

# Pre-recorded evidence for rape victims rolled out across Wales

- all Crown Courts in Wales now offer pre-recorded cross-examination
- measure aims to reduce trauma for victims and witnesses to help them give better evidence
- nearly two-thirds of all Crown Courts in England and Wales now provide this support

The provision – which is already available in 47 Crown Courts in England – allows victims and witnesses of crimes such as rape and modern slavery to have their cross-examination video-recorded and played later during trial. This is subject to a successful application to the court.

The recording takes place as close to the time of the offence as possible, while memories remain fresh, and helps victims avoid the stress of giving evidence in a live trial, which many find traumatic.

From today, all 6 Crown Courts in Wales will now offer this support, including in Caernarfon, Cardiff, Merthyr Tydfil, Mold, Newport and Swansea.

The move follows the successful implementation for vulnerable victims, such as children or those who have limited mental capacity, across the country – with more than 2,500 witnesses having already benefitted from the technology since August 2020.

Deputy Prime Minister, Lord Chancellor and Secretary of State for Justice, Dominic Raab, said:

While rape convictions are up two thirds in the last year, we are determined to ensure even more victims get the justice they deserve.

That's why we have rolled out pre-recorded evidence to seven more crown courts – to spare more rape victims the trauma of testifying in the glare of the courtroom.

We are also recruiting more independent sexual violence advisors, piloting specialist rape support in courts, delivering a new Victims' Bill and boosting collaboration between police and prosecutors.

The measure is also designed to maintain a defendant's right to a fair trial and any decision to pre-record evidence is made by a judge on a case-by-case basis.

It will mean that 54 Crown Courts can offer pre-recorded evidence – nearly two thirds of all Crown Courts in England and Wales. The government is

committed to rolling it out nationwide by September 2022.

Secretary of State for Wales Robert Buckland said:

To improve conviction rates for rape and sexual violence it is vital that victims can provide the best possible evidence and are not further traumatised by their experiences in court.

Video evidence works and is part of our ongoing programme to transform the criminal justice system so victims are at its centre. I helped begin this work during my previous role in government and I am delighted to see these measures being rolled out in every crown court in Wales.

Welsh Women's Aid Chief Executive Sara Kirkpatrick said:

Special measures to ensure that victims and witnesses are not further traumatised by their experiences through the courts are a vital component of a victim centred criminal justice system. We welcome that all crown courts across Wales will now have the facility to use pre-recorded evidence of victims, which will help to provide scope and flexibility for individuals to engage with historically intimidating justice systems.

While video evidence is a proactive and positive step in addressing issues of distrust and low public confidence, it must be just one improved element in a wider, systemic change that places survivors at the centre of all processes.

The expansion of pre-recorded evidence is a key pledge within the government's Rape Review Action Plan. The plan sets out clear actions for the police, prosecutors and courts. These include a new approach to investigations, reducing the number of victims withdrawing from the process, increasing the volume of trials being heard, protecting the public and putting more rapists behind bars.

While more must be done these efforts are beginning to have an impact. The latest figures show that across Wales there was a 13 percent increase in prosecutions for adult rape in 2021 compared to 2019.

Last month, the government published the latest Rape Review Progress report and committed to piloting specialist rape support in three courtrooms as recommended by the Joint Inspectorates of the CPS and Police. This would offer support, such as Independent Sexual Violence Advisors, within the court itself, as well as providing trauma training to court staff. These courtrooms will be set up at Snaresbrook Crown Court in London as well as Leeds and Newcastle Crown Courts.

Today's announcement builds on recent government action to make our streets

safer and increase confidence in the justice system, including the publication of a draft Victims' Bill. The legislation seeks to amplify victims' voices, and places greater accountability on agencies such as the Crown Prosecution Service (CPS) and police for the service they provide to them.

## **Notes to editors:**

- Both the defence and prosecution lawyers will be present in court during the pre-recording as will the judge and the defendant.
- Decisions to grant section 28 hearings are taken by independent judges following an application to the court.
- Pre-recording cross-examination preserves a defendant's right to a fair trial.
- Vulnerable witnesses and victims are defined as all child witnesses under 18 and any witness whose quality of evidence is likely to be diminished because they are suffering from a mental disorder or physical disability or has significant impairment of intelligence and social functioning.
- Intimidated witnesses and victims for the purposes of this pilot are defined as complainants of sexual offences and modern slavery offences who are witnesses in proceedings relating to that offence, or that offence and any other offences.
- The measure is being rolled out to the following courts today:
  - Caernarfon
  - Cardiff
  - Merthyr Tydfil
  - Mold
  - Newport
  - Swansea
  - Preston Crown Court and Family Court (Sessions House)
- The courts already operating pre-recorded evidence for intimidated victims are:
  - Sheffield
  - Doncaster
  - Newcastle
  - Portsmouth
  - Southampton
  - Isle of Wight
  - Winchester
  - Bournemouth
  - Bristol
  - Exeter
  - Gloucester
  - Plymouth
  - Salisbury
  - Truro
  - Liverpool
  - Leeds
  - Kingston-Upon-Thames
  - Harrow

- Isleworth
  - Wood Green
  - Durham
  - York
  - Grimsby
  - Hull
  - Bradford
  - Teesside Crown Court
  - Warwick
  - Shrewsbury
  - Stafford
  - Stoke-on-Trent
  - Worcester
  - Hereford
  - Nottingham
  - Lincoln
  - Leicester
  - Northampton
  - Taunton
  - Bolton
  - Burnley
  - Preston Combined Court
  - Carlisle
  - Lancaster
  - Warrington
  - Chester
  - Manchester Crown Square
  - Manchester Minshull Street
  - Swindon Crown Court
- There are 71 Crown Court Centres in the UK, and a total of 83 Crown Court locations.
  - Rape convictions are increasing – there has been a 15 percent increase in the number of people convicted for rape offences in the last three months across England and Wales. There were 467 convictions last quarter (CPS Prosecution Statistics – October to December 2021), compared to 407, 398 and 376 in the quarters before. Total completed prosecutions for rape cases have increased by 10 percent from 600 (July – September 2021) to 661 (October-December 2021).
  - In England and Wales the average number of days for adult rape from CPS charge to the case being completed continued to fall, down by 38 days (8.3 percent) since the peak in June 2021 – down from 457 days to 419 in October – December 2021.