

TRAUMA INFORMED JUSTICE:

A Knowledge and Skills Framework for Working
with Victims and Witnesses

in partnership with:





... it's important that you do no harm where you can... if you're asking people to retell a really traumatic experience. I think it would be naïve to say that you can never cause any kind of re-traumatisation but you want to have a system which minimises the risk and reality of that as much as it can do. And, therefore, increases access to justice.

Justice Leader



Educating yourself on how trauma affects somebody. Like how that person will present, how that person maybe will react in the first instance but maybe react differently a couple of weeks down the line. It's not a cut and dry, this is how trauma is, because it affects everybody different. And not everybody will be willing to speak there and then...It's taken me the best part of five years to get over what happened to me. That's a long time. Don't expect everybody just to be over it in the first couple of months...trauma affects people differently and there's no time limit on it.

Witness



ACKNOWLEDGEMENTS

As always, large complex projects are the cumulation of invaluable individual efforts. We would like to extend our grateful thanks to members of the Victims Taskforce and the organisations that they represent, for their reflective, constructive and consistent engagement with this process. We would especially like to thank members of the Victims Taskforce Trauma Informed Workforce Workstream, for their foresight, oversight and continued dedication on supporting the implementation of this framework into practice going forward. Most important we would like to take the chance to thank the victims and witnesses who have lived through trauma and generously shared their unique accounts of the justice system and reflections on the knowledge and skills required to become trauma informed.

Throughout the process of constructing this framework in 2021/2022, we were heartened and humbled by the extent to which people, even in the immense pressures of a justice system responding to the pressures of a global pandemic, were still willing and able to help us. This information and feedback will continue to influence the future stages of the project as we translate this knowledge and skills framework into practice.

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We are especially indebted to the following victims and witnesses, justice leaders and trauma experts who took part in the initial interviews, and/or took a role as critical friend in reviewing the framework. Their thinking and reflections helped us to construct the initial bedrock of the framework:

- Sandie Barton
- Vicky Bell
- Ros Borland
- Sue Brooks
- Fil Capaldi
- Colin Convery
- Caroline Erentz
- Ann Fehilly
- June Fellowes
- Sandra Ferguson
- Jo Finlay
- David Fraser
- Mary Glasgow
- Nick Grey
- Anne-Marie Hicks
- Alistair Hogg
- Lorna Jack
- Samantha Lamont
- Julia Madore
- Karyn McCluskey
- Anne McKechnie
- Moira McMillan
- Gillian Moreton
- Anne Murray
- Collette Paterson
- Moira Price
- Pauline Proudfoot
- Janine Rennie
- Ronnie Renucci
- Gillian Urquhart
- Rebecca Wallace
- Kate Wallace
- Kevin Woodburn

In addition, there were 3 contributors who wish to remain anonymous.

We are also hugely grateful to the following organisations that were involved in the process of constructing the framework, through nominating staff to take part in the interviews and / or giving feedback through the consultation process:

- Abused Men in Scotland
- ASSIST Domestic Abuse Advocacy Service
- Children 1st
- Community Justice Scotland
- Crown Office and Procurator Fiscal Service
- Criminal Injuries Compensation Authority
- Faculty of Advocates
- Law Society of Scotland
- Lord Advocate's Office
- Moira Anderson Foundation
- Parole Board
- Police Scotland
- Rape Crisis Scotland
- Scottish Children's Reporter Administration
- Scottish Community Safety Network
- Scottish Courts and Tribunal Service
- Scottish Prison Service
- Scottish Women's Aid
- Victim Support Scotland

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INTRODUCTION

INTRODUCTION

Background

Recent reports have highlighted the considerable and multiple ways in which victims and witnesses experience the criminal justice system as exacerbating the impact of their prior experiences of trauma, and the negative impact this has on their ability to effectively participate in the process, and to recover.^{1,2,3} The recommendations of the recent Lord Justice Clerk's review of the management of sexual offence cases recognised the critical importance of staff across all organisations who work with witnesses consistently having a shared understanding about the impact of trauma, and the additional knowledge and skills appropriate to their role in order to minimise risk of harm and re-traumatisation, support recovery, and maximise participation to gain and interpret the best evidence from witnesses affected by trauma, within this context.⁴

 The second violation ... is a common word that they use amongst survivors ... because you feel like you've already gone through the abuse but then, when you have to go and tell the court staff and the reporting of it and the reporting is horrendous as well. 

Witness

At the same time, in recognition of the high proportion of the population who have been affected by traumatic events, and of the impact this can have on the wellbeing of the population and access to universal

life chances such as education, health, housing and employment, in 2017 NHS Education for Scotland, in collaboration with the Scottish Government, published Transforming Psychological Trauma: Knowledge and Skills Framework for the Workforce.⁵ The aim was to create a shared language and understanding around what a trauma informed and responsive workforce looks like, and to clarify what we need to know and are able to do in order to

1. Recognise and where possible reduce the prevalence and impact of trauma
2. Respond in ways that reduce the impact of trauma and re-traumatisation on accessing life chances and services, and
3. Support recovery.

Since its publication in 2017, it has allowed training to be developed consistently across the national workforce, developing the knowledge and skills of individual staff groups, depending on role and responsibilities in relation to their contact with people affected by trauma.

The need for an additional framework for witnesses and the justice system has evolved from our understanding that there are additional knowledge and skills required to minimise re-traumatisation and maximise effective participation where witnesses affected by trauma are asked to recall and talk about

1 **“Evidence and Procedure Review Report”** (2015) SCTS

2 Review of Victim Care in the Justice Sector in Scotland (2017) Lesley Thomson QC

3 **Justice Journeys Informing policy and practice through lived experience of victim-survivors of rape and serious sexual assault** (2019) Oona Brooks-Hay, Michele Burman & Lisa Bradley August

4 **Improving the Management of Sexual Offence Cases March 2021** (2021) Final Report from the Lord Justice Clerk's Review Group

5 **nationaltraumatrainningframework.pdf (transformingpsychologicaltrauma.scot)**



traumatic events within an adversarial context largely governed by the constraints of gathering, presenting and evaluating evidence. The purpose of this framework is therefore to identify the knowledge and skills necessary for a justice workforce to achieve these aims without compromising the fairness of the trial and within the constraints of existing evidential requirements and processes. At the start of its development we interviewed 12 witnesses who had lived experience of trauma and of being a witness, and 16 justice leaders, and the quotes you see throughout reflect their experiences and thoughts about what they felt justice professionals needed to know and be able to do.

This document is designed to enable any organisation that has contact with witnesses in the criminal justice process to identify the knowledge and skills that different members of their workforce will require. It is also designed to support those responsible for the delivery of training to identify the key learning objectives for the different workforce roles, and develop and deliver training accordingly.

What is Psychological trauma?

Language in this area is complex and overlapping. But the effective and transparent use of language is crucial to the process of making sense of what can be experienced as ‘unspeakable’. The term ‘trauma’ has been chosen throughout this document to represent the broader range of traumatic, abusive or neglectful experiences that people can experience or be subjected to during their lives. Traumatic events have been defined as:

“an event, a series of events or a set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening” (SAMHSA, 2014, p. 7)⁶

 Trauma isn’t just the event, the trauma is the whole process of the event, what comes after, whether that’s police interview or court case or whatever. So people shouldn’t dismiss their part in that. 
Witness

Exposure to trauma for witnesses and accused

The level and frequency of significant trauma experienced by women in custody highlights the overlap in the extent and nature of exposure to trauma between those who appear as witnesses and those who appear as accused.⁷ While it is beyond the remit of this framework to include the skills required to meet aims that go beyond the needs of witnesses, the overlap means that much of the content relating to understanding and responding to the impact of trauma, and trauma informed responses to support recovery can be applied when working with anyone in the justice system, whether witness or accused. But it should also be noted that the evidence collected and reviewed for this framework related only to victims and witnesses, and those working with accused will require a range of aims and outcomes that are not covered here.

⁶ Substance Abuse and Mental Health Administration (SAMSHA) (2014) Concept of Trauma and Guidance for a Trauma-Informed Approach SAMSHA Trauma and Justice Strategic Initiative July 2014. U.S. Department of Health and Human Services, office of policy, Planning and Innovation.

⁷ Karatzias (2017) Multiple traumatic experiences, post-traumatic stress disorder and offending behaviour in female prisoners. Criminal Behaviour and Mental Health

Impact of Psychological Trauma

Trauma can affect people in a range of different ways. Some people manage well despite their experience of trauma, and may not be significantly affected. But it can also affect people's mental health, physical health, relationships and life chances across a range of spheres. Trauma can affect our sense of ourselves leading to feelings of shame, fear and responsibility. It can affect our relationships with others leading to difficulties trusting others and feeling afraid of others. It can affect our ability to manage our emotions, sometimes leading to coping strategies that may be harmful in the long-term but might feel like it is the only way of surviving in the short-term.

“I think they need to know how serious it is and that the trauma isn't just the event. More often than not, they say that the justice experience is worse than the event and I think that that needs to be taken seriously. People may dismiss it, “How can a phone call be traumatising?” But you're like, “It's actually not the phone call, it's the subject matter, it's the reason I'm making the phone call, it's knowing that this phone call may lead to a court date which may lead to...” So, I think it is just the seriousness and genuine impact that it has on people needs to be taken into consideration.”

Witness



It can also impact the way in which memories are stored and recalled, and our general ability to understand and make sense of new and complicated information at times of stress. Critically it can leave us highly sensitive to subtle (as well as obvious) reminders of any previous traumatic experiences and relationships, which can trigger intrusive trauma memories - a sense of it “happening again” accompanied by the same powerful feelings and sensations. This is called re-traumatisation.

“... it's important that you do no harm where you can... if you're asking people to retell a really traumatic experience. I think it would be naïve to say that you can never cause any kind of re-traumatisation but you want to have a system which minimises the risk and reality of that as much as it can do. And, therefore, increases access to justice.”

Justice Leader

The evidence tells us that victims and witnesses (as well as accused and those convicted of crime) are more likely than others to have been exposed to traumatic events. And that the impact of trauma on our ability to cope with stress and other emotions, on our relationships, on the way we feel about ourselves, and on our memory can prevent effective participation in legal processes that involve recalling and talking about those very traumatic events. Only a proportion of violent and non-violent crimes that occur are reported to the police (40% in 2019/2020), and this figure drops substantially for sexual assault crimes (22%), domestic abuse (11%) and stalking (9%) (Scottish Crime and Justice Survey). The often strong instinct to avoid

reminders of trauma, and the terror or shame associated with them can significantly affect people's ability or desire to disclose that they have been a victim of crime and to give evidence.

 I was terrified of my abuser in the court building... I could be surrounded by an armed SWAT team and I'd still be back in the abuse with the fear in my mind. And while I'm back there I'm not giving my best evidence which is what the justice system need at that stage. 



Witness

The kinds of offences that tend to cause the most lasting impact are those that involve the greatest threat to or violation of one person's psychological and physical integrity and human rights at the hands of another, for example rape, assault, murder of a loved one, domestic abuse, childhood sexual abuse. Such events, especially when they occur repeatedly - in domestic abuse, coercive control, gang violence or childhood sexual abuse - are the ones that can leave us most traumatised. Hence the most serious of offences are also those that can leave victims and witnesses most vulnerable to re-traumatisation, and least able to recall, think or talk about the events.

In addition, many offences happen within interactions or relationships that are characterised by a lack of safety and predictability, a threat of harm, disempowerment, lack of choice, coercion, and betrayal of trust. This leaves victims and witnesses with greater sensitivity to, and often a drive to avoid, any systems or processes that can be experienced as unpredictable, threatening, coercive, or disempowering, as these can bring back the same distressing feelings of fear, shame, anger, horror and dissociation that were present during the offences.

“The core experiences of psychological trauma are disempowerment and disconnection from others”

Herman (1992) Trauma and Recovery pg 133

 Trauma made me extremely vulnerable and also extremely fearful. I found it hard to trust people and I didn't have head space to absorb information. 

Witness

Psychological Trauma, Witnesses and the Justice System

To enable full participation and “avoid avoidance” on the part of victims and witnesses, a trauma informed justice system will:

- create environments and relationships that understand the impacts of trauma, and that reduce toxic and traumatic stress engendered by the process, so that being affected by trauma is not a barrier to effective participation and giving evidence. If we support the workforce to understand and respond to the impact of trauma on victims and witnesses, this will not negatively impact the many witnesses who are not affected by trauma but will, crucially, enable those who are affected by trauma to engage their right to fully participate in the legal process.

“...if you don’t have a trauma informed system, it’s not going to work as well as it should do, ‘cos you’re not going to get the best out of people.”
Justice Leader

- support the recovery of those affected by trauma by providing them with a different experience of relationships, one in which they are offered safety and predictability rather than unpredictable threat; choice and empowerment rather than control; collaboration rather than coercion; and trust rather than betrayal. Each encounter provides an opportunity to reverse the association between trauma and relationships, and is an important part of recovery.

“Probably in most crimes, your control’s been completely destroyed and taken away. So to feel that sense of control given back to you in some kind of way makes you feel empowered instead of a complete and utter victim. ‘Cos that’s what I kept saying all the time, I don’t want to be a victim, I hate being a victim.”

Witness

- minimise the barriers to engaging with the justice system that those affected by trauma can experience when memories and associated feelings of trauma are triggered by aspects of the process. Such reminders interfere with our cognitive capacity to recall and provide a coherent account of events, potentially affecting the quality of the evidence a witness can give. And they can have significant effects on mental health, another reason why people affected by trauma may not engage with or drop out from the justice process.

Like obviously your brain's still processing. It's almost like you can still see everything that's happened... I think, in order to sort of communicate effectively, you do need to be calm.

Witness

Whilst some elements of the justice process will inevitably and necessarily involve recalling, and in some cases reliving traumatic events, it is the far more subtle reminders of trauma that many witnesses told us they found most re-traumatising: not knowing what was going to happen next, feeling powerless in the face of legal language or processes that had not been explained, procedures over which they had no control but held huge significance.

You've got yourself all riled up - right, I'm ready to give evidence, I'm going to go for it - and then it's been postponed again and you're just like - you find out usually on the day or something that it's been postponed again and that just - I mean, you've probably spent the night before in the toilet nonstop, feeling absolutely awful, feeling sick and then you just find out, that's it and there's no real proper explanation as to why or what's going to happen next...

Witness

The good news is that these are not inevitable by-products or consequences of the justice process. Enabling a workforce to collaborate with witnesses to understand what they need to feel safe, to make the process predictable and understandable, and to empower them to engage effectively will help to reduce and minimise the re-traumatisation they experience. In doing so it can both help with recovery in terms of consistently experiencing safe relationships, and with effective engagement, as when sense of threat and distress is reduced, this can allow for better recall and a more coherent account of events.



USING THIS FRAMEWORK

USING THIS FRAMEWORK

Framework purpose

This “Knowledge and Skills” framework is designed specifically to support a trauma informed and responsive workforce for witnesses across the justice sector. It does this by first identifying what the key principles and aims of trauma informed justice systems and practice are. For each of these aims, it then sets out systematically the detailed knowledge and skills different members of the workforce will need in order to achieve them. In doing so it has the ambition of providing an agreed and enduring vision across all organisations and staff that work with witnesses around what trauma informed justice for witnesses looks like, and a road map to help those responsible for the implementation of training and skills in practice achieve it.

