

## SFJWCDE7

# Undertake needs assessments of victims and witnesses



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### Overview

This unit is about undertaking a needs assessment of victims and witnesses. It includes determining relevant circumstances, assessing the associated needs and making contact with the relevant agencies.

Note- where the text refers to 'Victim Personal Statements' these are known as 'Victim Personal Statements' in England, Wales and Northern Ireland and 'Victim Statements' in Scotland.

#### **There are three elements:**

- 1 Determine relevant circumstances and identify associated needs
- 2 Provide reassurance to victims and witnesses
- 3 Make contact with relevant agencies

#### **Target Group**

This unit is for Witness Care Officers and others whose responsibilities include undertaking needs assessments of victims and witnesses in preparation for their appearing in court.

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### Performance criteria

#### Determine relevant circumstances and identify associated needs

*You must be able to:*

- P1 confirm that the witness understands their role and the **procedures** with which they will be involved and procedures, and the facilities and services available to them
- P2 review the information available and monitor the witness' responses to you, and identify any indicators of **possible need**, that may require to be addressed
- P3 recognise whether a Victim Personal Statement needs to be obtained during the course of the case if circumstances change
- P4 explore with the witness whether they require any support, including emotional, practical or protection, whilst waiting to give evidence, or at court
- P5 identify those witness needs to be addressed and the relevant actions required
- P6 address witness requirements for medical care and welfare in accordance with your organisation's requirements
- P7 meet requirements towards addressing abusive and aggressive behaviour against witnesses in accordance with current guidelines and codes of practice
- P8 record all information provided in accordance with current policy and legislation

#### Provide reassurance to victims and witnesses

*You must be able to:*

- P9 use appropriate communication techniques and seek to put the witness at their ease
- P10 maintain flexibility in response to the witness' behaviour and attitude
- P11 encourage questions, check for understanding, and provide clarification where necessary
- P12 explain clearly and accurately to the witness the next steps in the process and how they might contact you if they have any questions, or require further support
- P13 deal with individuals in an ethical manner, recognising their needs with respect to race, diversity and human rights

#### Make contact with relevant agencies

*You must be able to:*

- P14 update relevant others on the outcomes of the assessment
- P15 take, or arrange, the required action promptly to address the needs identified, including seeking immediate support where the individual is particularly distressed or there are signs of intimidation or threat
- P16 ensure that an accurate summary of the assessment is prepared in

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- accordance with current policy and legislation
- P17 ensure that the integrity and security of records is maintained, and undertake effective measures to prevent disclosure of any witness details
- P18 **document** fully all **relevant details** in accordance with current policy and legislation

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### Knowledge and understanding

*You need to know and understand:*

#### Legal and organisational requirements

- K1 current, relevant legislation, policies, procedures, codes of practice and guidelines for assessing witness needs
- K2 current, relevant legislation and organisational requirements in relation to race, diversity and human rights relevant to assessing witness needs
- K3 current, relevant legislation and organisational requirements in relation to health and safety relevant to your role
- K4 how to deal with witnesses and relevant others in an ethical manner
- K5 the rights and roles of victims and witnesses and the procedures with which they will be involved within the criminal justice process

#### Identifying needs and making contact with relevant agencies

*You need to know and understand:*

- K6 the types of requirements for support that may arise and how these should be dealt with
- K7 how to determine the category of a victim or witness, and the way in which this will influence your approach
- K8 how to assess the physical and emotional condition of victims and witnesses to establish their needs in relation to testifying in court
- K9 the action to take where you have concerns about the fitness of the victim or witness to testify
- K10 the rules of evidence and disclosure
- K11 what to do when departures from normal practices are required
- K12 how to maintain the security and welfare of the victim or witness
- K13 the correct ways of informing the witness and relevant others of their role and the procedures with which they will be involved in the criminal justice process
- K14 how to be flexible in your approach, using various techniques appropriate to the behaviour and attitude of the victim or witness
- K15 how to address correctly and ethically a victim or witness' reluctance or fear of testifying
- K16 the agencies/third parties available towards providing support and how their involvement should be initiated
- K17 how to update relevant others and the information that they will require
- K18 current documentation requirements and how to complete documents correctly
- K19 what information is confidential, and how to ensure that it is only available to those with authorised access

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#### Additional Information

##### Scope/range related to performance criteria

**Procedures** to be understood include:  
those with which the individual will be involved as a witness  
the relevant court process and procedures

**Possible needs** includes all of:  
witness vulnerability  
intimidation of the witness  
threat to the witness

**Document** can be by:  
paper-based means  
electronic means

**Relevant details** includes all of:  
decisions  
actions  
options  
rationale for the decisions

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### Undertake needs assessments of victims and witnesses

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