

A Response by NSPCC NI to the Public Prosecution Service's 'Policy for Prosecuting Cases of Rape' consultation

October 2009

1. The NSPCC welcomes the opportunity to respond to the Public Prosecution Service's 'Policy for Prosecuting Cases of Rape' consultation.
2. The NSPCC is the lead voluntary child protection agency in the United Kingdom. The Society is unique in having statutory powers under the Children (NI) Order 1995 and operates more than 20 projects in Northern Ireland offering a broad portfolio of services relating to child protection and prevention, safeguarding, working with victims, family support, training and consultancy, research and policy development and listening services. Among them, this includes three projects which provide post abuse therapeutic services to children and young people and one project which provides treatment and assessment for young people who display sexually harmful behaviour. Our Young Witness Service also provides advocacy and support for children and young people who are witnesses within the Northern Ireland Court system. NSPCC also runs ChildLine the 24hour confidential helpline for children.
3. NSPCC is pleased to see that the draft policy acknowledges key issues of importance to victims and witnesses, such as being kept informed of decisions, avoiding unnecessary delay, having access to experienced barristers and providing support for vulnerable witnesses. However, it is not clear from the consultation document to what extent the processes outlined are currently in place and to what extent this is a statement of intent for the PPS.
4. In responding to this draft policy we have consulted with practitioners and managers who work with the victims of child sexual abuse. They have raised several issues which would suggest that current practice does not always meet the standards set out in the draft policy. These include:
 - A number of victims who have been in contact with the PPS who do not feel that they were treated with respect or sensitivity
 - Access to the same barrister and/or an experienced barrister does not appear to be the usual experience
 - Court appearances appear to be timed more for the convenience of defendants than victims
 - PPS consultation with child victims appears to be rare
 - Families often do not understand the reasons given for a decision not to prosecute
 - Often the prosecution does not challenge defence applications or object to specific lines of questioning which appear to be aimed

solely at undermining the victim. Consequently the victim is made to feel very vulnerable and unsupported

5. It was also noted that the support services listed in Annex 4 did not list the NSPCC projects in Craigavon and Foyle which work therapeutically with victims of sexual abuse. These would be a useful inclusion in terms of signposting and postal addresses are enclosed in Annex 1.
6. Based on the experience of our services it would appear that there is still some way to go before the practices outlined in the draft policy become a reality. That said, we recognise the positive move the PPS has made in developing this policy specifically for rape cases and welcome the intent behind it. However, in order to take it forward in a meaningful way appropriate monitoring and evaluation of the policy implementation process is needed. Monitoring issues such as the timing of key PPS decisions, court appearances, the contact between barristers and victims and obtaining feedback from victims themselves would provide a more tangible sense of what the policy is actually achieving.

Contributors

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http://www.nspcc.org.uk/Inform/policyandpublicaffairs/NorthernIreland/northernireland_wda48642.html

Annex 1

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