💬 If there’s a consistency across agencies in terms of a trauma informed approach and that people are trained in similar ways or using the same sort of resources or tools, then you would hope that the way in which different agencies deal with people who are dealing with trauma, would be somewhat consistent, even though the different agencies are there to achieve different things. 🗨️

Witness



It is important to note we mean the “justice process” in its widest interpretation of the timeline: including every interaction from the very start and first engagement that may lead to an allegation being made (for example self- referral for medical examination, disclosure of traumatic events to a health professional), to the very end, including parole and subsequent processes. This acknowledges that the start point for witnesses can be far earlier than their first contact with a formal “justice professional” such as police officer, and the end point goes far beyond the witness box.

Whilst this framework was designed for application within the criminal justice process, many of the knowledge and skills contained within it are of equal relevance to civil and other proceedings that involve witnesses who may be affected by traumatic events (for example in family or employment context, or in actions for civil damages).



Framework development and structure

This framework is based on evidence gathered from interviews with witnesses who have experienced trauma, interviews with justice leaders and experts, and literature reviews of the relevant evidence and science around the impact of trauma, especially as it applies to witnesses and evidence. From these we identified the key aims and outcomes of a trauma informed justice system for witnesses, and extracted from all the available evidence the knowledge and skills that are most likely to achieve these aims and outcomes.

Aims and outcomes to be achieved by trauma informed justice

 Educating yourself on how trauma affects somebody. Like how that person will present, how that person maybe will react in the first instance but maybe react differently a couple of weeks down the line. It's not a cut and dry, "This is how trauma is" because it affects everybody different. Don't expect everybody just to be over it in the first couple of months...trauma affects people differently and there's no time limit on it. 

Witness

 I think just a basic understanding of the triggers that [specific offence] has on your physical and mental ability to cope. I mean, my cognitive ability goes down the drain when I start to panic. 

Witness

Like the aims, outcomes and competencies in the **Transforming Psychological Trauma (2017) Framework**, this justice framework is structured around the international consensus on the key principles or "four Rs" of trauma informed practice:

1. Realise the prevalence of traumatic experiences;

2. Recognise the impact of these experiences;

3. Resist re-traumatisation; and

4. Respond in ways that adapt to that impact and support recovery.⁸

These have been adapted and reworded for the justice setting, in recognition that the primary roles of many justice professionals and aims of the justice process are evidential rather than recovery focussed, and of the range of evidential and other legal constraints. In line with these and the findings from our research and evidence reviews, the aims and outcomes for trauma informed justice that emerged for the purposes of this framework are:

⁸ 1. Substance Abuse and Mental Health Administration (SAMSHA) (2014) Concept of Trauma and Guidance for a Trauma-Informed Approach SAMSHA Trauma and Justice Strategic Initiative July 2014. U.S. Department of Health and Human Services, office of policy, Planning and Innovation.

Aim 1 “**Understand the prevalence and impact of trauma on both witnesses and the workforce**” reflects the first two Rs. In practice we found that there was only limited need to adapt knowledge about the prevalence and impact of trauma for witnesses, other than additional focus on the ways that the impact of trauma can affect a witness’s evidence and interpretations of it: their memory and account of events, and their behaviour and emotional responses both during and after that can be liable to misinterpretation.

Aim 2 “**Avoid re-traumatisation where at all possible.**” reflects the third R. Whilst the principles of resisting re-traumatisation remained the same, it was necessary to recognise both the unavoidable risk of re-traumatisation that comes with the requirement to recall and talk about traumatic events, and the limits on adaptations possible when still ensuring that the rules of evidence are followed and the right to a fair trial unaffected.

Aim 3 “**Support recovery from the impact of trauma where possible**” reflects the recovery element of the fourth R. This has been adapted for a justice setting in which most personnel do not have an explicit role in delivering care, support or interventions to support recovery. It focusses instead on the knowledge and skills needed to adapt the way they carry out their explicit role (for example interviewing or examining a witness) to ensure that it does not inhibit recovery and where possible will have a positive impact.

Aim 4 “**Uphold the rights of witnesses affected by trauma to equal and effective participation in the legal process**” reflects a substantive adaptation of the fourth R, in that the primary role and responses of many justice professionals is in collecting, presenting and evaluating evidence. Accordingly the focus of this aim in a justice setting is on adapting practice to do this role most effectively, in order to enable witnesses to participate and stay engaged with the process and to give the best evidence they can.

Aim 5: “**Support resilience of the workforce and reduce the potential impact of vicarious trauma**” The enormous pressures that this workforce can come under, combined with regular and frequent exposure to information, evidence and narratives that relate to traumatic events, have very real impact on our capacity to maintain an empathic and humanistic stance, as well as a trauma informed one. Without acute and sustained attention to workforce resilience, it is almost impossible to create one that is genuinely trauma informed.

Aim 6: “**Leadership and management of organisations and systems uphold these aims**” After consultation, we added an additional aim, reflecting the knowledge and skills required of those overseeing the systems and services to create the foundations necessary to support and maintain the aims above.

These are summarised in Table 1.

Table 1: Aims and outcomes of a trauma informed justice system for witnesses

<p>Aim 1: Recognises Impact</p>	<ul style="list-style-type: none"> • The likelihood that witnesses and members of the workforce have been exposed to trauma is understood. • The different ways in which trauma can affect witnesses are recognised and understood.
<p>Aim 2: Minimises Harm</p>	<ul style="list-style-type: none"> • Potential for risk of re-traumatisation is understood and identified. • Re-traumatisation is avoided where at all possible.
<p>Aim 3: Supports Recovery where Possible</p>	<ul style="list-style-type: none"> • Witnesses experience relationships that support their recovery, ability to give best evidence and engagement. • Witnesses and their families are protected from further harm. • Processes, procedures or interactions (including questioning) that can inhibit recovery are adapted where possible. • Witnesses and families access appropriate services and interventions to meet their recovery needs.
<p>Aim 4: Enables Effective Participation</p>	<ul style="list-style-type: none"> • Practices are adapted to the impact of trauma so that witnesses can participate fully. • Witnesses are enabled to give the best quality evidence they can. • Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.
<p>Aim 5: Supports Workforce Resilience</p>	<ul style="list-style-type: none"> • The impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised. • The resilience of the workforce is proactively supported, reducing the impact of vicarious trauma. • Signs of vicarious traumatisation in the workforce are recognised and responded to.
<p>Aim 6: Trauma informed Leadership & Systems</p>	<ul style="list-style-type: none"> • Leadership and management of organisations and systems support aims 1-5.

“ I think every part of the system needs to work together in the same way because what you were getting [was] different experiences with different parts of the Justice System. So, you couldn’t feel it was consistent and you couldn’t feel that you would get the same response from everybody. So, I think that consistency is really, really important for people to feel safe throughout. ”

Witness

Job Role / Practice level

Like the original **Transforming Psychological Trauma (2017) Framework**, this framework assumes that people in different roles will be primarily working to only some of these aims and outcomes, and will necessarily require different knowledge and skills. It is also cumulative, in that those with limited contact or influence with witnesses or their evidence will require more limited knowledge and skills, and those with greater contact or influence will require more comprehensive training. So the framework summarises, for each of the job role groupings, the knowledge and skills they need in their role to meet the aims and outcomes. The framework does not aim to specify exactly which staff roles correspond to which practice level, although some examples may be given. The expectation instead is that workers and their employers will take responsibility for ensuring that they interpret and apply the content and aspirations of the framework.

The informed level is designed to address the foundational learning needs of all workers in the justice system. For some, who have a very limited role in direct contact with witnesses, it will be all that they require.

The skilled level is designed to meet the needs of anyone who has some contact with witnesses. It also includes all of the shared knowledge that all workers working at any of the enhanced levels will need.

The four different enhanced levels are outlined in table 2, and are designed for workers with significant responsibilities in meeting any of the aims of a trauma informed justice system for witnesses. Each of the four groupings detail the unique knowledge and skills (aside from the knowledge and skills they share with the other enhanced roles, which is contained in the skilled level) that they will need in their particular role.

This is summarised in table 2.

“ I think it’s that no matter their role, it could be the security guard at the court door swiping you down with a metal detector, it could be the person at VIA, that they play as big a part because it all becomes the same picture. You know, if I was a piece of a puzzle, they’re usually the same size. VIA, the Fiscal doesn’t take a bigger size of position for me or anyone else. It’s the whole cumulative effect of them all together. ”

Witness

Table 2: Nature and type of workforce roles as defined in the framework.



Trauma Informed: Foundation knowledge and skills for all workers.



Trauma Skilled: Anyone in direct contact with witnesses. Includes the shared knowledge and skills that anyone working at any of the enhanced levels will need.



Trauma Enhanced: Additional knowledge and skills required by:



Advocacy and Support

Those who provide advocacy, support or interventions to witnesses.



Evidence Gathering

Those who gather information or evidence directly from witnesses.

Includes those who direct or oversee evidence gathering.



Evidence Presentation and Interpretation

Those who present, examine, or interpret evidence from witnesses who may be affected by trauma, or that otherwise relates to traumatic events.

Includes those who direct or oversee evidence presentation.





Leadership and Management of Systems

Those who lead or manage organisations & systems that affect witnesses and the workforce.

System Design, Policies and Environments

Many witnesses report that the physical environments they encounter, and the processes they are required to go through, can have as great an impact on their experience as their interactions with staff.

 I just felt unsafe. As much as there's police walking around, you feel unsafe... When you're in that High Court, there's all these people that you've just had a case against and you're a witness, you aren't that person that is being the perpetrator, you're the witness and there's no safe place to go and sit. I was outside in the main entrance. Maybe there's a suggestion, let me go into a different room and wait. 

Witness

No matter how trauma informed a practitioner may be, if they are constrained by protocols or policies that do not recognise the impact of trauma, they may be unable to minimise the risk of re-traumatisation that their training has taught them to recognise. For example, witnesses describe that the unpredictability of floating trials with unpredictable start dates and delays can be re-traumatising, mimicking the sense of unpredictable threat and loss of control that comes with many offences.

It can also risk moral injury and a sense of helplessness for staff, leading to potential disengagement from empathy for the witness.

The evidence suggests that for any system, whether designed for education, health, housing, employment or justice, to become trauma informed, takes considerable leadership, without which the impact of training and education on eventual outcomes for witnesses may be limited.⁹ In recognition of this, the fourth enhanced level is designed to support the capacity of those who have oversight over systems, policies, environments, scheduling and protocols to review these through a trauma informed lens and adapt where possible.

⁹ Goldman Fraser et al (2014) Implementation of a workforce initiative to build trauma-informed child welfare practice and services: Findings from the Massachusetts Child Trauma Project. Children and Youth Services Review 44 (2014) 233–242

Trauma Informed Leadership

Beyond this, we are also aware that leaders play a critical role in setting the culture, priorities and values of an organisation and system aligned with those of a trauma informed approach. In recognition of this, the National Trauma Training Programme has identified some of the key drivers that are critical for leaders to attend to in the process of wider trauma informed systems change.

“Successful TIC implementation requires that organizational leadership, especially senior leaders, be visibly committed to the change process.”¹⁰

☞☞ ...there are both issues of practice at an individual level, the way that people are treated as individuals when they encounter the Justice System, and the way that those, whether they be police officers, prosecutors, defence counsel, judges, court officials, just the way they interact with victims. And then there are structural and institutional issues which are both about the rules, the way in which the system operates, but are also issues like... capacity and resource. ☞☞
Justice Leader

Leadership: Leaders have a key role in placing the trauma informed agenda on the table, making it a priority, ensuring time and resource is allocated, and modelling and embodying a culture of choice, empowerment, collaboration, trust and safety through their own behaviour and attitudes.

Staff Resilience: Attention to staff welfare and resilience, recognising and minimising the impact of vicarious trauma;

Knowledge and Skills: Systematic support, time and resource for the effective implementation of skills in practice, including coaching, management, reflective practice or supervision;

Feedback loops and Improvement: Routine collection of feedback from every witness that chooses to do so, active welcome to every offer of feedback whether solicited or not, and feedback loops that use this information for improvement purposes.

Lived experience empowerment : Effective routine collaboration and power sharing with witnesses to create and develop trauma informed systems and processes.

¹⁰ Bryson et al (2017) What are effective strategies for implementing trauma-informed care in youth inpatient psychiatric and residential treatment settings? A realist systematic review. Int J Ment Health Syst. DOI 10.1186/s13033-017-0137-3

Framework principles

Informed by lived experience. Part of the evidence base for this framework is derived from the experiences of people affected by trauma who have had contact with the justice process as a witness and/ or family member of a victim. Twelve members of the Victims Taskforce Reference groups, constituting witnesses or families of victims affected by trauma, were interviewed by the lead author of the framework about what the aims of a trauma informed justice system should be, and the key attributes, knowledge and skills of staff members that were seen as most helpful or unhelpful in achieving that. An independent thematic analysis was used to extract themes, and these informed the framework development and construction from the start.

In addition, kind permission was given by Hill et al (2021) from Children 1st to use relevant quotes from their *Sharing Stories for Change Impact Report*, which involved stories of 28 children and young people (aged 6-20 years old) and 7 supportive parents about their experiences of and journey through child protection and justice processes, and by Coutts & Farmer (2021) on behalf of Moira Anderson Foundation to use quotes from their creative group and individual approaches with 9 young people gathering their views about the structure, layout, look and language of a Barnahus model in Scotland.

To illustrate how the framework has been derived from and reflects the experiences of adult and child witnesses and of justice leaders, we have used quotes from these sources throughout the framework. Quotes from interviews completed by the authors with justice leaders are in purple □, and with witnesses in blue □. Quotes from Coutts & Farmer (2021)¹¹ are in light green □, and quotes from Hill et al (2021)¹² are in dark green □.



Informed by justice leaders. Another part of the evidence base for this framework is derived from the professional experiences of leaders of the justice organisations who have any contact with witnesses. Sixteen members of the victims taskforce (or their nominees) were interviewed individually by the lead author of the framework, again focusing on what the aims of a trauma informed justice system should be, and the key attributes, knowledge and skills of staff members that were seen as most helpful or unhelpful in achieving that.

Evidence based. The third pillar of evidence on which this framework is based is a range of literature reviews relating to the prevalence and impact of trauma as it relates to witnesses and their evidence. These include the factors that prevent or create risk for re-traumatisation, and that support or hinder recovery of witnesses. They also include specific reviews of the impact of trauma on evidence and on witnesses, and the factors that can influence the most accurate collection, presentation and interpretation of evidence from witnesses affected by trauma. Finally it included reviews of the prevalence and impact of trauma exposure on justice staff and ways of preventing vicarious traumatisation. Key papers that formed the evidence for the framework are listed in **the bibliography**.


