

# Specialist sexual violence courts: Six considerations for implementation

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## Background

Earlier this year, the Government announced the creation of three Specialist Sexual Violence Court (SSVC) pilots at Crown Courts in Leeds, Newcastle and in Snaresbrook, London.<sup>1</sup> The pilots seek to address the historically low prosecutions and convictions rates for rape cases—latest data show that only around 1% of reported rape cases ended in an eventual conviction.<sup>2</sup> The SSVCs have also been created to address the long waiting times that victims of sexual violence encounter for their court cases to proceed—waiting times that have gone up due to the backlog of cases at Crown Court, which existed prior to but has been exacerbated by, the COVID-19 pandemic.

To meet these aims, the SSVCs will (i) seek to increase the speed with which sexual violence cases reach trial; (ii) hear cases in a dedicated courtroom using judges and prosecutors with specialist training in trauma and the dynamics of sexual violence; (iii) provide victim-survivors with access to specialist support and advocacy as well as a range of special measures enabling them to provide pre-recorded evidence at trial.<sup>3</sup>

## Purpose of briefing

This briefing seeks to inform the development of the SSVC pilots and other projects to address the response to sexual violence in the criminal justice system. It introduces the challenges that the system faces in processing sexual violence cases and the barriers experienced by victim-survivors of sexual violence through the process.

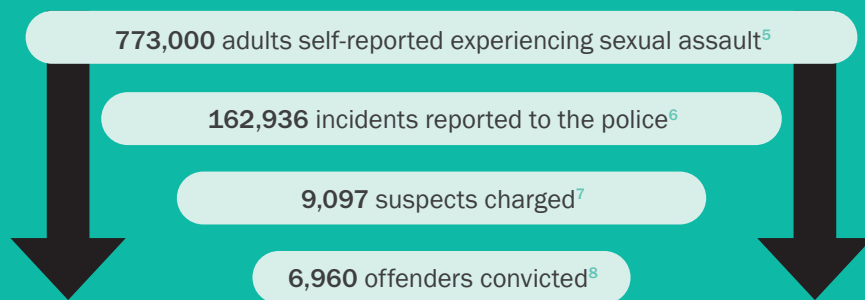
We describe relevant policy developments and explore the existing evidence base on the SSVC model where it has been implemented in other common law countries. In addition to this, we conducted informal interviews with Independent Sexual Violence Advocates in the UK as well as stakeholders with a knowledge of the roll out of SSVC model in New Zealand and Australia. Finally, drawing on the policy landscape, the evidence-base, interviews with practitioners and stakeholders, and other specialist court models such as Specialist Domestic Abuse courts, we will outline six considerations for implementing SSVC pilots in the UK.

## Sexual violence in the UK

The terms 'sexual violence', 'sexual assault', 'sexual offence', and 'sexual offending' are commonly used interchangeably. These terms can refer to a range of non-consensual or coercive sexual behaviours that can impact both adults and children, and broadly include: rape, indecent assault, sexual abuse, sexual acts with a child, exposure offences, and attempts or threats to do any of these. Sexual violence disproportionately effects women and girls, 80% of respondents who reported experiencing sexual assault in the Crime Survey England & Wales 2020 were female.<sup>4</sup>

Reporting, charging and conviction rates for sexual violence are consistently low compared to other offence types. Publically available data shows a significant disparity between the number people who self-reported experiencing sexual assaults in the Crime Survey England & Wales and the number of incidents that are reported to the police. Most cases do not progress to a suspect being charged with an offence, and even fewer end with the suspect receiving a conviction.

## Sexual assault data in the UK



Although sexual violence can occur as a singular offence perpetrated by a stranger, sexual violence commonly occurs as a pattern of incidents within intimate and familial relationships alongside other forms of abuse (such as emotional or physical). Data from the Crime Survey England & Wales estimates more than four in ten rapes and sexual assaults are perpetrated by an ex or current intimate partner.<sup>9</sup>

## Barriers to addressing sexual violence in the criminal justice system

**Victim-survivors of sexual violence face complex barriers throughout all stages of the criminal justice system:**

### *Reporting and investigation*

At the reporting stage, victim-survivors report worrying about their account not being believed by the police and often find the process of reporting to police re-traumatising due to having to re-explain the offence in detail.<sup>10</sup> Additionally, the evidential threshold for a charge to be made in incidents of sexual violence is high with victim-survivors being expected to submit to forensic examination and handover personal items for investigation such as their mobile phone.<sup>11</sup>

