime](https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime). (A revised Victims' Code was in consultation in early 2026, so check for the latest version.)

Making a complaint if your rights are not met — the Parliamentary and Health Service Ombudsman, [ombudsman.org.uk](https://www.ombudsman.org.uk).

The law behind this book (full text at [legislation.gov.uk](https://www.legislation.gov.uk))

Victims and Prisoners Act 2024 — [legislation.gov.uk/ukpga/2024/21](https://www.legislation.gov.uk/ukpga/2024/21).

Domestic Violence, Crime and Victims Act 2004 (which created the Victims' Code) — [legislation.gov.uk/ukpga/2004/28](https://www.legislation.gov.uk/ukpga/2004/28).

Youth Justice and Criminal Evidence Act 1999 (Special Measures, and the limits on questioning and on cross-examination) — [legislation.gov.uk/ukpga/1999/23](https://www.legislation.gov.uk/ukpga/1999/23).

Sexual Offences (Amendment) Act 1992 (lifelong anonymity for complainants in sexual offences) — [legislation.gov.uk/ukpga/1992/34](https://www.legislation.gov.uk/ukpga/1992/34).

Domestic Abuse Act 2021 (the statutory definition, special measures, and protections in domestic abuse cases) — [legislation.gov.uk/ukpga/2021/17](https://www.legislation.gov.uk/ukpga/2021/17).

Criminal Justice Act 2003 (the rules allowing a small number of serious cases to be retried) — [legislation.gov.uk/ukpga/2003/44](https://www.legislation.gov.uk/ukpga/2003/44).

Reviewing decisions and challenging sentences

The Victims' Right to Review (asking for a CPS decision not to charge, or to stop a case, to be reviewed) — [Crown Prosecution Service, cps.gov.uk](https://www.cps.gov.uk).

The Unduly Lenient Sentence scheme (asking for a Crown Court sentence to be reviewed as too low) — [gov.uk, search](https://www.gov.uk/search) "Ask for a Crown Court sentence to be reviewed," or contact the Attorney General's Office.

Claiming compensation — the Criminal Injuries Compensation Authority, [gov.uk/claim-compensation-criminal-injury](https://www.gov.uk/claim-compensation-criminal-injury).

The Victim Contact Scheme (for the most serious sexual and violent offences) — arranged through the Probation Service; ask the police or your witness care unit.

Support services

Victim Support — 0808 168 9111, free and confidential, 24 hours a day.
[victimsupport.org.uk](https://www.victimsupport.org.uk).

The Witness Service (court support and pre-trial visits) — provided by Citizens Advice, [citizensadvice.org.uk](https://www.citizensadvice.org.uk).

National Domestic Abuse Helpline (run by Refuge) — 0808 2000 247, free, 24 hours a day. [nationaldahelpline.org.uk](https://www.nationaldahelpline.org.uk) and [refuge.org.uk](https://www.refuge.org.uk). To report domestic abuse: [gov.uk/report-domestic-abuse](https://www.gov.uk/report-domestic-abuse). In immediate danger, call 999; if you cannot speak, dial 999 then press 55.

Men's Advice Line (Respect), for men experiencing domestic abuse — 0808 801 0327. [mensadvice.org.uk](https://www.mensadvice.org.uk).

Rape Crisis England and Wales — [rapecrisis.org.uk](https://www.rapecrisis.org.uk).

The Survivors Trust — [thesurvivorstrust.org](https://www.thesurvivorstrust.org).

Sexual Assault Referral Centres (SARCs) — find your nearest centre at [nhs.uk](https://www.nhs.uk) (search "sexual assault referral centre").

Domestic Violence Disclosure Scheme ("Clare's Law"), the right to ask the police about a partner's history — apply through your local police force; details at [gov.uk](https://www.gov.uk).

Domestic Abuse Protection Orders and other protective orders — being introduced across England and Wales; ask the police, your IDVA, or a domestic abuse charity about what is available in your area.

In an emergency, always call 999.

A note on this book: This is general information about the criminal courts of England and Wales, not legal advice about your individual case. Law and procedure change over time, and every case is different. For advice on your own situation, speak to the police, the CPS, your support worker, or a solicitor. Where this book describes your rights, those rights are real — and you are entitled to ask for them by name.