11 Coutts & Farmer (2021) Engaging with CYP: what does Barnahus mean to them. GIFT& Moira Anderson Foundation. <https://static1.squarespace.com/static/5f09d6639729e33f350186/t/613f333bf9f0456ba1e3400b/1631531931700/Barnahus+Interim+Report.pdf>

12 Hill, L., O'Reilly, A., Dhillon, R. & O'Donnell, C. (2021). Sharing stories for change: Impact report. Children 1st Bairnshoose Project. <https://www.children1st.org.uk/media/8922/sharing-stories-for-change-impact-report-december-2021.pdf>

Lifespan Approach. The framework is designed to apply across the lifespan. The vast majority of the competencies apply no matter whether working with adult or children / young people witnesses. As one justice leader told us:

 if you design any system from the perspective of children, it's going to be right for everybody. 

Justice Leader

There are some additional competencies that apply specifically to those working with children and young people witnesses, and these are highlighted throughout in light blue along with this icon .

The terminology of children and young people is used flexibly and recognises a child can be anyone under 18 years and a young person can be up to the age of 25 years. It takes into account the evidence on additional developmental and systemic factors that need to be considered. Additionally, the United Nations Convention on the Rights of the Child (UNCRC) and Getting It Right for Every Child (GIRFEC) underpin the competencies in the framework.

Rights based. One of the foundations of the framework is recognition that rights of victims and witnesses to effective access to and participation in proceedings can be significantly impeded by the impact of trauma, if it is not adequately recognised and adapted to. This is reflected implicitly

(and in places explicitly) throughout the framework, for example in documenting the knowledge and skills required to adapt to the neurocognitive impacts of trauma, allowing witnesses to provide the best quality evidence they can. In addition, many of the principles and aims of the framework are rights already enshrined in the wealth of existing legislation, policy and guidance. Throughout, the framework should be read and interpreted in tandem with these, for example the Victims' Code for Scotland¹³, Victims Rights (Scotland) Regulations 2015¹⁴; *Section 271 of the Criminal Procedure (Scotland) Act 1995*¹⁵; Victims and Witnesses (Scotland) Act 2014¹⁶; Vulnerable Witnesses (Criminal Evidence) (Scotland) Act 2019¹⁷; and the Standards of Service for Victims and Witnesses¹⁸.

Future proof. It is anticipated that the framework should not become obsolete with changes to legislation, policy or emerging evidence. As such there is limited reference throughout to specific examples, procedures, guidance, policies or legislation.

Language. Throughout the framework we have used the term “witness” to refer to anyone who may have been a witness to events that would constitute an offence in some way and hence have a role in the prosecution process. In this context it is intended to include anyone who could be considered a witness, a victim, or a complainer and , where they choose to give evidence, the accused. We consulted widely and settled upon witness as the word supported by the majority of those that we consulted, and most effective in covering the range of people to be included.

¹³ <https://www.mygov.scot/victims-code-for-scotland>

¹⁴ <https://www.legislation.gov.uk/ssi/2015/444/contents/made>

¹⁵ <https://www.legislation.gov.uk/ukpga/1995/46/contents>

¹⁶ <https://www.legislation.gov.uk/asp/2014/1/contents>

¹⁷ <https://www.legislation.gov.uk/asp/2019/8/enacted>

¹⁸ <https://www.mygov.scot/victim-witness-rights/standards-of-service-for-victims-and-witnesses>

We acknowledge that as a relatively neutral word it does not effectively convey the impact that traumatic offences can have in the way that the term “victim” does. However many witnesses we interviewed told us that they did not see themselves reflected in the term “victim”, and to use it felt disempowering. And both “victim” and “complainer” as terms fail to capture the many witnesses to traumatic events who may not have been the direct target or “victim”, but none the less were exposed to extremely traumatic events in the course of an alleged offence – for example witness to murder and the families and close intimates of victims who do not have witness status as a result of their death through murder.

Incremental. The knowledge and skills outlined at each level of the framework are constructed in an incremental way meaning that, for example, staff operating at the Trauma Enhanced Practice level would also be expected to possess the knowledge and skills described at the Trauma Informed and Skilled levels.

Cultural sensitivity. Trauma informed approaches acknowledge the wide ranging differences between individual, cultural and gendered experience of events as traumatic or otherwise, and in the extent and nature of exposure to such events. Truly trauma informed approaches will be informed not only by adapting to someone’s traumatic experiences, but also to the ways in which culture, gender and other societal contexts has influenced how they experienced it. What may look and feel traumatic, or trauma informed to one person may feel very different to another. Changing the perspective “What’s wrong with you?” to “What happened to you?” is just the first step in taking a trauma informed perspective. The next step is asking “and how did it affect you?” rather than assuming one’s own perspective to be a universal and therefore adequate one from which to understand another’s experience.

Using the framework

The framework is designed to support organisations to identify and develop or commission the training that staff need in order to work with witnesses in a trauma informed and responsive way, and to support individuals to identify their own CPD needs. It is not designed to provide detailed contents of training in and of itself, as to do so would make it extraordinarily long, and also make it out of date very quickly as the evidence base advances or legislation changes. Instead, it offers a way to identify the knowledge and skills an individual staff member or professional groups require according to their role, and then deliver training accordingly. Many staff may require competencies across a range of roles. The framework can be used by:

- Justice staff (in conjunction with their appropriate generic and/or professional guidance, where available) to help them understand the knowledge and skills required to successfully deliver trauma informed, evidence based responses for witnesses.
- Managers and supervisors, to identify and explore staff strengths and address any gaps in staff knowledge and skill.
- Justice organisations, to ensure staff have the necessary knowledge and skills to meet the needs of witnesses who may be affected by trauma; this should be done through planning staff development activities to meet the aspirations of the framework, which also includes ensuring staff welfare.
- Education and training providers, to inform the content of their curricula and learning activities.
- Witnesses, their families and supporters, to ensure they are aware of what they may expect at different points in their justice journey.

Implementation

Finally, it is recognised that training alone is a necessary but *not sufficient* element in the implementation of new skills in practice. Just as critical is what happens after training in terms of opportunities to develop and apply new skills in practice, with adequate supervision or coaching support to sustain and refine these changes. Also important are feedback loops and systems that meaningfully evaluate the impact of training on the skills and practice of those trained, and the impact of those changes for the consequent experience of witnesses themselves. Without these, training in and of itself is likely to fail to effect any change in practice. The **Scottish Psychological Trauma Training Plan** (2019) outlines the steps and stages involved in successful implementation, and can provide helpful guidance on the development and delivery of high quality training, and subsequent implementation.



TRAUMA INFORMED

"... every interaction that you have has an impact beyond the function of that interaction."- Justice Leader

TRAUMA INFORMED

The *informed* level is designed to address the foundational learning needs of all workers in the justice system. For some, who have very limited role in direct contact with witnesses, it will be all that they require.

Aims	Page	Outcomes
Aim 1: Understand the prevalence and impact of trauma	<u>30</u>	<ul style="list-style-type: none"> The likelihood that witnesses and members of the workforce have been exposed to traumatic or adverse experiences is understood
	<u>31</u>	<ul style="list-style-type: none"> The different ways in which trauma can affect people are recognised and understood.
Aim 2: Avoid re-traumatisation where at all possible	<u>32</u>	<ul style="list-style-type: none"> Potential risk of re-traumatisation across the system is understood and identified
	<u>35</u>	<ul style="list-style-type: none"> Re-traumatisation is avoided where at all possible
Aim 3: Aim 3: Support recovery from the impact of trauma where possible	<u>37</u>	<ul style="list-style-type: none"> The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.
Aim 5: Support resilience of the workforce and reduce the potential impact of vicarious trauma	<u>40</u>	<ul style="list-style-type: none"> The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised and responded to

TRAUMA INFORMED:

UNDERSTAND THE PREVALENCE AND IMPACT OF TRAUMA

TRAUMA INFORMED: UNDERSTAND THE PREVALENCE AND IMPACT OF TRAUMA		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>The likelihood that witnesses and members of the workforce have been exposed to traumatic or adverse experiences is understood.</p>	<p>All workers understand:</p> <ul style="list-style-type: none"> ● Traumatic events are those in which a person is harmed, where there is a serious threat of harm, or where the person sees someone else being harmed. ● Trauma can result from exposure to an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening and that has lasting adverse effects on the individual’s functioning and mental, physical, social, emotional, or spiritual well-being. ● The widespread prevalence of exposure to trauma across the Scottish population. ● Traumatic events can happen once (an assault, rape or murder of loved one, for instance) or repeatedly (such as in the context of childhood sexual abuse, domestic abuse, or stalking). ● The high likelihood that anyone working in the criminal justice sector will have regular contact with people affected by trauma. ● For different kinds of crimes, the proportion that are reported and the significant impact that psychological trauma can have on decisions not to report some crimes. 	<p>All workers can:</p> <ul style="list-style-type: none"> ● Recognise that trauma can arise from a) criminality alleged and b) from other prior experiences in childhood and adulthood <div style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ I think perhaps rather than anybody being dismissive of it [trauma], I would find that probably most aren’t aware of it. So, I don’t think it’s a deliberate course of action or ... that people are against it or diminishing it. I just don’t think that they’re aware ... Witness ”</p> </div> <ul style="list-style-type: none"> ● Recognise the range of criminal offences that are likely to be experienced by witnesses or their families as traumatic, and the increased likelihood of exposure to trauma amongst those in contact with the criminal justice system.

TRAUMA INFORMED: UNDERSTAND THE PREVALENCE AND IMPACT OF TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The different ways in which trauma can affect people are recognised and understood.</p>	<p>All workers understand:</p> <ul style="list-style-type: none"> ● Trauma can affect witnesses in a range of different ways. ● Some people manage well despite their experience of trauma, and may not be significantly affected, but it can affect people’s mental health, physical health and life chances. ● The consequences of trauma, including feelings of shame, fear and responsibility, as well as avoidance of reminders and impact on memory can affect people’s ability or desire to disclose that they have been a victim of crime and to give evidence. ● Witnesses use different ways to survive, adapt to, and cope with trauma and its impact, and these can be mistaken for indicators of poor credibility or reliability unless viewed as adaptive coping responses to overwhelming threat and its consequence. ● Everyone has a part to play in recognising and adapting to the impact of trauma on witnesses, in order to enable them to give best evidence without exacerbating the impact of trauma or impeding their recovery (that is, ‘trauma is everybody’s business’). ● Experiencing trauma early in life can make us more vulnerable to being a victim of crime later in life. <div data-bbox="539 1198 1453 1497" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ Educating yourself on how trauma affects somebody. Like how that person will present, how that person maybe will react in the first instance but maybe react differently a couple of weeks down the line. It’s not a cut and dry, this is how trauma is because it affects everybody different. Witness ”</p> </div>	<p>All workers can:</p> <ul style="list-style-type: none"> ● Be mindful that a witness may be affected by trauma, and this may be affecting their experience of the justice process and their ability to effectively give evidence. ● Make sense of any difficulties a witness may have engaging with the justice process by considering “What happened to you?”, instead of “What’s wrong with you?” ● Recognise where the impact of trauma is interfering with a witness’ engagement with the justice process. ● Respond to all witnesses with empathy and without criticism or blame.

TRAUMA INFORMED:

AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

TRAUMA INFORMED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Potential risk of re-traumatisation across the system is understood and identified.</p>	<p>All workers understand:</p> <ul style="list-style-type: none"> That because trauma is so widespread, and can have an impact on a witness's experience of the justice process (including their ability to give evidence) it is important for all workers to be 'trauma informed' when responding to the needs of witnesses (that is, 'trauma is everybody's business'). Witnesses can be easily reminded of any harm they have previously experienced, and any current similarities or reminders can leave a witness feeling as bad as when the trauma was actually happening (this is called re-traumatisation). <div style="border: 1px solid #0056b3; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ They should know about triggers and how that causes flight, fight and freeze mode. That triggers trigger certain things and that can make things harder for us. Witness ”</p> </div>	<p>All workers can:</p> <ul style="list-style-type: none"> Identify where areas of own practice and processes may be experienced by witnesses as having a lack of control, choice, collaboration, empowerment, trust and safety and therefore may present a risk of re-traumatisation. Identify the types of situations experienced by witnesses in the justice context that can bring back memories of trauma and associated feelings.

TRAUMA INFORMED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Potential risk of re-traumatisation across the system is understood and identified.</p>	<p>All workers understand:</p> <ul style="list-style-type: none"> ● That recounting traumatic events in a setting/context that is for purposes other than care, support and treatment (for example as evidence in a legal setting) can be experienced by people affected by trauma as re-traumatising and distressing, and that this can be minimized through the use of trauma informed principles. ● That many crimes that occur between people (for example childhood sexual abuse, gang violence or domestic abuse) can be characterised by an overwhelming sense of threat and danger or shame, alongside sometimes escalating and insidious repeated breaches of trust, coercion, lack of control, powerlessness and domination. ● Experiences within the justice process in which trust is breached, that feel unsafe, or that engender feelings of coercion, lack of control, powerlessness, or domination, no matter how subtle, can bring back distressing memories of the trauma and associated feelings, leading to re-traumatisation, poorer evidence and avoidance of the justice process. <div data-bbox="539 1098 1453 1385" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ They need to know the impact that a panic attack and fear and alarm causes physically and that you feel like you’re dying. You feel like you literally can’t breathe. ” Witness</p> </div>	<p>All workers can:</p> <ul style="list-style-type: none"> ● Recognise elements of the justice process that may carry a higher risk of re-traumatisation by reminding a witness in some way of past traumatic events, for example: <ul style="list-style-type: none"> » Direct recall: being directly asked about or recounting traumatic events, » Physical Reminders: Physical examinations, Smells, sounds, reviewing physical reminders of traumatic events (photographs, physical evidence, correspondence) » Anticipatory: any contact or event that anticipates any of the above – for example letters, phone calls or other correspondence » Interpersonal: any situations in which trust is breached, or that trigger feelings of coercion, lack of control, powerlessness, domination or loss of safety, including the presence of the accused.

TRAUMA INFORMED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Potential risk of re-traumatisation across the system is understood and identified.</p>	<p>All workers understand:</p> <ul style="list-style-type: none"> That re-traumatisation can sometimes account for the experience of the criminal justice process being described as equally traumatic to, if not more traumatic than, the crime itself. A witness who is experiencing re-traumatisation is more likely to wish to disengage from the justice system to avoid further reminders and may also be unlikely to be able to recall events or communicate them as effectively and accurately as they would otherwise. Evidence collection that involves physical examination or invasive physical procedures carry a higher risk of being experienced as re-traumatising, leading to avoidance <p>All child and family workers understand:</p> <ul style="list-style-type: none"> Children and young people face particular levels of disempowerment generally. When this is a feature of offences committed against them, the power imbalance of Justice contexts such as court and interview rooms can be particular cause for children or young people becoming overwhelmed. <div data-bbox="539 1102 1453 1386" style="border: 2px solid #00728f; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ I’d just turned 17. I was still a wee girl. This was like a grown man, and a big grown man in a police uniform and I was like, I can’t say these words to him. ”</p> </div>	<p>All workers can:</p> <div data-bbox="1480 384 2040 815" style="border: 2px solid #00728f; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ That thing’s happened, that was a physical thing that happened and that’s never going to change. But what can change is the way that we treat people who a trauma has happened to because that has had the biggest impact on my life outside the actual physical trauma. Witness ”</p> </div> <p>All child and family workers can:</p> <ul style="list-style-type: none"> Recognise the particular importance of empowering children and young people within the Justice process to know and access their rights Ensure the UN Convention on the Rights of the Child (UNCRC) are incorporated across all aspects of the justice context and processes. To recognise, respect and promote children’s rights. This includes being treated fairly, to be heard and to be as healthy as possible. Utilise Getting it Right For Every Child (GIRFEC) to ensure the best interests of the child are central.