Victim-survivors frequently retract their reports due to experiencing personal safety concerns, this is often a salient concern in instances where the victim-survivors knows the perpetrator of the offence. This can arise in instances such as where a perpetrator being released from custody during investigation without pre-charge bail, meaning they can contact and potentially threaten/intimidate the victim-survivor during the investigation.<sup>12</sup>

Cases are often dropped by statutory agencies during investigation before a charge is made due to insufficient evidence being gathered and the investigation not being completed within the outlined statutory timeframe.<sup>13</sup> Poor coordination and strained relationships between criminal justice agencies and a lack of staff specialism in sexual violence have also been highlighted as issues driving cracked cases.<sup>14</sup>

### *Awaiting trial*

Prosecuting sexual violence is often a drawn out process due to the fact that a high volume of cases end up going to trial. Victim-survivors have to wait an average 706 days between first reporting the offense and the case reaching trial.<sup>15</sup> Practitioners we spoke to for this briefing suggested that early guilty pleas may be less common for sexual violence offences as perpetrators seek to avoid the stigma related to being convicted of sexual offence.

Victim-survivors frequently report experiencing anxiety and distress whilst waiting to give evidence at trial. Until recently, a clause in the Crown Prosecution Service's guidance on pre-trial therapy prevented victim-survivors from discussing the details of their case in therapy whilst awaiting trial due to this being considered as oral evidence,<sup>16</sup> meaning victim-survivors were unable to process the sexual violence in therapy whilst awaiting trial. This clause often resulted in victim-survivors withdrawing from the criminal justice system so they could access therapeutic support.

Although this clause was removed in 2022, many victim-survivors still choose not to access pre-trial therapy as the police and prosecution may be able to request to view the notes of their psychotherapy sessions, and can call their psychotherapist to trial as a witness if a disclosure of the incident was made in the first therapy session.<sup>17</sup> Victim-survivors are deterred by the potential for therapy notes to be used in criminal proceedings by the defence ‘if they contain material capable of undermining the prosecution’s case or assisting the defence case’. That is, if material disclosed in therapy renders the victim-survivor’s account as inconsistent or support the perpetrator’s account of what happened.<sup>18</sup> Furthermore, there is potential for the defence to use therapy notes at trial to undermine the credibility of the victim-survivor’s testimony by arguing it is based on ‘false memories’ that have been influenced and altered by processing the incident in therapy.<sup>19</sup> Whilst some victim-survivors still choose to receive therapeutic support, they are careful not to discuss anything relating to incident or incidents to avoid their account being shared and weaponised.

Due to the current constraints around delivering pre-trial therapeutic support, independent sexual violence advocates we spoke to for this briefing felt they could only provide limited emotional support to victim-survivors in the run up to trial. This stemmed from worries about having to hand over notes on the victim-survivor to the police and prosecution if a victim-survivor discussed anything that could be considered oral evidence with them. ISVAs felt that this left victim-survivors feeling extremely isolated from support and still ‘frozen in time that the incident had occurred’ often being unable to process the trauma of the incident through therapy for years.

### ***Trial***

Once a case reaches trial, victim-survivors undergo cross-examination by the defence in the courtroom before a jury. In addition to victim-survivors having to relive traumatic incidents through re-telling them to the courtroom, cross-examinations often entail the defence often ask victim-survivors irrelevant questions to undermine their character and the credibility of their account before the jury. Irrelevant questions could relate to questions focusing on the victim-survivors sexual or relationship history.<sup>20</sup>

Cross-examinations often influence jury decisions through drawing on pervasive rape myths that surround sexual violence such as the victim-survivor inviting the offence to occur by dressing a certain way and perceiving sexual activity within an intimate relationship always being consensual.<sup>21</sup> Additionally victim-survivors may be scrutinized by the jury for not displaying what are considered to be ‘typical victim behaviours’; their credibility may be undermined for not reporting the incident immediately, for not cutting off contact with the person responsible for the offence immediately, and not exhibiting enough distress whilst being cross-examined.<sup>22</sup>

For many victim-survivors, re-encountering the perpetrator in the courtroom is traumatic, especially if it is a person they knew prior to the offence taking place. Many victim-survivors report feeling intimidated by the perpetrator’s presence whilst giving evidence and worry about their personal safety whilst attending court.<sup>23</sup>

## **Support for victim-survivors of sexual violence in England and Wales**

**Specialist support and advocacy services have been available for victim-survivors of sexual violence in England and Wales in contact with the criminal justice system for several decades:**

### ***Sexual Assault Referral Centres (SARCs)***

Sexual Assault Referral Centres (SARCs) were established in 1986 and provide an accessible, coordinated, multi-agency, one-stop-shop service to adult victims-survivors of sexual violence that includes crisis support, informal support and advocacy, and longer-term therapeutic counselling. This type of coordinated service aims to encourage and empower victims-survivors to engage with the criminal justice system. SARCs are closely aligned with police and health centres and tend to be based at these locations, but they can also be based at other locations that are not part of statutory services. The majority of SARCs are staffed by medical professionals, specially trained police, and other specialised workers such as ISVAs. SARCs provide an interface between the health and criminal justice

system, and other support agencies, to provide better support and care for victims-survivors of sexual violence under the one roof.

