

## Support for victims and witnesses of anti-social behaviour

We recognise that one of the biggest challenges we face when tackling anti-social behaviour (ASB) in our neighbourhoods is encouraging people to report incidents to us and act as witnesses.

Witnesses are crucial to tackling ASB, whether you are a direct victim or a witness to ASB.

The direct evidence available from a witness of ASB is of a higher quality and value than hearsay (reported by someone who did not see the incident, but was told about it), and adds more weight in Court to get a successful outcome. It shows to a judge the real distress and annoyance of ASB and how this behaviour affects those suffering from the ASB.

We recognise that victims and witnesses need to be supported from the time they initially report the incident, and we will give you advice on how we can help and support you.

On some occasions it may be helpful to try to resolve the issue directly by talking to your neighbour yourself. By doing this you may be able to sort the matter quickly without having to do anything else. However, if this doesn't work or you don't feel it's appropriate, speak to us and we will advise you on the options available.

Where there are neighbour disputes, one of the most effective ways of resolving the issues can be seeking the support of mediation. However, in some cases it may be necessary for legal action to be taken. If you do need to act as a witness in Court, then the following information may be of use to you.

### Which Court will the case go to?

This depends on the type of Court action and whether it applies to civil or criminal law. Civil law deals with disputes between individuals and organisations and is usually heard in a County Court. Criminal law deals with crimes and their punishment and is heard in a Magistrates or Crown Court.

### Will I be supported at Court?

A WHT Officer will attend the Court hearing and support you on the day. When you arrive they will introduce you to the relevant solicitor and legal representatives. They will also introduce you to the Court usher who will show you where to sit and where to go when the case is called. If you have mobility requirements or need translation services we will try to arrange these for you beforehand.

### Will I get financial assistance?

If you attend Court we can arrange transport for you. If you have childcare responsibilities, or if you are a carer, we will try to help out with these arrangements too.

If charges are brought against the person(s) responsible you may be entitled to receive help from the Witness Care Unit. They will provide you with support as a witness until the case concludes.

## What happens when the case is called?

When the case is called you will be taken to the Court room and seated to the right of the judge. The defendant will usually be seated to the left. On entering the witness box you will be asked to swear an oath on the bible or a book of your faith. If you do not follow a religion you will be asked to 'affirm'. This is a declaration that what you are about to say is true.

## What happens when I give evidence?

The barrister for both the claimant and the defendant may ask you questions about your statement. It is important you respond honestly, keep to the facts and take your time when you answer. If you don't understand a question you should ask them to repeat it. If you are unsure about something or don't know how to answer, it is fine to say "I don't know" or "I don't remember".

## How will the Court make a decision?

Once all the evidence has been heard the judge will make a decision about whether the case has been proved. If the case is not proved, it's not because they do not believe you. The decision could be for reasons based on a legal point of law or the evidence may not be sufficient to demonstrate the level of proof required. In civil cases the burden of proof is "on the balance of probabilities" (was the incident more likely to have happened than not to have happened?) In criminal cases a higher burden of proof is required and it must be "beyond reasonable doubt".

## What happens after the hearing?

You will meet with a Trust Officer who will talk to you about the Court's decision and explain what will happen next. It is also an opportunity for you to ask questions if there is anything you don't understand.

**Where can I find more information?** Victim Support - information and support service for victims and witnesses.

**Victim Support Line: 0845 3030 900.**

[www.victimsupport.org.uk](http://www.victimsupport.org.uk)

**Criminal Justice System for England and Wales** - help and support for victims giving evidence at Court.

[www.cjsonline.gov.uk/](http://www.cjsonline.gov.uk/)

For further information on reporting and dealing with anti-social behaviour, contact us on **01952 217100**.