TRAUMA INFORMED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Re-traumatisation is avoided where at all possible.</p>	<p>All workers understand:</p> <ul style="list-style-type: none"> ● That whilst not all witnesses will be affected by trauma, offering the same trauma informed principles to everyone as a universal precaution will do no harm to those that are not affected by trauma, and enable those who are affected by trauma to more effectively participate in the justice process. ● The key importance of providing a sense of safety and predictability for all witnesses, across all contacts, communications and relationships that they encounter. <div data-bbox="539 754 1453 963" style="border: 2px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>Follow through, if you say you're going to do something do it. Witness</p> </div> <ul style="list-style-type: none"> ● That it is important to ensure witnesses can effectively participate in the justice process by responding in a way that prioritises: <ol style="list-style-type: none"> a) building trust and helping the person feel safe b) working collaboratively in a way that empowers the person to make choices about their engagement within the limitations of the rules of evidence and rules of procedure and considers the person's cultural background c) applying routinely these principles to their work 	<p>All workers can:</p> <ul style="list-style-type: none"> ● Recognise that whilst some necessary elements of a witness's journey (for example recounting traumatic events and details, reviewing earlier statements, or reviewing physical evidence, photographs or video from the alleged offence) may be likely to lead to re-traumatisation, there are ways in which this can be minimised: <ul style="list-style-type: none"> » Minimise the number of times a witness will have to talk about traumatic events and maximise the safety they feel when doing so by collaborating with the witness to make the process as predictable as possible, for example by offering choice over who takes a statement and trying to ensure it is the same consistent person taking the statement if this needs to be done across multiple occasions. » If possible, avoid asking the witness for information they have already given elsewhere in the system to reduce their need to repeat potentially re-traumatising information. For example, if appropriate ensure previous relevant notes and documentation have been read prior to any interaction.

TRAUMA INFORMED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Re-traumatisation is avoided where at all possible.</p>	<p>All workers understand:</p> <div data-bbox="539 384 1453 823" style="border: 1px solid #4a7c59; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>“</p> <p>I think it's that no matter their role, it could be the security guard at the court door swiping you down with a metal detector, it could be the person at VIA, that they play as big a part because it all becomes the same picture. You know, if I was a piece of a puzzle, they're usually the same size. VIA, the Fiscal doesn't take a bigger size of position for me or anyone else. It's the whole cumulative effect of them all together.</p> <p>Witness ”</p> </div> <div data-bbox="539 938 1453 1257" style="border: 1px solid #4a7c59; border-radius: 15px; padding: 10px;"> <p>“</p> <p>yeah, because I was old enough to make decisions on where I wanted to stay and who I wanted to go with. I use my rights. So I think rights are a good thing. Because whatever your rights you should use them.</p> <p>”</p> </div>	<p>All workers can:</p> <ul style="list-style-type: none"> » Offer a consistently empathic, thoughtful and professional collaborative approach with witnesses that fosters a sense of predictability and safety throughout the process and in every possible encounter and communication and empowers witnesses to make informed choices about their engagement with the justice process based on their rights, taking into account the impact of their gender, race, age, any disability, and cultural background. ● Identify any particular procedures or processes (for example taking a statement about traumatic events, sending out letters with information about the accused) that may contain significant reminders of the traumatic events, and work with the witness collaboratively to try to minimise the re-traumatisation and distress this may cause.

TRAUMA INFORMED:

SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

TRAUMA INFORMED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>All workers understand:</p> <ul style="list-style-type: none"> ● Good social support and safe and supportive relationships are central to recovery following traumatic experiences. ● The ways that positive, trauma informed experiences with workers throughout the justice process can improve a witness’s mental health and recovery and is linked with increased satisfaction with the justice process regardless of the outcome. <div style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ He said, I understand it’s really difficult to be waiting and to not know the outcome. So that was great actually ‘cos it made me think, you actually know I’m a human being here on the other end of the line. Witness ”</p> </div> <ul style="list-style-type: none"> ● The importance of acknowledging and taking seriously witness perceptions of risk and fear to facilitate their sense of safety 	<p>All workers can:</p> <ul style="list-style-type: none"> ● Ensure justice processes allow witnesses to access their own natural support networks and support strategies when this is possible within the rules of evidence and rules of procedure, especially during particularly difficult or stressful events such as giving evidence. See Appendix 3 for examples. ● Identify own areas of practice, even if in indirect ways, to positively support witnesses’ engagement with the justice system using the trauma informed principles (choice, collaboration, trust, empowerment and safety) ● Respond promptly and effectively when sources of risk or fear associated with the justice process are identified for the witness and work in collaboration to avoid or reduce them.

TRAUMA INFORMED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>All workers understand:</p> <ul style="list-style-type: none"> ● That effective care, support and interventions are available to support people to recover from the impact of trauma ● The potential impact of trauma and early adversity on a witness's access to and engagement with services and recovery, including how this may impact on levels of comprehension and communication ● That being clear and informative about the legal process and explaining why certain decisions or actions are taken results in witnesses feeling more empowered and can support their recovery ● Timely, clear, respectful short communications using plain language throughout the justice process can aid recovery. ● The important influence that a witness's first contact with justice organisations, often via administrative workers, can have including <ul style="list-style-type: none"> » their later likelihood of engagement with the justice system and with other agencies and services for support » its role in supporting recovery 	<p>All workers can:</p> <ul style="list-style-type: none"> ● Support and enable witnesses affected by trauma to access services, supports and interventions to improve recovery, where needed and at all stages in their justice journey. ● Communicate clearly, honestly and respectfully with witnesses in a timely manner, using plain language and shorter communications when possible. <div data-bbox="1480 783 2040 1374" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ I had one guy who was absolutely brilliant... he was like, ‘Look, just don’t you worry, I’ll phone you tomorrow, I don’t have the information right now’... He told me why he couldn’t tell me there and then. He told me when he would be able to tell me and (...) he stuck to his word, he phoned me at exactly the time he told he would tell me. Witness ”</p> </div>

TRAUMA INFORMED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>All child and family workers understand:</p> <ul style="list-style-type: none"> Children and young people live in their contexts and will naturally require support from parents and caregivers in the Justice context. Parents and caregivers can also be affected by the power imbalances. Children and young people will be watchful to how their parents and caregivers are treated by others in the Justice context and this could influence how the child/young person then interacts with Justice workers. The critical importance of relationships with supportive adults in successfully buffering the impact of trauma on capacity to flourish. <div data-bbox="539 871 1458 1233" style="border: 2px solid #4CAF50; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>'child-friendly' was a recurring term used... A number of participants felt that it was "about the space, environment, language" that would "not harm a child physically or mentally" and "somewhere you feel safe, somewhere that you feel yourself and that you can be yourself.</p> </div>	<p>All child and family workers can:</p> <ul style="list-style-type: none"> Recognise the importance of responding respectfully with parents and caregivers to model trauma informed principles and assist with the child/young person feeling safe to engage with the Justice system and also be able to continue to grow and develop. <p>Managers/supervisors can:</p> <ul style="list-style-type: none"> provide safe physical and emotional spaces for workers to support one another in the understanding and application of trauma informed principles in their work, and to model this way of working themselves.

TRAUMA INFORMED:

SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

TRAUMA INFORMED: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised and responded to.</p>	<p>All workers understand:</p> <ul style="list-style-type: none"> ● The ways that directly witnessing or hearing about traumatic events experienced by witnesses can negatively impact on health and well-being and ability to function in work or personal life. ● the importance of being supported to practice good self-care and have access to formal and informal support/supervision to help manage the impact of trauma exposure in the workplace. ● The organisational and individual strategies that are likely to protect wellbeing and mitigate the impact of exposure to the trauma of others. 	<p>All workers can:</p> <ul style="list-style-type: none"> ● Identify the signs that they might be struggling with the traumatic impact of their work. ● Prioritise evidence-based self-care. ● Make use of support / management / supervision in the workplace, and highlight relevant work-related risk factors to manager (for example nature, frequency and intensity of exposure to traumatic material or traumatised witnesses). <p>Managers can:</p> <ul style="list-style-type: none"> ● include awareness of the potential impact of working with traumatic material, witnesses affected by trauma, and exposure to traumatic incidents in the organisation's Health and Safety protocols.



TRAUMA SKILLED

“everyone involved in the process needs to be trauma informed and to understand the way that evidence is presented, the way the evidence is told, the way that people behave, the language that you use, the environment that you create in order to allow them to give evidence.”- Justice Leader

TRAUMA SKILLED

The *skilled* level is designed to meet the needs of anyone who has some contact with witnesses. It includes all of the shared knowledge that all workers at any of the enhanced levels will need.

Aims	Page	Outcomes
Aim 1: Understand the impact and prevalence of trauma	<u>43</u>	<ul style="list-style-type: none"> The likelihood that witnesses and members of the workforce have been exposed to traumatic or adverse experiences is understood
	<u>45</u>	<ul style="list-style-type: none"> The different ways in which trauma can affect people are recognised and understood
Aim 2: Avoid re-traumatisation where at all possible	<u>49</u>	<ul style="list-style-type: none"> Potential risk of re-traumatisation across the system is understood and identified
	<u>51</u>	<ul style="list-style-type: none"> Re-traumatisation is avoided where at all possible
Aim 3: Support recovery from the impact of trauma where possible	<u>57</u>	<ul style="list-style-type: none"> Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.
	<u>63</u>	<ul style="list-style-type: none"> Witnesses and their families are protected from further harm
	<u>66</u>	<ul style="list-style-type: none"> The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.
	<u>69</u>	<ul style="list-style-type: none"> Witnesses and their families affected by trauma access appropriate services to meet their recovery needs.
Aim 4: Enable equal and effective participation in the legal process	<u>72</u>	<ul style="list-style-type: none"> Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant
	<u>74</u>	<ul style="list-style-type: none"> Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence
Aim 5: Support resilience of the workforce and reduce the potential impact of vicarious trauma	<u>77</u>	<ul style="list-style-type: none"> The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised
	<u>79</u>	<ul style="list-style-type: none"> The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma
	<u>84</u>	<ul style="list-style-type: none"> Signs of vicarious traumatisation, compassion fatigue, burnout and traumatic stress in the workforce are recognised and responded to

TRAUMA SKILLED: UNDERSTAND THE IMPACT AND PREVALENCE OF TRAUMA

TRAUMA SKILLED: UNDERSTAND THE IMPACT AND PREVALENCE OF TRAUMA		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>The likelihood that witnesses and members of the workforce have been exposed to traumatic or adverse experiences is understood.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • Definition and features of “single incident”, “repeated or complex” traumatic events, and “adverse experiences” and the different forms of trauma, abuse and neglect across the lifespan. • The type of events and crimes that are most likely to be experienced as traumatic by witnesses, and the factors that can exacerbate or buffer their impact. • The frequency and prevalence of exposure to traumatic events and adverse experiences across the lifespan in the population. • The proportion of the population, and of witnesses, that are likely to have been victims of and/or witnesses to traumatic offences, and the range of reasons that people often do not disclose these experiences and/or conceal the impact. • The prevalence and traumatic impact of online criminality and the significant role this can play in victimisation of children, young people and adults. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Identify where an offence may have been experienced as traumatic, and proactively recognise where a witness is likely to be affected by single incident or repeated trauma based on offences that are alleged to have occurred. • Recognise that whilst many witnesses may not have experienced trauma in the course of events that have brought them to the justice process as a witness, many may have experienced and still be affected by prior trauma in their lives.

TRAUMA SKILLED: UNDERSTAND THE IMPACT AND PREVALENCE OF TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The likelihood that witnesses and members of the workforce have been exposed to traumatic or adverse experiences is understood.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The links between earlier exposure to traumatic events and adversity, and later increased risk of becoming a victim of crime through revictimization and/or exploitation, including for specific marginalised groups, for example care experienced children and unaccompanied asylum-seeking children. • The multiple, and complex ways in which the discrimination and marginalisation experienced by those with protected characteristics as outlined in the Equality Act (2010) such as age, race, religion, disability, sex, sexual orientation and gender reassignment, as well as those affected by social deprivation, are linked to increased risk of becoming a victim of crime. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Recognise that perpetrators of sexual or domestic offences can select victims based on vulnerabilities that leave a witness less able to recognise or communicate about these offences, including learning disability, prior trauma exposure, lack of protective caregivers. • Recognise where there may be a risk of revictimization, and where appropriate take active preventative steps to protect and prevent. • Recognise interconnected ways that systems of discrimination or disadvantage operate across social categorisations such as gender, age, social deprivation, race, sexuality, religion and disability, and that with this intersectionality comes exponentially increasing risk of exposure to (and impact of) criminal offences such as gender- based violence, hate crime and grooming, and on reduced opportunities to safely report.

TRAUMA SKILLED: UNDERSTAND THE IMPACT AND PREVALENCE OF TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The different ways in which trauma can affect people are recognised and understood.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The multiple and complex range of ways that different kinds of traumatic events and adversity can affect us, from no impact/post traumatic growth through to a significant life-changing impact on mental and physical wellbeing, as well as on social outcomes such as education, employment, or housing. • The impact of trauma on the brain, including roles of the limbic system & neocortex and fight/flight/freeze/flop/friend responses. • The potential long-term developmental impact of experiences of trauma in childhood, especially in terms of relationships with others, impact on learning ability and literacy, and including secondary effects such as interruption to education. • The range of coping strategies, for example substance use, self-harm, or emotional disconnection (“dissociation”) which can emerge as attempts to adapt to and cope with the impacts of trauma, but can increase risk of later re-victimisation. <div data-bbox="539 1091 1453 1406" style="border: 2px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>Understanding of how trauma impacts is really important, for example recognising that a panic attack is terrifying when it happens, understanding what happens when I fight or flight. It's vital... Witness</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Recognise the different ways that the impact of trauma can affect a witness and their evidence during traumatic events, in the immediate aftermath and throughout the justice process, across a range of domains including: <ul style="list-style-type: none"> » Neurobiology (for example the impact of toxic and traumatic stress on the developing brain and ability to learn, and on the body’s physiological regulatory systems) » Emotion (for example shame, anger, the window of tolerance model, & distress tolerance and expression). » Cognition (for example cognitive processing of events and later narrative and memory for them) » Relationships (for example with the perpetrator(s), with justice workers, on trust and disclosure, on social emotions like shame)


TRAUMA SKILLED: UNDERSTAND THE IMPACT AND PREVALENCE OF TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The different ways in which trauma can affect people are recognised and understood.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The factors that can influence how people respond to traumatic experiences, both at the time and afterwards, including: A person’s young age when first experiencing trauma, prior exposure to trauma, relationship to the person(s) responsible, duration, frequency / multiple events, and inescapability. <div data-bbox="539 611 1453 895" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“</p> <p>They need to understand when they are interviewing: That person can go into a very uncomfortable and unbearable state, and take breaks and stop.</p> <p>Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » Behaviour (for example avoidance to protect from risk of further threat or abuse, strategies to manage the impact of trauma such as self-harm or substance use) » Beliefs (for example sense of responsibility, often accurate sense of threat from others) • Recognise the indicators of the impact of trauma and respond to signs of trauma-related distress with appropriate adaptations to the current task, including asking what the witness may need, and stopping or pausing the activity at hand if required and possible.