Practitioners we spoke to for this briefing also expressed concern around SARCs receiving less funding in recent years and only being accessible to victim-survivors who are engaging with the formal criminal justice response to sexual violence as opposed to being available to all victim-survivors of sexual violence as intended.<sup>24</sup>

SARCs are relatively expensive to run in the UK and have effectively reduced the funding available to other sexual violence support services, such as rape crisis groups, resulting in Rape Crisis Centres (RCCs) closing or reducing services. This is concerning given that research has found some victim-survivors may be more reluctant to use SARCs due to them being closely aligned with statutory services and the police response. Victim-survivors who mistrust public services may experience fewer barriers using RCCs given that they are voluntary and independent organisations.<sup>25</sup>

### ***Independent Sexual Violence Advisors (ISVAs)***

In 2006, Independent Sexual Violence Advisors (ISVAs) were introduced to several locations in England and Wales to complement SARCs, and to provide emotional and practical tailored support to victims-survivors of sexual violence who have reported to the police, or are considering reporting to the police. ISVAs are the central point of contact for victims-survivors accessing services within SARCs, as they coordinate the different services required on their behalf. However, ISVAs can also be based in voluntary organisations, such as Rape Crisis Centres. There are currently about 250 ISVA services in the UK.<sup>26</sup>

A recent mapping of court support for victim-survivors of domestic abuse and sexual violence by Safelives and the domestic abuse commissioner's office found that victim-survivors find support from ISVAs more valuable than other support available during the court process.<sup>27</sup> However, research has found ISVA services are challenged by limited funding and stretched by a high volume of cases.<sup>28</sup> Additionally, not all ISVAs have specialist training in how the criminal justice system operates which limits the extent to which they can support victim-survivors engaging with the formal criminal justice response.

## **Recent policy developments**

Improving how the criminal justice system processes sexual violence has been gaining salience as a policy issue in the UK. In 2021, the Home Office published 'The end-to-end-rape review'. This report set out how the government plans to tackle consistently low reporting rates and sharply declining prosecution and conviction rates for sexual violence. The report pledged to increase engagement and reduce the risk of re-traumatisation for victim-survivors during all stages of the criminal justice process through enhancing the availability of specialist wrap around support and advocacy, improving the communication between criminal justice system agencies and victims, reducing the time it takes for cases to reach trial and taking measures to reduce the impact and invasiveness of police investigation on victims. The paper outlined a commitment to delivering more convictions and early pleas for offences through improving the quality of investigations.<sup>29</sup>

Moreover, the Government is continuing to roll out Operation Soletaria, a new approach to investigating rape that focuses on suspects not victims. It involves academics working with police forces to examine their handling of rape cases and make recommendations for operational changes. It is already in action in five police force areas and will soon be rolled out to a further 14 forces by March 2023. By June 2023, these trials will lead to a new national operating model available to all police forces to better investigate and prosecute rape cases.<sup>30</sup> In addition, the option to participate in a pre-recorded video cross-examination prior to a trial taking place is being made widely available to victims of rape by September nationally following successful pilots. This development will spare victim-survivors the trauma of having to attend trial in person.<sup>31</sup> Finally, the Home Office has announced an £81 million investment in ISVA and IDVA services in the Tackling Domestic Abuse Plan (2022), making a commitment to fund 700 IDVA and ISVA roles over the next 3 years.<sup>32</sup>

## The specialist sexual violence court model

This section will introduce the SSVc model. It will describe the model's development, aims, key components, and discuss the findings of previous evaluations of the model.