TRAUMA SKILLED: UNDERSTAND THE IMPACT AND PREVALENCE OF TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The different ways in which trauma can affect people are recognised and understood.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The significant impact which offences involving repeated interpersonal abuse, threat or intimidation (for example domestic abuse, coercive control, stalking or childhood abuse) can have on a person’s relationships (including how they manage their relationship with the perpetrator), ability to trust and relate to others, manage emotions, the way they see themselves, and their ability to make decisions in day-to-day life. • The concept of traumatic bonding, and how it can affect the victims of some kinds of offences (for example trafficking, childhood sexual abuse, domestic abuse) and their ongoing relationship to the perpetrator. • The cumulative traumatic impact of being the victim of regular incidents, which risk being regarded as trivial if not understood within the wider context or pattern of behaviour (e.g., being the victim of stalking; harassment by a neighbour; bullying, regular assaults, etc). <div data-bbox="539 1038 1464 1390" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>an incident that, on the face of it, might seem quite trivial is actually not if you placed it within the wider context of other things that have been going on. So not to dismiss things as trivial (...) then that will deter you from reporting a similar thing in the future. Witness</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Acknowledge and, where possible, help witnesses make sense of trauma responses and the impact of trauma on them or their evidence. <div data-bbox="1482 651 2040 1046" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>She recognised every single sign in my body that showed that I was anxious and she noticed it and she referred to it and I automatically just relaxed when she told me that she recognised how I was feeling. Witness</p> </div>

TRAUMA SKILLED: UNDERSTAND THE IMPACT AND PREVALENCE OF TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The different ways in which trauma can affect people are recognised and understood.</p>	<p>Where relevant to their role child, young people and family workers understand: </p> <ul style="list-style-type: none"> • Children and young people can respond to trauma differently. This can be based on several factors, including the developmental age and stage that the trauma(s) occurred and their current age and stage. • Children and young people can display the impact of trauma through behavioural responses. There may be regressions, increased impulsivity, showing distress through e.g. defiance, hyper-activity, aggression. <div data-bbox="539 783 1453 1066" style="border: 2px solid #007060; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ I lost my temper and started screaming and crying... everything to the wind, and the judge asked me to leave the room and calm down. Young woman, aged 19 (sexually assaulted aged 17) ”</p> </div>	<p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> • Identify the various ways that children and young people may display distress depending on their age and developmental stage. • Recognise the sensory, non-verbal and behavioural ways that children can experience and exhibit the effects of trauma.

TRAUMA SKILLED:

AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

TRAUMA SKILLED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Potential risk of re-traumatisation across the system is understood and identified.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> ● The defining features of re-traumatisation, including: <ul style="list-style-type: none"> » The increased sensitivity of the brain’s alarm system to situations or cues that are identified as similar to (consciously or subconsciously) the people, experiences or dynamics involved in the traumatic event(s) » The key role of interpersonal interactions which may mirror the dynamics of abuse in re-traumatisation (e.g. through feeling a lack of choice, control, collaboration, safety and trust) » intrusive trauma memories and feeling as though the trauma “is happening again” in the form of sights, sounds, smells, bodily sensations and emotions. <div style="border: 1px solid #004a7c; border-radius: 15px; padding: 10px; margin-top: 10px; background-color: #e6f2ff;"> <p>“ I had a terrible fear of yellow roses, because after an outburst of abuse, my perpetrator would buy me flowers as part of the cycle of abuse, and sometimes he would even buy me flowers before an episode of abuse... people need to be aware that triggers can come from many origins, smells, aftershave was a big one for me, visual, sounds, music, certain songs and ring tones sent me reeling...and many trauma victims don’t even recognise these triggers themselves and what they mean. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> ● Recognise the wide range of reminders to trauma that can exist in the justice process for witnesses, including <ul style="list-style-type: none"> » idiosyncratic reminders that are unique to an individual and their experience of trauma (for example the sight or smell of yellow roses, as a result of domestically abusive partner apologising with these after each incident of DA) » general / universal reminders, such as talking about or recalling traumatic events, as well as the common elements of traumatic offences that may be repeated in the process of being a witness.

TRAUMA SKILLED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Potential risk of re-traumatisation across the system is understood and identified.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The ways that exposure to traumatic events can affect our brain’s alarm system and increase sensitivity to reminders (also known as “triggers”). • The ways that triggered trauma memories can differ from other memories in terms of bringing back bodily sensations, emotions, sights, smells and sounds from the past trauma into the present, feeling as though it is “happening again” which can be deeply disturbing. • Giving an account of traumatic events can be one of the key triggers for re-traumatisation, and that witnesses can pay a significant psychological price each and every time they are asked to recount events. • The different domains of internal and external triggers and examples of them, including interpersonal/relational, physical/sensory, emotional, and contextual/environmental. See appendix 2 for examples. <div data-bbox="539 1059 1453 1378" style="border: 2px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“They need to know that every time you talk about it, there’s a price to pay. So, every time they ask you a question, they want me to relive that, I’m paying that price.” Witness</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Identify potential processes, procedures, communications and elements of own practice that are likely to bring back memories of traumatic events, either explicitly (being asked to give an account of them) or implicitly (processes that mimic or mirror common elements of trauma). See appendix 2 for examples. • Proactively identify and manage risk of re-traumatisation prior to a witness being required to think about or recount potentially traumatic events. • Recognise where legal, procedural or other requirements of the justice process risk re-traumatisation and be creative and flexible in assessing what can be adapted and what cannot be (due to the rules of procedure and evidence) to minimise re-traumatisation. Where possible highlight these to senior management for review.

TRAUMA SKILLED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
Potential risk of re-traumatisation across the system is understood and identified.	Where relevant to their role, workers understand: <ul style="list-style-type: none"> The range of signs that may indicate a witness (child and/or adult) is experiencing increasing levels of distress and/or is re-experiencing previous trauma. Why victims of violent, domestic or sexual offences may face a higher risk of re-traumatisation and experience higher levels of distress when engaging with the criminal justice system compared to victims of other crime. The links between experiences of re-traumatisation and impact on decisions to report any other crimes experienced in future. 	Where relevant to their role, workers can: <ul style="list-style-type: none"> Recognise the signs that a witness might be re-experiencing traumatic memories as a consequence of re-traumatisation. Identify the types of crime likely to increase a witness' vulnerability to experiencing re-traumatisation in the justice process, and the reasons for this. Identify where a witness' reluctance to engage with people, places or situations (including anything associated with the prosecution of the accused) may be as a result of trying to avoid traumatic reminders and associated feelings.
Re-traumatisation is avoided where at all possible.	Where relevant to their role, workers understand: <ul style="list-style-type: none"> The ways that re-traumatisation - triggering the sights, sounds, sensations and emotions felt at the time of the traumatic event is likely to reduce the quality and nature of the evidence a witness can give, and their ability to engage with justice processes. 	Where relevant to their role, workers can: <ul style="list-style-type: none"> Take available measures to avoid re-traumatisation where possible if there are signs that a witness may be vulnerable to re-traumatisation, or that the environment may present certain triggers for them.

TRAUMA SKILLED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Re-traumatisation is avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> ● A witness is the first and best source of information about what may be the cause of their distress or re-traumatisation, and what may help to reduce it. ● Each time a witness is asked to give an account of traumatic events, there is a significant risk of re-traumatisation, and to minimise this requires <ol style="list-style-type: none"> a. minimising the number of times a witness is asked to recount traumatic events b. maximising their sense of trust and safety by ensuring predictability where possible, and that it is to the same consistent person with whom they have built a trusting relationship c. predictability and planning d. avoidance of feeling under pressure or rushed e. avoiding overwhelming distress while discussing trauma f. empathic, validating and professional responses g. Introducing elements of choice and control where appropriate and explaining where this may not be possible e.g. the location of the court or due to the rules of evidence and procedure 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> ● Identify strategies that can minimise the likelihood of re-traumatisation for witnesses within their remit, including a. minimising the number of times a witness is asked to recount traumatic events and b. maximising their sense of trust and safety when they do so by ensuring where possible it is to the same consistent person with whom they have built a trusting relationship. <div data-bbox="1480 802 2040 1422" style="border: 1px solid #0056b3; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“What has been helpful has been having a single point of contact, maybe knowing who you were going to speak to, and where(...) just having someone that sort of understands the background to all of this, because it’s quite complicated, it’s quite complex and there’s lots of bits and pieces involved. So not having to retell our story every single time we contact people.</p> <p>Witness</p> </div>

TRAUMA SKILLED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Re-traumatisation is avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> Aspects of justice processes that mirror the unequal power and control experienced by witnesses during offences such as domestic abuse, sexual violence and other gender- based violence (GBV) and can re-traumatise witnesses by recreating familiar and triggering patterns. <div data-bbox="539 571 1451 895" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ Sending out letters can be triggering- warn someone the letter is coming out and what it might say, rather than just send a cold letter. The letter needs to be explicit about what happens next and what is being asked. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Use the principles of trauma informed practice (choice, collaboration, trust, safety and control) to adapt how they work and the procedures they use to reduce risk of trauma- related distress where possible within the rules of procedure and evidence by for example: <ul style="list-style-type: none"> » offering choice (for example over what happens to the person, and at what stage, and the gender of the professional involved in their case) » collaborating with the person at every possible stage in order to understand how to adapt processes and procedures in ways that will help them to feel <i>safe</i>, and make the process more predictable (for example asking at the outset what the person needs to happen through the procedure or meeting to help them feel safe, and working in partnership to achieve that)

TRAUMA SKILLED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Re-traumatisation is avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The aspects of communication which can potentially provoke feelings of self-doubt, self-blame and shame among witnesses. • The particular impact of interpersonal trauma on sensitivity to non-verbal cues e.g. tone of voice, volume of voice, body posture, and body position in relation to the person, especially for children and young people. <div data-bbox="539 671 1451 1129" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ Even to have that warm tone in your voice... even if you don't feel it if you're having a rotten day, just to put that warmth into your voice to make somebody feel they're cared about and that they matter(...) And even just the way that – you know, that kind of relaxed posture that they've got, so they make you feel that you're not making them anxious, so they've got a relaxed posture and they're making eye contact and paying attention to you is really important. Witness”</p> </div> <div data-bbox="539 1150 1451 1422" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ I wasn't too traumatised right up until the court system. I think they need to realise that I'm more traumatised by this Justice System than I am by the rape itself. Witness”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » fostering trust and predictability (for example being clear about what will happen and when, explaining legal procedures clearly in plain language without any jargon, communicating using thoughtful, sensitive, respectful verbal and non-verbal language, preparing a witness honestly for what to expect from justice procedures such as cross-examination) » facilitating empowerment (for example using language that is not technical or uses legal terms, making sure at all stages a person knows their rights and is empowered to engage with them, enabling the person to make informed decisions with regards to when and where they complete aspects of the justice process such as providing a statement, and providing familiarisation visits to the court).

TRAUMA SKILLED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Re-traumatisation is avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The environmental factors which may increase and decrease the risk of re-traumatisation for a witness affected by trauma (e.g., the size and set up of a room; where they are positioned in relation to any doors and windows; the level of sound insulation and noise; the level of people traffic etc.) That reducing overall levels of anxiety by providing more open communication and improving the external environment reduces the risk of witnesses developing PTSD symptoms. <div data-bbox="539 753 1453 1070" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ So, it’s maybe checking out with the person, is there anything about the way the room’s set up here that would make you feel more comfortable, that kind of thing. Because even (...) the fact they were closer to the door than me, that felt really threatening. Witness ”</p> </div> <ul style="list-style-type: none"> The range of subtle and more obvious cognitive, behavioural, emotional and relational indicators that a witness is experiencing intolerable levels of distress linked to re-traumatisation and / or are outside of their own window of tolerance. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » enhancing a sense of safety (for example ensuring the examination or meeting room is sufficiently private, without unnecessary interruptions, ensuring that they will have no contact in any justice settings with the accused, providing/ allowing supportive companion; being particularly aware of body language and non-verbal cues in communication). Respond professionally and with empathy, compassion, respect and kindness when information about past trauma is shared or discussed. Respond to signs that a witness may be re-living traumatic memories by taking measures to stop the process at hand (where possible within the rules of evidence and procedure) and orienting them back to the present using simple grounding techniques to bring them back to the present (for example using the persons name, and / or offering a glass of water.)

TRAUMA SKILLED: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Re-traumatisation is avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • Effective and basic techniques to support people to regain their window of tolerance. <p>Where relevant to their role child, young people and family workers understand:</p> <ul style="list-style-type: none"> • Additional adaptations may be required to meet the developmental needs of children and young people. Particularly with communication ability and methods. <div data-bbox="539 903 1453 1294" style="border: 2px solid green; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ The young people felt that there should be "less words, more pictures, more colour." Imagery was an important feature that came up in several discussions as it was felt that "some pictures" and "diagrams" would help children and young people understand what would happen to them once they're in a Barnahus. ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Take a collaborative and forward-looking approach with the witness to understand a. the cause of the distress or re-traumatisation, and b. what can be done to minimise distress at the earliest opportunity to prevent (further) re-traumatisation. <p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> • Adapt communication styles and methods to meet developmental age of the child or young person and their ability to communicate effectively. • Collaborate and give choice around how the child or young person would like to be communicated with. This could be directly or indirectly through an adult support person. This could be through different verbal/written formats. • Where possible create a child-friendly environment, recognising the importance of adapting the physical space e.g. size of chairs, additional space to move, and providing welcoming environments.

TRAUMA SKILLED:

SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The factors that support or contribute to natural recovery from the impact of trauma, including the importance of established and safe support networks such as family and friends The impact that becoming a witness can have on loss of key social supports and consequent mental health of witnesses when the accused is a member of their community, family, or friendship group. <div style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ I think they just need to be human beings. I mean, that’s the most important thing. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Ensure that where possible justice processes do not hinder natural recovery, including avoiding unnecessarily separating a witness from, or preventing their ability to communicate about traumatic events with safe natural support networks. Support the natural recovery for witnesses by listening to and understanding their experience of trauma, communicating a message of hope for their recovery from trauma and linking them in with informal or formal support networks as appropriate.