### History

The first SSVc was opened in 1993 in Wynberg, South Africa, under the name of the Specialist Sexual Offence Court (SSOC) in response to consistently low conviction rates for sexual offences. By 2005, there were 74 similar courts across South Africa. SSOCs were designed to work in conjunction with Thuthuzela centres: one-stop shop support centres designed for survivors of sexual offences, which operate similarly to SARCs in the UK. However, SSOCs in South Africa were defunded and rolled back in the early 2000s. Recently the South African government expressed a commitment to re-establish SSOCs throughout South Africa due to continually low conviction rates for sexual offences.<sup>33</sup>

In recent years, several countries have established or looked to establish modified versions of the Wynberg model:

- Victoria, Australia has had Specialist Sexual Offence Practices based on the Wynberg model since 2004;<sup>34</sup>
- New Zealand launched two successful SSVc pilots in Auckland and Whangarei in 2016 and there are now plans to roll out the model more widely. The design of these pilots was informed by the Wynberg model;<sup>35</sup>
- A specialist Sexual Offences Model Court based on the Wynberg model has been in operation in Antigua and Barbuda, and Guyana for a number of years;<sup>36</sup>
- More recently both the Scottish government and the Canadian province of Quebec announced intentions to pilot SSVcs based on the Wynberg model.<sup>37 38</sup>

### Aims

SSVcs typically aim to:

1. Improve the experience of victim-survivors during criminal justice system process, thereby reducing the risk of re-traumatising victim-survivors and of victim-survivors withdrawing from the criminal justice system process;
2. Strengthen partnerships and improve coordination between criminal justice system agencies, thus improving the timeliness and reducing delays to processing sexual violence cases;
3. Improve the quality of trials and evidence through ensuring staff receive specialist training in the dynamics of sexual violence;
4. Increase conviction and prosecution rates for sexual offences and thereby encourage more reporting of sexual violence to authorities;
5. Reduce defendant recidivism.

### Key features

SSVcs typically include the following core elements:

- Dedicated judges and prosecutors, who have received specialist training in issues and dynamics relating to sexual violence. Staff receive training around topics such as secondary victimization, impacts of trauma, rape myths and what constitutes inappropriate cross-examination of victim-survivors of sexual offences. This ensures that staff are aware of the dual impacts of sexual violence and the criminal justice process on victim-survivors.

- Specialist training for juries on issues relating to sexual offences prior to jury duty commencing. This training seeks to raise awareness of the impact of rape myths on perceptions of evidence, the impact of trauma on memory as well as what constitutes inappropriate cross-examination of victim-survivors and witnesses by the defence.
- Longer and more thorough pre-trial preparation of cases, cases have a fixed trial date. Meaning issues are resolved in advance to avoid adjournments
- Cases are heard in a dedicated courtroom: All sexual offence cases are listed together and heard in a courtroom that has been dedicated to hearing these types of cases. This makes it easier to track cases and ensures that all cases are heard by dedicated and trained professionals.
- Courtroom and courthouse facilities which are modified to help victim-survivors and witnesses feel safer. This entails provision of separate entrances and waiting areas/rooms for defendants and victim-survivors so they do not encounter each other in court. Some SSVC models stipulate that waiting areas be friendly and decorated, given that some victim-survivors may be children.
- Victim-survivors and witnesses are offered access to special measures whilst giving evidence in court. This includes options for the victim-survivor to provide evidence from a secure space in the court house via CCTV, the provision of screens in the courtroom and the option to pre-record evidence in advance of court so the victim-survivor or witness need not attend in person.
- Victim-survivors are able to access specialist advocacy, support officers and additional support services. Victim-survivors are provided with a support officer or advocate who acts as their single point of contact with the justice system and other support services.

Different iterations of the court model have adopted additional features:

- In the SSOC courts in South Africa each case was assigned two prosecutors rather than one. This arrangement enhanced thorough preparation of cases on out-of-court days, in-depth consultations with witnesses prior to the trial, vertical prosecution, and active participation in prosecutor guided investigations.<sup>39</sup>
- The SSVC pilots in Auckland and Whangarei resourced a dedicated case manager. Managers were responsible for proactively managing all cases assigned to the court and identifying issues and gaps earlier on the process.<sup>40</sup>

## Evidence on the effectiveness of specialist sexual violence courts

There is promising evidence that SSVCs can increase conviction rates and improve the timeliness of court proceedings. However current qualitative evidence suggests that whilst SSVCs may contribute to aspects of the court process being less distressing for victim-survivors, victim-survivors and their families routinely report finding the court process highly distressing overall.

- **Improved timeliness:** There is promising evidence around the SSVCs improving the timeliness of cases coming to trial. In New Zealand, the timeliness of trials significantly improved in comparison with pre-pilot sexual violence trials in Auckland and Whangarei. The average time for all cases to be disposed through the pilot courts has decreased by 134 days.<sup>41</sup> Stakeholders directly involved in the Victoria specialist listings noted a marked difference in the way that sexual offence matters proceed, anecdotally reporting that the processes had improved procedures, timelines and trial outcomes – they perceived these changes to improve the experience of victim-survivors.<sup>42</sup>
- **Increased conviction rates:** Evaluations of the South African SSOCs found conviction rates to be higher than those in standard courts, convictions for sexual offences rose to 70% on average in SSOCs. Research found that courts that were also linked to one-stop shop support centres had a 10% or higher conviction rate compared with Specialist Sexual Offences Courts that are not linked to these centres.<sup>43</sup>



- Increased use of court practices which can mitigate distress for victim-survivors:** There is some evidence supporting that SSVCs operate in a more trauma-informed way than standard courts. McDonald et al 2020 compared and analyzed trial transcripts for sexual violence cases from standard courts and the SSVC pilots in New Zealand. The analysis found that court staff in SSVCs interacted with victim-survivors more frequently; this included more commonly greeting victim-survivors before they gave evidence, explaining the criminal justice system process to them and being more responsive to stress and confusion. The use of irrelevant evidence by the defence such as victim-survivor's sexual history was found to be less commonly admitted in the SSVC pilots compared to standard courts. Judges were found to intervene more in SSVCs if they felt the questioning conduct or approach of the defence was unacceptable. McDonald et al (2020) found that 100% of victim-survivors in the pilots used special measures compared to 70% of victim-survivors in standard courts.<sup>44</sup>
- Mixed evidence on victim-survivor experience:** Qualitative evaluations of the model in Australia, New Zealand and South Africa have yielded mixed evidence around whether the model significantly reduces distress for victim-survivors and their families. Victim-survivors reported some positive experiences with specialist staff, but reported distressing experiences providing evidence in court and found cases to be slow in coming to trial. It is likely victim-survivors did not have experience of standard courts to compare their experiences of specialist courts with, and may have still experienced a long wait for trial (even though this is shorter than the typical wait for trial in standard courts). Therefore, it is difficult to discern if SSVCs are generally less distressing for victim-survivors than standard courts.<sup>45 46 47</sup>

## Six considerations for implementation in the uk

This section will synthesize the evidence base with the views of stakeholders and practitioners to outline six considerations pertinent to the successful implementation of SSVCs in the UK.

### 1. Emphasise quality and specialism as well as fast-tracking:

Evaluations of the SSOCs in South Africa and three SSVC pilots in New Zealand, reported that court personnel working in the court felt strained by their workload and felt that meeting the model's objective of improving the timeliness of cases coming to trial compromised the quality of their investigation of the case and preparation for trial.<sup>48</sup> In the UK, Specialist Domestic Abuse Courts (SDACs) have faced a similar challenge with research showing that an emphasis on getting cases through court quickly can compromise the quality of investigations and specialist support available for victims during the court process.<sup>49</sup> Examples of compromised specialism could pertain to there not being time to put special measures in place for the victim, the victim not being able to choose the special measures that would be most beneficial to them, the victim not being updated about their case progression frequently, and court personnel not applying their specialist training of domestic abuse in the courtroom. A procedure in the SSVCs where two prosecutors are put on each case (as was done in the initial SSOC in South Africa) could be adopted to help ensure that cases progressing quickly does not compromise the quality of investigations or preparation for trial.

### 2. Evaluations should consider more than conviction rates and case turnover:

Previous evaluations of SSVCs have placed more emphasis on hard outcomes such as the timeliness of cases coming to trial and conviction rates as opposed to on 'softer outcomes' such as victim-survivor experience and the specialist conduct of personnel. Evaluations of the upcoming SSVC pilots in the UK should place an equal emphasis on indicators of specialist conduct and quality as well as on case turnover and conviction rates. This will allow evaluators to understand if victim-survivors feel well supported and engaged, if court personnel feel they are able to apply their specialist training in a meaningful way, and if observers can identify evidence of specialist and trauma-informed practice in the courtroom. Additionally, measures of sentencing outcomes should be nuanced and seek to describe more than just convictions rates. Evaluations should describe the types of sentences and orders being issued by the court and identify if/how specific sentencing outcomes are linked to recidivism in the long term.

### **3. SSVCs need to include high-quality specialist and wraparound support for victim-survivors:**

Evidence indicates that SSVCs can be more effective when victim-survivors can access wraparound support and advocacy from specialist sexual violence services whilst in contact with the criminal justice system.<sup>50</sup> Research with victim-survivors in the UK has consistently found that victim-survivors highly value specialist support when in contact with the criminal justice system.<sup>51</sup> Given the benefits of specialist wrap around support for victim-survivors, the SSVc pilots in the UK should be designed to work alongside existing specialist provision for victim-survivors in the UK.