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The added responsibility and complexity for witnesses who are primary caregivers to engage in the justice process. • The impact on dependents and caregiving responsibilities of a primary caregiver’s involvement in the justice process and how this may hinder recovery from trauma. <div data-bbox="539 635 1451 986" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ Just having that acknowledgement of the fact that we’re there a lot [at court] and we’ve had to take a lot of time off work, we’ve had to get a lot of childcare plans in place to be able to do all of this. (...) Not to talk about the case because they can’t, they just sort of say, “You’re here again, how are you feeling?” Witness ”</p> </div> <ul style="list-style-type: none"> • The crimes which may involve additional parallel justice processes for witnesses and can increase the demands on them, potentially hindering recovery, e.g., civil justice child contact procedures. • That children and young people are not living in isolation and are appropriately dependent on adults for care. They therefore require the support of family/caregivers to both engage with the justice process and support recovery. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Facilitate engagement in the justice process and support recovery for victims/witnesses who are primary caregivers using the trauma informed principles (e.g., discuss collaboratively with them who else may be able to support them with child-care and/or if a referral for extra child support may be helpful; offer them choice where possible as to timing of appointments to accommodate their child-care needs; etc). • Identify when a witness is involved in parallel civil justice processes, and consider what can be done to support, not hinder, their engagement with both civil and criminal justice proceedings.

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> Using trauma informed principles to establish consistently safe, respectful, collaborative, and empowering working relationships with effective boundaries can reduce the potential negative impacts for witnesses of engaging with the justice process on their recovery from the impact of traumatic events. <div data-bbox="539 595 1451 903" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ I would always rather have the hard check. I would always rather be said to me, it’s going to take 2 years rather than, oh you know, we’re working on it(...) like setting expectations. Don’t tell me what you think I want to hear. Tell me what I need to hear. Tell me the truth. Witness ”</p> </div> <ul style="list-style-type: none"> The importance of managing expectations and increasing predictability throughout the justice process to support recovery and enhance engagement (for example, being clear with a witness that there are various factors which influence a verdict beyond their evidence, and the outcome of a trial is not always predictable). That experiences of trauma and abuse often involve the violation of interpersonal boundaries, and therefore maintaining clear and consistent boundaries with people affected by trauma is central to supporting their recovery. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Take an explicitly trauma informed approach to all contact with witnesses and establish relationships (no matter how brief the encounter) that are collaborative and empower witnesses to fully engage their rights, and engenders a sense of safety and trust throughout their justice journey, using the principles and practice outlined previously. Manage a witness’s expectations regarding the justice process, including the timeline and factors which may influence the outcome of a trial, so that they do not develop false hope which may negatively impact on their mental health and recovery if their expectations are not met. Recognise their own personal and professional limitations when engaging with witnesses, and work within the boundaries of their professional competencies. This includes referring or deferring to different services for the benefit of the witness when appropriate.

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The potential impact of long-term coercive control and abuse on a person’s capacity to make decisions for themselves and engage effectively with choices that are offered. • The importance of witnesses understanding and engaging their rights in relation to the justice process, to support engagement and recovery. • That demonstrating empathy (i.e. getting a sense of walking in the witness’ shoes, understanding what they felt and having respect for that) is crucial to a trauma informed approach. • The ways that a sense of empathy and trust can be conveyed, and the impact this has on a witness’ sense of safety, and their consequent recovery journey. <div data-bbox="539 1155 1451 1485" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“...the more you feel people aren’t hearing you, the more you just don’t expand. You shut down. So, basically, I was shutting down because I felt like I’d just been seen as this daft wee victim who didn’t know how to stand up for herself and what was the point in telling them anything else (...) and for a long time... I felt I couldn’t do my job anymore because I just felt like a victim. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Acknowledge and help the individual to cope with the end of the relationship in advance of finishing contact. • Identify when a witness may be struggling to make decisions for themselves due to the long-term impact of coercive control and abuse and support them with this by offering some clear choices whilst not overwhelming them with choice. • Respond and communicate with witnesses in a way that shows genuine interest in them and their experience, recognising the importance of validating a witness’s response and their courage for sharing, whilst not being afraid of being unable to fix a problem or experience they have. • Use both verbal and non-verbal skills to work and communicate in an empathic way with witnesses, including understanding, validating and addressing concerns where possible, throughout all interactions, whether in person, virtual, written or other.

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The potential impact of early adversity and trauma on a witness’s ability to engage with and understand justice processes and procedures <div data-bbox="539 528 1453 917" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ Trauma robbed me of my head space. I had a very, very narrow concentration band just to understand what was being said. Don’t talk about Victim Support, Crown Office, Procurator Fiscal, your Advocate, your this, your that. It’s just too much. It’s almost like you need to think you’re talking with a toddler, you need to stick to the topic and take your time and just make sure I’m taking it in. Witness ”</p> </div> <ul style="list-style-type: none"> The ways that the impact of trauma, adversity and neglect at any stage in the lifespan can affect the way we view other people, our capacity to trust, and form working relationships. <div data-bbox="539 1189 1453 1460" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ trauma made me extremely vulnerable and also extremely fearful. I found it hard to trust people and I didn’t have head space to absorb information. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Ensure communication is clear, brief and in plain language. Involve and use appropriate support and/or adaptations to communicate effectively with witnesses who may struggle to verbally communicate or understand (e.g., appropriate adult/ support worker for people with learning disabilities). Communicate effectively with non-English speakers using an appropriately qualified interpreter – checking interpreting ability in justice context and likely terminology used, also checking any requirements of language and dialect. Recognise where the experience of trauma may be affecting a witness’s way of relating, especially in terms of trust and betrayal, and adapt ways of working to take that into account to forge trust and develop respectful, trusting professional relationships.

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • Interpersonal difficulties within an attachment framework, and how they can manifest as a difficulty trusting others/having poorer ability to judge who is trustworthy and/or a fear of being abandoned. • The range of sociocultural and gendered influences that can shape the experience of trauma and support recovery • The need for a single consistent source of information and support from beginning to end of the criminal justice journey, including beyond the verdict/sentencing to support recovery and foster a sense of trust and safety with the process. <div data-bbox="539 954 1451 1481" style="border: 1px solid #0056b3; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“</p> <p>I think it’s that crimes of my nature was so personal, that I would be discussing things with them that I didn’t discuss with my family or best friends. So they have quite – for want of a better word – privileged position in that I am disclosing to them things of this nature and that, each time you have to speak to somebody or be passed around, you have to disclose that again. So I might have 50 people at [support agency] that know my business where my closest family and friends don’t and I think that’s quite traumatising (...) I would just like (...) perhaps a bit of appreciation as to it’s quite traumatic each time to have to disclose to a new person that’s a stranger. Witness</p> <p>”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Have the opportunity to reflect on working relationships with witnesses in the course of professional relationships such as supervision and reflective practice and use this to reflect on both the impact on the self, and on any required adjustments. • Refer or signpost (depending on witness’s choice) witnesses to appropriate independent support and advocacy services from the start of their involvement with the criminal justice process, evaluating their need for support, care and treatment at all stages in the justice process, not just at the beginning. <p>Managers/Supervisors can:</p> <ul style="list-style-type: none"> • Ensure internal communication and boundaries within teams are clear and consistent, to reduce the risk of mirroring the dynamics of abuse.

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
Witnesses and their families are protected from further harm.	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • How to respond to a witness displaying high levels of distress, including expressing suicidal ideation and intent, to reduce their distress and ensure their safety • The range of additional risks and potential harms that witnesses can be exposed to during the process of being a witness, and the kinds of offences where these risks are greatest. • The reasons why some groups of people (e.g., people with learning disabilities and children and young people) may have greater difficulty in recognising their own risk and disclosing trauma and abuse. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Employ the principles of psychological first aid (including offering humane, supportive and practical help) to respond to and ensure the safety of someone displaying high levels of distress, including expressing suicidal ideation and intent • Recognise the situations in which a witness is most likely to be at risk or feel at risk (for example be intimidated or threatened by contact with the accused in any justice environment), and take active steps to proactively prevent this. • Respond effectively and immediately to prevent any further contact where a witness indicates that they have felt threatened or intimidated by contact from or with the accused or their circle in any justice environment. • Use an interpreter with witnesses whose first language is not English in order to effectively assess current risks to safety.

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses and their families are protected from further harm.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • That some witnesses may accurately feel in immediate danger in any situation in which they are in the vicinity of the accused or members of their circle. • That seemingly trivial incidents can indicate far greater risk when viewed in the wider context of a pattern of behaviour. • What re-victimisation is, its prevalence and the factors that increase risk or likelihood of re-victimisation across sectors of society, at all stages of the justice process <div data-bbox="539 783 1453 1019" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ Does he need to hit me before the [justice professionals] will do something? Witness ”</p> </div> <ul style="list-style-type: none"> • The importance of assessing risk to the witness but also to others, when disclosures of trauma or victimisation are made, especially in respect of recent abuse which may not have previously been reported to police as a crime. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Formally record any incidents reported as a threat to safety by witnesses even if they appear trivial to the justice worker, so that these can be used to evidence a wider pattern of behaviour/incidents in future if needed. • Recognise where a witness may be at risk of re-victimisation and collaborate with them to understand the risk and to take steps to prevent. • Recognise where a witness or dependents are in a harmful or abusive situation, including harm linked to discrimination, and might be at ongoing risk of harm, and in collaboration with the witness, communicate with appropriate agencies to reduce this risk (e.g. police/ support services/child and family social work). • Following any disclosure of trauma or previously unreported criminality, establish if any current risk is posed to the witness and others, and take steps to prevent further risks accordingly.


TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses and their families are protected from further harm.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • Justice processes that can exacerbate the impact of trauma on a witness’s mental health and ways of coping, that can in turn inadvertently increase risk to self, dependents and others • The coping strategies that witnesses can use which, whilst seemingly harmful from an outsider’s perspective, are meaningful and well-founded attempts to keep self and/or dependants safe. • The importance of taking a lifespan and intergenerational view on trauma when considering the safety of a witness and their immediate families, including the potential for children to be affected by parental trauma and vice versa. • The unique and complex relational factors involved in situations of gender-based violence (GBV), and the well-founded reasons why a victim of GBV may seemingly compromise their own and dependent’s safety to stay within an abusive relationship <div data-bbox="539 1043 1453 1398" style="border: 2px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ And also see checking out before you leave, are you OK because if they don’t check out you’re OK before you walk out that door, what’s the potential that you could do when you walk out that door? So, safeguarding as well, making sure that you’re actually alright is really important. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Recognise when engagement with the justice process is affecting a witness’s mental health and their risk or vulnerability, and in collaboration with the witness, consider a mental health assessment or other appropriate agency (for example social work). • In cases of GBV where there are risks to children as well as the primary caregiver, collaboratively work with the primary caregiver and other appropriate agencies to consider the best strategy for ensuring both caregiver and children’s safety and needs are met. • Fulfil roles and responsibilities as outlined in existing guidance and established protocols and procedures for assessing and managing risk (such as adult support and protection, child protection, human trafficking, domestic and gender-based violence, and online abuse).

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses and their families are protected from further harm.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The critical points in the justice process at which support, safety and safeguarding of a witness is paramount, and the reasons for this. For example, release of accused from remand; after giving evidence or appearing in court; after a verdict or sentence (especially an acquittal or no proceedings decision); or granting of parole. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Ensure the support, safety and safeguarding of a witness at critical points during the justice process, including after the verdict/sentence.
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The spheres of a witness' life (for example their physical and mental wellbeing, employment, caregiving responsibilities, relationships and family members' wellbeing) that can be affected by engagement in the justice process, and the ways this can interrupt natural recovery. The factors relating to the justice process that are likely to impede recovery from the impact of trauma or exacerbate its impact (on for example Post-traumatic stress disorder (PTSD) symptoms, anxiety, depression, low mood, substance use or suicidal ideation) for example: <ul style="list-style-type: none"> » Repeated telling of traumatic events on trauma symptoms, coping mechanisms, and sense of threat » Questioning that reinforces negative beliefs about the self and/or myths about the type of offence » Unpredictability of court processes and environments on loss of safety » Delays and gaps in communication on sense of ongoing threat and on recovery, including access to evidence- based treatments » Correspondence that can be interpreted as threatening rather than informative and which risks alienation of witnesses » Long waiting times between key points in the process 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Adapt where at all possible how and when they work with witnesses in order to limit the impact of this contact and work on other spheres of life. Identify and intervene when elements of justice processes are exacerbating the impact of trauma and impeding recovery from consequent mental health difficulties. <div data-bbox="1480 979 2040 1485" style="border: 2px solid #004a87; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ I've been traumatised by him badly but then, when I've gone through court and (...) all the stuff with the [justice workers], I feel like I've been traumatised again(...). Had my expectations [not] been so high, knowing what I was getting myself into, I wouldn't have this impending feeling of doom that I chronically have. Witness ”</p> </div>

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The key role that a witness’s own unique resilience and alternative identities to “victim” or “witness” have in maintaining and supporting their recovery. <p>Where relevant to their role child, young people and family workers understand:</p> <ul style="list-style-type: none"> The way in which the justice process can impact on a child or young person’s development and their ability to engage with normal developmental experiences in home, education, in the community and with peers. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Recognise and reinforce the strengths, resilience and positive roles (for example as mother, neighbour or employee) held by the witness, and actively work to prevent justice process from interfering with these. <p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> Actively promote the UN Convention on the Rights of the Child (UNCRC) and Getting It Right For Every Child (GIRFEC), to ensure that the rights and best interests of children and young people are central to justice processes. Actively work to ensure that where possible, justice processes and work are arranged around the child or young person’s needs in order to minimise impact on their normative developmental experiences, including attendance in education, normal social activity, time with peers and home life.

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role child, young people and family workers understand:</p> <div data-bbox="539 427 1453 775" style="border: 2px solid #00728f; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>They talked about the particular value of fun activities and opportunities provided by voluntary services to support their recovery – one girl explained “[fun activities and opportunities provided by voluntary services] helped to build my confidence back up” after what had happened.</p> </div> <ul style="list-style-type: none"> ● The way in which a having a child or young person engaging with the justice process can directly and indirectly affect parents and caregivers. ● The potential impact on other family members - parents, caregivers, siblings, of having a child or sibling involved in the justice system. Additionally, if not mitigated, how the impact on the wider family, can potentially impact the recovery of the child or young person. ● That promoting the well-being of parents, caregivers, families, and support networks will also be to the benefit of the child or young person. 	<p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> ● Identify and assist children and young people with any potential support required for accessing normative development opportunities across home, education and community. ● Facilitate support for children and young people and their parents, caregivers, families and support networks to assist children and young people with engaging with justice process and using trauma informed principles. ● Recognise where there is a need to support parenting to respond to the needs of children and collaborate with the child, young person and their parents and caregivers to seek this support

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses and their families affected by trauma access appropriate services to meet their recovery needs.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The reasons why someone may conceal trauma and the factors that may prevent the disclosure of experiences of trauma (including fear, shame and self-blame) • The range of ways in which witnesses may indirectly communicate past/current abuse, and how these can differ depending on age and stage of development, culture, gender, intellectual disability. • When responding to spontaneous (non-prompted) disclosures of trauma, the responses that are likely to aid or hinder recovery, including the principles of psychological first aid. • The variety of reasons for disclosing experiences of trauma, and why some witnesses may wish for care, support or intervention following a disclosure and others will not. • Where, how and when information relating to a given disclosure of trauma should be recorded and shared. The support options available to a witness following a disclosure of trauma 	<p>Where relevant to their role, workers can:</p> <div data-bbox="1480 387 2042 807" style="border: 2px solid green; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>“Some young people shared the view that being asked so many questions made them feel they weren’t being believed or were lying; for example, one 14-year-old girl described how “it felt like they didn’t believe me, they said ‘are you sure?’ five times”.</p> </div> <ul style="list-style-type: none"> • Respond to unprompted disclosure of traumatic events employing the key components of psychological first aid. • Sensitively describe options available following a disclosure of trauma (what will be recorded and with whom it will be shared), particularly if any of the information disclosed raises public protection concerns. • Share and communicate information in line with national and local legislation and guidance with respect to adult and child support and protection.