Additionally, the government should ensure wraparound services are adequately funded and consider how services can be enhanced to complement the SSVc pilots. We have already seen the enhancement of advocacy services improve the impact of SDACs in Westminster where victim-survivors can access support from Independent Domestic Abuse Advocates (IDVAs) with specialist training in how the criminal justice system operates. Victim-survivors found this support invaluable, reporting that Specialist Criminal Justice IDVAs were able to explain the criminal justice system to them in lay terms as well as attend court on their behalf and regularly update them on the progression of their case.<sup>52</sup> The SSVc pilots should consider the benefits of resourcing wraparound services with specialist training in the criminal justice processes to work with victim-survivors at the court.

### **4. Provide bespoke support to victim-survivors:**

Male victim-survivors and victim-survivors from ethnic minority backgrounds experience unique barriers in the criminal justice system and require bespoke support.<sup>53</sup> It is imperative that bespoke support with expertise in working with specific groups such as ensuring that support from specialist 'by and for' services be available to minoritized victim-survivors at the SSVc pilot sites to ensure all victim-survivors are supported.

It has not been explicitly stated whether the new pilots will process sexual violence cases in which the victim-survivor is under the age of 16. If so, special consideration should be given as to how to best support children engaging with the court system. Some of SSOCs in South Africa provided specialist waiting areas for children in the courthouse, these waiting rooms were resourced with toys and sought to increase the child's comfort through being decorated in a child-friendly way.<sup>54</sup>

### **5. Recognition of the intersection between sexual violence and domestic abuse in specialist training and protocols:**

Court personnel should apply an awareness of the intersection between domestic abuse and sexual violence to their work. In particular, it's important that they develop an understanding of the ways that sexual violence can occur within the context of an intimate relationship. In these instances there is often an ongoing risk to the victim-survivors due to them potentially still living with the perpetrator of the offence and the fact the perpetrator may have knowledge of victim-survivor's life and network that could be used to threaten or intimidate them during the criminal justice process.<sup>55</sup> Pilots should draw on the practice and protocols developed by SDACs in the UK, particularly in relation to strategies they have developed to manage ongoing risk and engage the victim-survivors throughout court proceedings. Admittedly protocols and practice would need to be adapted to account for the longer wait victim-survivors typically experience prior to trial and the presence of a jury in the courtroom.



## 6. Need to provide consistent support to specialist personnel:

Several evaluations of SSVCs have reported issues with providing ongoing training and support to specialist personnel. Staff at some SSVC reported that they did not receive adequate refresher training on specialist practice.<sup>56</sup> Lack of buy-in from staff emerged also as an issue in one evaluation, this arose due to staff being assigned to work in SSVC rather than choosing to take on a role there.<sup>57</sup> Staff of SSVCs experiencing vicarious trauma as a result of their role has consistently emerged as an issue in previous evaluations. Personnel expressed that working continuously with sexual violence had an ongoing emotional and psychological impact on them. This distress was often compounded by other demands such as staff shortages, issues resourcing specialist personnel and securing space in which to hold the clustered court.<sup>58</sup>

Lessons from previous SSVCs clearly indicate that the specialist practitioners working within the model require ongoing training as well as emotional and psychological support to support them to cope with working on a difficult subject as well as resourcing staff with a strong interest and dedication to improving the processes of sexual violence.

## Conclusion

Victim-survivors of sexual violence face complex barriers at every stage of the criminal justice system. Consistently low reporting, charging, prosecution and conviction rate, and high attrition rates for sexual violence offences highlight an urgent need to reform how the criminal justice system responds to this issue.

The evidence base suggests that the SSVC model offers a promising alternative to standard courts, having the potential to improve the experience of victim-survivors during the pre-court process and in the courtroom, increase convictions rates for sexual violence, and the improve the timeliness of cases coming to trial.

The new pilot sites should attend to lessons learned from previous SSVC pilots and the implementation of SDACs in the UK. Previous examples illustrate that the model's objective of furthering 'specialist' conduct from court personnel has the potential to come into conflict with the objective of 'fast-tracking' cases – with increased case turnover sometimes resulting in lower quality investigations. The emphasis of SSVCs should be on improving the experiences of victim-survivors in contact with criminal justice system as opposed to increasing case turnover and conviction rates.

SSVCs should contribute to addressing the criminal justice system response to sexual violence as part of a whole-system reform. The model needs to be complemented by the provision of effective specialist advocacy and wraparound support services that are designed to meet the needs of victim-survivors from diverse circumstances such as those experiencing domestic abuse, victim-survivors under the age of 18, male victim-survivors, and victim-survivors with other protected characteristics. The pilots should be properly resourced to function as intended. Courts should be properly staffed and personnel should receive ongoing specialist training as well as have access to psychological and emotional support to help them deal with the demands of working within SSVCs.

# Endnotes

1. Ministry of Justice (2022) New pilots to boost support for rape victims in court. Available at: <https://www.gov.uk/government/news/new-pilots-to-boost-support-for-rape-victims-in-court#:~:text=Rape%20victims%20will%20receive%20enhanced,drive%20up%20prosecutions%20and%20convictions>
2. House of Commons Home Affairs Committee (2022) Investigation and prosecution of rape. Available at <https://committees.parliament.uk/publications/9600/documents/166175/default/>
3. Ministry of Justice (2022) New pilots to boost support for rape victims in court.
4. Office for National Statistics (2021) The Crime Survey for England and Wales: Sexual offences in England and Wales overview: year ending March 2020, available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/sexualoffencesvictimcharacteristicsenglandandwales/march2020>
5. Office for National Statistics (2021) The Crime Survey for England and Wales: Sexual offences in England and Wales overview: year ending March 2020
6. Office for National Statistics (2021) The Crime Survey for England and Wales
7. Office for National Statistics (2018) Sexual offending: victimisation and the path through the criminal justice system, available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/sexualoffendingvictimisationandthepaththroughthecriminaljusticesystem/2018-12-13>
8. Office for National Statistics (2018) Sexual offending: victimisation and the path through the criminal justice system
9. Rape Crisis England & Wales (2022) Statistics about sexual violence and abuse, available at <https://rapecrisis.org.uk/get-informed/statistics-sexual-violence/>
10. Home Office (2021) Review into the Criminal Justice System response to adult rape and serious sexual offences across England and Wales, available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/994817/rape-review-research-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/994817/rape-review-research-report.pdf)
11. Home Office (2021) Review into the Criminal Justice System response to adult rape and serious sexual offences across England and Wales
12. Home Office (2021) End-to-end rape review, available at <https://www.gov.uk/government/publications/end-to-end-rape-review-report-on-findings-and-actions>
13. Home Office (2021) End-to-end rape review
14. Home Office (2021) End-to-end rape review
15. HMICFRS and HMCPSI (2022) A joint thematic inspection of the police and Crown Prosecution Service's response to rape – Phase two: Post-charge. Available at: <https://www.justiceinspectorates.gov.uk/hmicfrs/publication-html/a-joint-thematic-inspection-of-the-police-and-crown-prosecution-services-response-to-rape-phase-two/>
16. PESI UK (2022), Pre-Trial Therapy: Understanding the Revised Guidelines Available at: <https://www.pesi.co.uk/blog/2022/june/pre-trial-therapy-understanding-the-revised-guidel>
17. Home Office (2021) Review into the Criminal Justice System response to adult rape and serious sexual offences across England and Wales
18. PESI UK (2022), Pre-Trial Therapy: Understanding the Revised Guidelines
19. PESI UK (2020) Pre-Trial Therapy: A Crucial Moment, available at: <https://www.pesi.co.uk/blog/2020/september/pre-trial-therapy-a-crucial-moment>
20. Home Office (2021) Review into the Criminal Justice System response to adult rape and serious sexual offences across England and Wales
21. Home Office (2021) Review into the Criminal Justice System response to adult rape and serious sexual offences across England and Wales