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses and their families affected by trauma access appropriate services to meet their recovery needs.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The range of needs people affected by trauma may have (including for social and emotional support, healthcare and advocacy). • The importance of taking an interagency approach to support the recovery of witnesses, and the role everyone plays in the overall experience of witnesses in their justice journey. • The indicators that a witness may be experiencing mental health difficulties linked to their experience of trauma that are unlikely to resolve without a specialist trauma-focused intervention. <div data-bbox="539 1214 1453 1474" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ Know and understand that it’s complicated and hard for us to talk about and when we do, we feel like we are reliving it and that can be worse than the trauma itself. ” Witness</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Signpost/discuss options for care and support collaboratively and give accurate information about the referral process and what to expect from services. • Recognise where a witness is experiencing distress and reactions linked to previous trauma, including where this is being exacerbated by engaging with the justice process. • Communicate with and work alongside both the witness and where required other partner agencies and services within and outside the justice system, to ensure that the recovery related needs of witnesses are recognised and are addressed concurrently with justice processes where at all possible. • Recognise where a witness is experiencing mental health difficulties linked to experiences of trauma that may require specialist intervention, and collaborate with the witness, justice colleagues and health professionals to consider how and when the witness can be offered relevant specialist interventions without withholding necessary interventions or compromising relevant justice processes.

TRAUMA SKILLED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Witnesses and their families affected by trauma access appropriate services to meet their recovery needs.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • Evidence based interventions for PTSD most often involve a focus on traumatic events in order to reprocess them, and the ways this may affect a witness’s evidence. • Current guidance around the provision of pre-trial psychological intervention. • That family members and close significant others can experience significant difficulties following exposure to vicarious trauma and may need professional support to help them recover. <p>Where relevant to their role child, young people and family workers understand:</p> <div data-bbox="539 1043 1453 1442" style="border: 2px solid #00728f; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ When people just nod at you, they aren't really listening. They did this in my interview. When they lift their hand and ask you to stop talking and then speak to their co-workers. This happened with the police officer that took me to the clinic. The clinic [person] kept sitting on her phone and didn't talk to me. Girl, aged 14 ”</p> </div>	<p>Where relevant to their role, workers can:</p> <div data-bbox="1482 389 2040 699" style="border: 2px solid #00728f; border-radius: 15px; padding: 10px; margin-top: 10px; background-color: #e6f2ff;"> <p>“ They obviously get specialised training and they’re so good at listening. That makes a massive difference. Witness ”</p> </div> <ul style="list-style-type: none"> • Identify when family members/close significant others are struggling due to the impact of vicarious trauma and provide them with information as to what professional support is available. <p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> • Recognise where further assessment of the impact of trauma on a child’s development is required, and make appropriate referrals as necessary • Identify when children, young people, parents, caregivers, families and support networks may also need to access support for themselves.

TRAUMA SKILLED:

ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

TRAUMA SKILLED: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> the range of ways that the impact of exposure to trauma (including shame, fear, self-blame, self-esteem, avoidance, difficulty trusting others and ongoing risk) can interfere with a person’s willingness to be a witness. The range of ways that trauma can impact on how, when, and who a witness tells about traumatic experiences, including delayed or incremental disclosure. The inherent difficulty in (and natural avoidance of) speaking about traumatic life events, particularly involving sexual abuse, with anyone who is not a trusted confidante, and ways a witness can be supported to do this in the safest way possible, minimising the likelihood of re-traumatisation. The critical role that feelings of control, safety and trust during early disclosure of traumatic events and / or contact with formal systems (such as justice) play in minimising the impact of legal processes on trauma symptoms, and consequent decisions of a witness to engage or continue with legal proceedings. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Recognise where a witness’ emotional, behavioural and cognitive responses associated with trauma (including shame, anger, fear, avoidance, dissociation, and a sense of invalidation) are being exacerbated by justice related processes, leading to disengagement. Support a witness to recall and talk through traumatic life events (if necessary and appropriate to remit) using trauma informed strategies and skills to minimise the likelihood of re-traumatisation (see evidence gathering, pages 118-119 & 142-144 for further detail). Where possible, collaborate with witnesses to understand how best to adapt practice, processes and procedures in order to enhance their feelings of control, safety and trust, and avoid exacerbating trauma responses that are likely to lead to disengagement. (Please see Appendix 1 for role-specific examples).

TRAUMA SKILLED: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The prevalence and range of cultural myths, attitudes and mistaken beliefs that are common in society about offences such as rape or domestic abuse, and the ways these can affect a witness’s willingness to provide evidence or seek support. • The definition (including cultural, ideological and systemic factors) and impact of victim-blaming on willingness to provide evidence or seek support, especially in relation to interpersonal abuse, domestic abuse and risk to children. • The factors that can lead to traumatic bonding between a victim and perpetrator of abuse and how this can impact on the ability to seek support and give evidence <p>Where relevant to their role child, young people and family workers can understand:</p> <ul style="list-style-type: none"> • The factors that can make it particularly hard for children and young people affected by family/parental trauma to talk about traumatic experiences at the hands of caregivers on whom they also depend, including the wish to protect. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Recognise and challenge myths and stereotypes related to gender-based violence, rape and sexual assault. • Recognise and challenge victim-blaming, no matter how nuanced or subtle • Recognise and adapt to the ways that exposure to traumatic events within intimate or caregiving relationships (including childhood sexual abuse, trafficking or domestic abuse) can affect a witness’s perspective of others and their actions, including the perpetrator.



TRAUMA SKILLED: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The impact of re-traumatisation and a witness being outside of their window of tolerance on 1. their capacity to listen, understand, remember, think, problem-solve, and communicate clearly and 2. how this can affect their ability to attend to questions or instructions, think, reason and recall in the context of giving evidence. • The factors that will, over time, build a witness’ sense of control, trust and safety within the process, and the ultimate impact this incremental process will have on their capacity to stay within the window of tolerance and give the most accurate account of events they have witnessed. <div data-bbox="539 831 1453 1222" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“</p> <p>I think every part of the system needs to work together in the same way because what you were getting [was] different experiences with different parts of the Justice System. So, you couldn’t feel it was consistent and you couldn’t feel that you would get the same response from everybody. So, I think that consistency is really, really important for people to feel safe throughout.</p> <p>Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Recognise that, no matter the job role or contact with a witness, everyone has a role to play in supporting witnesses to stay in their window of tolerance and give best evidence. • Use their knowledge and skills around resisting re-traumatisation to minimise the likelihood that a witness may be triggered out of their window of tolerance both directly and indirectly by supporting other workers. • Consistently build and thread a sense of control, safety, predictability and trust for witnesses throughout every single contact and process, from the very start through to the end of the justice journey.

TRAUMA SKILLED: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The different ways that the brain processes, encodes and stores traumatic or highly stressful events in comparison to non-stressful ones, and the impact this can have on later recall and narrative coherence over time. • The features of memory and recall for 1. normal events 2. stressful events 3. events that were experienced as traumatic, including those that lead to the symptoms of PTSD. • The ways that recovery from the impact of trauma over time can influence cognitive and neurobiological processes that in turn affect the quality and nature of memories for traumatic events. • The ways that the impact of trauma (on emotions and the way we express and manage them, on the ways we relate to and trust others including justice professionals, and on how we see ourselves) can influence perception of credibility as a witness. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Recognise where there is a significant likelihood that the quality of a witness's evidence may be affected by the cognitive effects of traumatic stress. • Distinguish between narratives or evidence that are likely to be unreliable, and those that are likely to be affected by trauma. • Challenge any misinterpretations that mistake the normal impact of trauma on narrative and recall of events for unreliability or lack of credibility and which consequently may impact on the course of justice. • Use an understanding of the impact of trauma across neurobiological, cognitive, behavioural, emotional and interpersonal domains to aid any interpretations of a witness's body language, behaviour and responses during and in the immediate aftermath of traumatic events, and throughout the justice process.

TRAUMA SKILLED: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The ways that recovery from the impact of trauma over time may change a witness’s attributions of self-blame or guilt, and how this may impact on their demeanour and evidence. • The fundamentals of the neurobiology of trauma, and the automatic brain-based reactions to threat and fear including dissociation and tonic immobility which may affect the demeanour of a witness both during and in the immediate aftermath of traumatic events, and when talking about them. • How this can affect a witness’s demeanour throughout the justice process (for example dissociation, lack of affect, laughter, anger). <div data-bbox="539 1086 1451 1437" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ My main presentation is dissociation- I shut down and it makes it look like I don’t care or I am not part of the process. And folk get negative towards you- and can be triggering...It would be helpful if people knew that dissociation means you can present in different ways to different people. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Identify areas of own practice that can be adapted to ensure the impact of trauma on a witness or evidence they provide is understood and not misinterpreted, for example by communicating the impact of trauma to other professionals involved with the witness or their case formally in writing to ensure it is taken into consideration. • Avoid using inaccurate cognitive, affective and behavioural markers to judge the credibility of a witness, such as emotions inconsistent with distress (for example laughter); gaps in memory; incoherent narrative; and memory recall being slow.

TRAUMA SKILLED:

SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

TRAUMA SKILLED: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • That the term “vicarious trauma” refers to the exposure to the trauma of others and is an occupational challenge for the justice workforce due to the routine exposure to traumatic material (both direct and indirect) and people affected by trauma. • Responses to vicarious trauma can be positive (e.g., compassion satisfaction, becoming more appreciative of what one has), neutral (no clear change), or negative (e.g., vicarious traumatisation, compassion fatigue, traumatic stress, becoming more cynical and fearful); can change over time; and can vary between individuals, particularly with prolonged and repeated exposure. • The positive impacts of working with witnesses affected by trauma that can occur when a worker has the necessary organisational and operational supports in place (e.g., compassion satisfaction; professional satisfaction; sense of competence and expertise; vicarious resilience and transformation; sense of meaning; strong team identity and cohesion). 	<p>Where relevant to their role, workers can:</p> <div style="border: 2px solid purple; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“...a need to understand what trauma is in the first place. If you’ve not been subjected to it, it’s very difficult, I think, to actually try and understand what is trauma.” Justice Leader</p> </div> <ul style="list-style-type: none"> • Identify the positive impacts of working with people affected by trauma in their role (such as compassion satisfaction; pride in doing an important, meaningful, and necessary job; professional growth; peer support).

TRAUMA SKILLED: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The organisational, operational, and individual factors that can promote resilience when working with traumatic material and witnesses affected by trauma in the justice context. • The different ways in which wellbeing and functioning can be negatively affected by working with traumatic material and/or witnesses affected by trauma (e.g., vicarious traumatisation, compassion fatigue, burnout, Post traumatic stress disorder (PTSD), anxiety and depression). • The range of differing ways that vicarious traumatisation, compassion fatigue, burnout, PTSD and work-related stress can affect us and people around us across physical, emotional, cognitive, interpersonal, and behavioural domains: 1. at home and with our family members/ friends, and 2. at work, including in the quality of our work with witnesses and colleagues (for example vicarious traumatisation can manifest as cynicism, bias, and prejudice which in turn threatens sound decision-making). • The range of organisational, operational and individual factors that contribute to the risk of being negatively affected by working with traumatic material and witnesses affected by trauma. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Identify and engage with ways in which their resilience can potentially be supported at an individual, operational and organisational level. • Define and differentiate between the causes and impact of vicarious traumatisation, compassion fatigue, burnout, Post traumatic stress disorder (PTSD), anxiety, depression and work-related stress. • Reflect on their own role and identify their exposure to risk factors which can increase the risk of being negatively affected by working with traumatic material and witnesses affected by trauma.

TRAUMA SKILLED: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The likely prevalence of trauma in the justice workforce and how an individual’s trauma history may influence their experience of working with traumatic material and witnesses affected by trauma, both positively and negatively. • The prevalence of vicarious traumatisation, compassion fatigue, burnout, PTSD and work-related stress across the different types of work roles in the justice sector and possible reasons for differing prevalence rates. • The prevalence of potentially maladaptive coping strategies, such as alcohol and substance misuse, to manage the impact of vicarious trauma and/or emotional labour across different types of work roles in the justice sector 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Reflect on their own background and experiences and consider how this may influence their response to working with traumatic material and witnesses affected by trauma, both positively and negatively. • Reflect on their own use of potentially maladaptive coping strategies such as alcohol and substance misuse, and consider strategies and what support they need to reduce these where appropriate
<p>The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The organisational, operational, and individual factors that can support resilience and protect against the development of trauma reactions in the justice context (e.g., clear delineation of work role; appropriate training and ongoing support; clear boundaries with witnesses and co-workers; connecting with people who share similar experiences; having a sense of control over one’s workload; diversity and balance in workload; engaging fully with a personal life outside of work). 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Collaboratively design and actively engage with organisational and operational structures and activities designed to support the resilience of the workforce and mitigate the impact of exposure to traumatic material and witnesses affected by trauma.

TRAUMA SKILLED: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The key role of human connections (with co-workers and teams, and with family and loved ones) in mitigating the impact of direct and indirect exposure to traumatic material. • The ABC of Wellbeing: Awareness (of the impact of trauma exposure), Balance (of roles and workload within work, and between work and life) and Connection (with both colleagues and family / friends). <div data-bbox="539 1034 1451 1278" style="border: 2px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>I think more training, more awareness and more checking in with staff that they're OK. Witness</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Highlight any work- related factors, including frequent and / or intense exposure to traumatic material or witnesses affected by trauma, that place wellbeing at risk, and work with their manager to minimise or mitigate risks. • Recognise the need for and use regular restorative structures such as peer support, reflective practice or supervision to maintain the connections that will support wellbeing in the face of frequent direct or indirect exposure to traumatic material. • Practice self-care strategies found to be protective against the impact of vicarious trauma (for example physical exercise, social time with family and friends, mindfulness). • Identify own unique self-care activities that support resilience and protect wellbeing, and proactively make use of these routinely and when experiencing the early signs that wellbeing may be at risk.