22. Home Office (2021) Review into the Criminal Justice System response to adult rape and serious sexual offences across England and Wales
23. Home Office (2021) Review into the Criminal Justice System response to adult rape and serious sexual offences across England and Wales
24. Ministry of Social Development, New Zealand (2020) Literature review on international best court support models for victim-survivors of sexual violence, available at <https://www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/literature-reviews/literature-review-on-international-best-court-support-models-for-victim-survivors-of-sexual-violence.pdf>
25. Ministry of Social Development, New Zealand (2020) Literature review on international best court support models for victim-survivors of sexual violence
26. Ministry of Social Development, New Zealand (2020) Literature review on international best court support models for victim-survivors of sexual violence,
27. Safelives (2021) Understanding court support for victims of domestic abuse, available at <https://domesticabusecommissioner.uk/wp-content/uploads/2021/06/Court-Support-Mapping-Report-DAC-Office-and-SafeLives.pdf>
28. Safelives (2021) Understanding court support for victims of domestic abuse
29. Home Office (2021) End-to-end rape review
30. Home Office (2021) End-to-end rape review
31. Ministry of Justice (2022) New pilots to boost support for rape victims in court.
32. Home Office (2022) Tackling Domestic Abuse Plan, available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1064427/E02735263\\_Tackling\\_Domestic\\_Abuse\\_CP\\_639\\_Accessible.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1064427/E02735263_Tackling_Domestic_Abuse_CP_639_Accessible.pdf)
33. Kruger and Reyneke (2008) Sexual Offences Courts in South Africa: Quo vadis? Available at [https://www.researchgate.net/publication/318055289\\_Sexual\\_Offences\\_Courts\\_in\\_South\\_Africa\\_Quo\\_vadis](https://www.researchgate.net/publication/318055289_Sexual_Offences_Courts_in_South_Africa_Quo_vadis)
34. Center for Innovative Justice (2014) Innovative Responses to Sexual Offending, available at <https://cij.org.au/research-projects/sexual-offences/>
35. Gravitas (2019) Evaluation of Sexual Violence Court Pilot, available at [https://www.districtcourts.govt.nz/assets/Uploads/2019\\_Publications/Sexual-Violence-Court-Pilot-Evaluation-Report-FINAL-24.7.19.pdf](https://www.districtcourts.govt.nz/assets/Uploads/2019_Publications/Sexual-Violence-Court-Pilot-Evaluation-Report-FINAL-24.7.19.pdf)
36. Directorate of Gender Affairs (2022) The Sexual Offences Model Court, available at <https://genderaffairs.gov.ag/portfolio/the-sexual-offences-model-court/>
37. Judiciary of Scotland (2021) New Specialist Court Recommended, available at <https://www.judiciary.scot/home/media-information/media-hub-news/2021/03/17/new-specialist-court-recommended>
38. Campbell (2020) A Specialist Sexual Offences Court for Quebec, available at <https://www.canlii.org/en/commentary/doc/2020CanLIIDocs1997#!fragment/undefined/BQCwhgziBcwMYgK4DsDWsBGB7LqC2Y-ATqgJIAm0A5JQJA0yWALgKYQCKiLhAnIZXQgsiCTtz7VBwwggDKWQkwBCfAEoBRADLqAagEEAcgGF1dJmAzQm-WODRpA>
39. Kruger and Reyneke (2008) Sexual Offences Courts in South Africa: Quo vadis?
40. Gravitas (2019) Evaluation of Sexual Violence Court Pilot
41. Gravitas (2019) Evaluation of Sexual Violence Court Pilot
42. Center for Innovative Justice (2014) Innovative Justice Responses to Sexual Offending

43. Kruger and Reyneke (2008) Sexual Offences Courts in South Africa: Quo vadis?
44. McDonald E (2020) Rape Myths as Barriers to Fair Trial Process: Comparing adult rape trials with those in the Aotearoa Sexual Violence Court Pilot. Available at <https://ir.canterbury.ac.nz/bitstream/handle/10092/101395/Rape%20Myths%20as%20Barriers%20to%20Fair%20Trial%20Process%20%28online%29.pdf?sequence=2&isAllowed=y>
45. Walker and Louw (2005) The Court for Sexual Offences: Perceptions of the victims of sexual offences, available at <https://www.sciencedirect.com/science/article/abs/pii/S0160252705000518>
46. Walker and Louw(2005) The Court for Sexual Offences: Perceptions of the families of the victims of sexual offences, available at <https://www.sciencedirect.com/science/article/abs/pii/S016025270500052X>
47. Gravitas (2019) Evaluation of Sexual Violence Court Pilot
48. Gravitas (2019) Evaluation of Sexual Violence Court Pilot
49. Justice & Safety (2008) Specialist Domestic Abuse Courts Review 2007-2008, available at <https://www.cps.gov.uk/publication/review-specialist-domestic-violence-court-systems-sdvcs>
50. Kruger and Reyneke (2008) Sexual Offences Courts in South Africa: Quo vadis?
51. Safelives (2021) Understanding Court Support for Victims of Domestic Abuse
52. The Centre for Justice Innovation (in press) Evaluation of the Westminster Specialist Domestic Abuse Court
53. Home Office (2021) Tackling Violence Against Women & Girls Strategy, available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1033934/Tackling\\_Violence\\_Against\\_Women\\_and\\_Girls\\_Strategy\\_-\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1033934/Tackling_Violence_Against_Women_and_Girls_Strategy_-_July_2021.pdf)
54. Kruger and Reyneke (2008) Sexual Offences Courts in South Africa: Quo vadis?
55. The Centre for Justice Innovation (in press) Evaluation of Westminster Specialist Domestic Abuse Court
56. Kruger and Reyneke (2008) Sexual Offences Courts in South Africa: Quo vadis?
57. Gravitas (2019) Evaluation of Sexual Violence Court Pilot
58. Gravitas (2019) Evaluation of Sexual Violence Court Pilot

## About the Centre for Justice Innovation

The Centre for Justice Innovation seek to build a justice system which all of its citizens believe is fair and effective. We champion practice innovation and evidence-led policy reform in the UK's justice systems. We are a registered UK charity.

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