TRAUMA SKILLED: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1453 668" style="border: 1px solid #004a7c; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ Staff have to listen. I think they’ve got to - they have to know that it’s important that they’re listening and actual listening, active listening, not just what they think is listening. Witness ”</p> </div> <ul style="list-style-type: none"> ● the victim / perpetrator / rescuer cycle that can emerge in relationships (including with professionals) following traumatic events that occur within seemingly caregiving relationships. <p>In addition, where relevant to their role Managers understand:</p> <ul style="list-style-type: none"> ● The ways that frequent and intense exposure to traumatic stories, evidence and traumatised people can affect an organisation, in terms of the “Organisational Window of Tolerance”. ● The ways in which workforce resilience affects the ability to effectively implement trauma informed practices across an organisation. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> ● Employ evidence- based ways to protect against the impact of vicarious trauma at work, including acceptance of professional limitations and maintaining healthy boundaries between work and personal life. ● maintain a balance between empathy and investment in their work, and self-care and investment in their personal life. ● Use reflective practice and supervision to identify where unhelpful relational patterns may be affecting work or contact with a witness, for example regular breaching of professional boundaries in attempts to “rescue” a witness, consistently negative, blaming or neglectful responses to a witness, including dark humour at their expense. <p>In addition, where relevant to their role Managers can:</p> <ul style="list-style-type: none"> ● Use the “Organisational Window of Tolerance” framework to consider when specific changes/ training etc would be helpful or harmful to workforce wellbeing and functioning, and plan accordingly to effectively implement change.

TRAUMA SKILLED: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.</p>	<p>In addition, where relevant to their role Managers understand:</p> <ul style="list-style-type: none"> ● Ways they can apply the trauma informed principles of Safety, Trust, Choice, Empowerment and Collaboration to their workforce to support resilience. ● The organisational and operational factors that can reduce the impact of, and protect against, vicarious trauma (e.g., clear understanding and delineation of roles; balancing and rotating work roles to limit the frequency and intensity of exposure to trauma and traumatic material; routine access to restorative practices such as peer supervision, reflective practice, collaborative leadership; appropriate training and coaching). 	<p>In addition, where relevant to their role Managers can:</p> <ul style="list-style-type: none"> ● Establish and effectively implement structures to support the organisation to return to or remain in their Window of Tolerance. ● Apply the trauma informed principles of Safety, Trust, Choice, Empowerment and Collaboration to all interactions with workers, and to processes, policies and procedures where possible to support workforce resilience. ● Take a preventative stance to protecting the wellbeing and supporting the resilience of the workforce, creating a working environment for all that proactively mitigates any identified risks, especially in terms of direct and indirect exposure to traumatic material and evidence. ● Create a culture of mutual professional support, collaborative supportive leadership, and an environment high in team spirit and camaraderie. Encourage workers to use self-care strategies and breaks while at work.

TRAUMA SKILLED: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.</p>	<p>In addition, where relevant to their role Managers understand:</p> <ul style="list-style-type: none"> • The range of organisational, operational and individual factors that contribute to the risk of developing vicarious traumatisation, compassion fatigue, burnout, PTSD and work-related stress (for example, where workers are routinely exposed unpredictably to traumatic material or accounts, particularly when responding to trauma is not the focus of their role, there is a risk of vicarious traumatisation). • That organisational and operational structures and processes have more influence than individual worker responses in reducing the impact of vicarious trauma. • How to set up structures and processes that will support the workforce to stay well in the face of direct and indirect exposure to trauma. • Attending to the wellbeing of their workers will positively impact on the experience of witnesses accessing the justice system and on the process and course of justice. 	<p>In addition, where relevant to their role Managers can:</p> <ul style="list-style-type: none"> • Using evidence-based tools, risk assess and manage the working environment and roles of all workers and teams in terms of organisational and operational factors that increase risk of vicarious traumatisation, compassion fatigue, burnout, work-related stress and PTSD and develop and implement appropriate risk management plans. • Establish appropriate and accessible professional support structures for all workers routinely exposed to traumatic material and witnesses affected by trauma, such as supportive leadership, access to training and post-training coaching, and reflective practice to enable workers to balance a professional and empathic response to those affected by trauma, with good self-care.

TRAUMA SKILLED: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Signs of vicarious traumatisation, compassion fatigue, burnout and traumatic stress in the workforce are recognised and responded to.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The indicators and early warning signs that we may currently be at risk of developing vicarious traumatisation, compassion fatigue, burnout, PTSD or work-related stress. <div data-bbox="539 528 1453 970" style="border: 2px solid purple; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ [training] would have to make people think about themselves and make people think about their own judgements and about their own perceptions and perspectives...Probably a little bit linked to the bias training that we’ve all done, the conscious and unconscious bias and making sure it’s reinforced that, when you’re dealing with people, that you’re not allowing that to influence the way that you’re actually working with these people. Justice Leader ”</p> </div> <ul style="list-style-type: none"> The different evidence- based responses that are likely to be helpful to support recovery from vicarious traumatisation, compassion fatigue, burnout, PTSD or work-related stress. The professional support structures available within their organisation to support recovery from vicarious traumatisation, compassion fatigue, burnout, PTSD or work-related stress. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Identify the early warning signs of vicarious traumatisation, compassion fatigue, burnout, PTSD or work-related stress in themselves and in colleagues. Identify own unique warning signs that wellbeing may more generally be at risk. Demonstrate self-awareness and ability to recognise where work with witnesses may be negatively affected by own reactions to trauma and / or the impact of vicarious traumatisation, compassion fatigue, burnout, work-related stress or PTSD. Where signs of vicarious traumatisation, compassion fatigue, burnout, PTSD, work-related stress or other mental health difficulties are identified in themselves or a colleague, employ evidence- based responses that are likely to be helpful to support recovery, utilising professional support structures where appropriate and applicable.

TRAUMA SKILLED: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Signs of vicarious traumatisation, compassion fatigue, burnout and traumatic stress in the workforce are recognised and responded to.</p>	<p>In addition, where relevant to their role managers understand:</p> <ul style="list-style-type: none"> Evidence-based responses and interventions recommended for vicarious traumatisation, compassion fatigue, burnout, PTSD, work-related stress or other mental health difficulties, including active monitoring, psychological first aid, and psychological interventions. <div data-bbox="539 568 1453 916" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ I felt like lots of [justice professional] I met with were burnt out... If the impact of assault and the work on [them] is not addressed or acknowledged, then that gets passed on to witnesses. They shut down from what happened to them – so how could they see what happened to me as important. ” Witness</p> </div>	<p>In addition, where relevant to their role managers can:</p> <ul style="list-style-type: none"> Establish management and supervision structures designed to identify at an early stage where a worker may be experiencing vicarious traumatisation, compassion fatigue, burnout, PTSD, work-related stress or other mental health difficulties. Respond to indicators or disclosures that a worker may be affected by any of the above with care and empathy, normalising responses where appropriate, and where indicated respond with active monitoring, psychological first aid, or facilitating access to evidence-based care, support or intervention.



TRAUMA ENHANCED

“The ability to bring forward a case critically depends on the complainer being engaged, being able to give evidence in a way that is effective and that those making decisions understand that the way the complainer gives evidence may itself be a reflection of the experience [they have had]. So, there’s a combination of just treating people with humanity and the need for us to understand how we can best do that within the constraints of a system that has certain sort of, as it were, inevitable institutional imperatives of its own.” – Justice Leader

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- [Click here to go to Evidence Gathering](#)
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ADVOCACY AND SUPPORT

The *Enhanced (Advocacy and Support)* section is designed to meet the needs of workers who provide advocacy and/or support services to victims and witnesses, for example workers from Victim Information and Advice, Rape Crisis Scotland, Victim Support Scotland and potentially some Specialist Liaison Officers (e.g. SOLO, FLO). Workers who provide enhanced or specialist therapies or psychological interventions to witnesses affected by trauma should also consult the [Transforming Psychological Trauma \(2017\) Framework](#) Enhanced and Specialist tiers (page 64 onwards) for additional information on the knowledge and skills required as they have not been replicated here.

Aims	Page	Outcomes
Aim 2: Avoid re-traumatisation where at all possible.	88	<ul style="list-style-type: none"> Potential risk of re-traumatisation across the system is understood, identified and avoided where at all possible.
Aim 3: Support recovery from the impact of trauma where possible.	93	<ul style="list-style-type: none"> Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.
	96	<ul style="list-style-type: none"> Witnesses and their families are protected from further harm.
	98	<ul style="list-style-type: none"> The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.
	102	<ul style="list-style-type: none"> Witnesses and their families affected by trauma access appropriate services to meet their recovery needs.
Aim 4: Enable equal and effective participation in the legal process.	105	<ul style="list-style-type: none"> Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.
	108	<ul style="list-style-type: none"> Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.
	109	<ul style="list-style-type: none"> Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.
Aim 5: Support resilience of the workforce and reduce the potential impact of vicarious trauma.	110-111	<ul style="list-style-type: none"> The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised.
		<ul style="list-style-type: none"> The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.
		<ul style="list-style-type: none"> Signs of vicarious traumatisation, compassion fatigue, burnout and traumatic stress in the workforce are recognised and responded to.

ADVOCACY/SUPPORT:

AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

ADVOCACY/SUPPORT: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> What re-traumatisation is, and the factors that can exacerbate it (see trauma skilled section). <div style="border: 1px solid #4a7c9c; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ That would have really helped (...) to have somebody that held me in mind but not for like self-care, (...) for like legal information. Like, by the way, you’re going to want to know this. And by the way, you’re going to want to know that. Witness”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Identify, both generally and for an individual witness, the range of different legal procedures and processes that may be experienced by witnesses as being coercive, unsafe, disempowering, confusing, unpredictable or frightening and risk re-traumatisation. Help others who are involved in the investigation or prosecution of potentially traumatic offences to understand the risk of re-traumatisation for an individual witness and where possible make the adaptations that may help the witness to feel safe, empowered, and in control, and avoid re-traumatisation.

ADVOCACY/SUPPORT: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The range of different legal terms, language, processes, procedures and rules of evidence that are not in normal use or comprehension outside of the justice process, and which can accordingly be experienced as alienating, confusing, disempowering or threatening by witnesses unless explained. <div data-bbox="539 611 1453 946" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ Having that individual, that independent person that could have been knowledgeable and advised you that you can do this or you can do that or you can ask that. You don't have to sort of just fit in with what's expected of you, when you're in so much heartbreak. Witness ”</p> </div> <div data-bbox="539 965 1453 1284" style="border: 1px solid #008000; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ what the process is like, what questions would be asked, what steps might be taken in an examination so that you kind of know what's going to happen. One young person's description of what's important to them ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Collaborate with a witness, and with all those who may have contact with a witness in the course of the justice process to: <ul style="list-style-type: none"> » make each step of the process as predictable, planned, transparent and understandable as possible, » explain relevant legal terms, processes or procedures, adapting language and pace to the needs of the witness where necessary. » Ensure the witness is aware of <i>all</i> their available rights, and where necessary advocate on their behalf to engage these where required. » Agree and adhere to the nature, type and timing of any regular and irregular communications about each step of the process and outcomes.




ADVOCACY/SUPPORT: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The range of rights and adaptations available to witnesses as documented in for example: <ul style="list-style-type: none"> » Vulnerable Witnesses (Scotland) Act 2004 » Section 271 of the Criminal Procedure (Scotland) Act 1995 » Victim’s Code » Victim’s Rights (Scotland) Regulations 2015 » Victims and Witnesses (Scotland) Act 2015 » Vulnerable Witnesses (Criminal Evidence) (Scotland) Act 2019 • The roles of all agencies within the criminal justice system who are likely to play a key part in a witness’s journey, the likely route the witness’s journey will take, and the role advocacy and support workers can take in making this as predictable and transparent for witnesses as possible to reduce the risk of re-traumatisation. • The ways that a single consistent source of information, advice, and advocacy from the start of the witness’s journey can assist in reducing the risk of re-traumatisation by reducing the sense of isolation and confusion often felt by witnesses going through the justice process. <div data-bbox="539 1203 1453 1485" style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ ...from the knock on the door, you’re just so traumatised, you don’t think straight. So, you need a bit more support at that time, in my opinion. Witness”</p> </div>	<p>Where relevant to their role, workers can:</p> <div data-bbox="1482 389 2040 699" style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ ...you need people to be very proactive and telling you your rights and helping you to take them up. Witness”</p> </div> <ul style="list-style-type: none"> • Develop and maintain strong relationships with workers across justice agencies and collaborate with them to facilitate safe, predictable, consistent, and trusting relationships with witnesses to reduce the risk of re-traumatisation. • Provide the sensitive, non-judgemental responses necessary for preventing re-traumatisation when a witness shares their experiences, thoughts and feelings throughout their justice journey.

ADVOCACY/SUPPORT: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The ways that choice, control, a sense of trust, safety, predictability, active collaboration and the provision of timely and regular information and communication can help witnesses to experience the justice process as diametrically opposite to any prior experiences of trauma, enabling them to effectively participate, provide the most accurate evidence that they can, and providing a foundation for coping with victimisation and recovery. <p>Where relevant to their role child, young people and family workers understand:</p> <ul style="list-style-type: none"> That support can include supporting the witness, as well as their parents or carers or another identified adult, where this is appropriate. The same principles outlined above apply to children, young people and their parents, carers or supportive adult. <div data-bbox="539 1015 1453 1353" style="border: 2px solid #008080; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“</p> <p>There were toys in the family room but to be honest they were more for younger children. We were there a couple of hours and were not offered any snacks or drinks. We were able to go to the bathroom whenever needed.</p> <p>Mum</p> <p>”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Create a safe, predictable, consistent, and trusting relationship with a witness to resist re-traumatisation by applying the trauma informed principles of Safety, Trust, Choice, Empowerment and Collaboration within and across every interaction (See Appendix 1 for some examples in practice). <p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> Provide a flexible approach in terms of who can provide advocacy and/or support to a child or young person based on individual circumstances and situation.

ADVOCACY/SUPPORT: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role child, young people and family workers understand:</p> <div data-bbox="539 427 1453 981" style="border: 2px solid #008080; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p> I just think it should be a child friendly space like no a pure empty clinical workspace or things like that. I think you need to be somebody who can actually get on a child's level. Somebody who is aware that not every child is exactly the same. They don't open up the exact same, not every child likes the exact same things and somebody who is like versatile and can see the bigger picture eh, a child rather than viewing it as, this is all we I'm here to do, like a job, like filing paperwork. They need to be open enough to have patience to get down to that child's level cause if you don't click with them, they're no going to tell you anything.</p> <p>Mum</p> <p></p> </div> <p></p>	<p>Where relevant to their role child, young people and Family workers can:</p> <ul style="list-style-type: none"> ● Adapt the trauma informed principles in developmentally appropriate ways by for example: <ul style="list-style-type: none"> » giving a limited and informed choice that does not overwhelm the child/young person and provides meaningful and appropriate collaboration. » providing information in different formats (verbal, written, visual) to aid understanding and meaningful collaboration on how to make things predictable and safe. ● Adapt the trauma informed principles to include the parents, carer or other identified supportive adult around the child by for example: <ul style="list-style-type: none"> » collaborating by sharing information with them and supporting them to support the child/young person.

ADVOCACY/SUPPORT:

SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

ADVOCACY/SUPPORT: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The interpersonal qualities perceived by a witness in the initial contact with a support or advocacy worker as crucial to encouraging further engagement with advocacy/support services, thereby reducing their risk of re-traumatisation through the justice process and supporting their recovery. That how a witness experiences the justice <i>process</i> is a significant predictor of their satisfaction with it, independent of case outcome <div style="border: 1px solid #4a7c9c; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ She kept me informed from the start. She was realistic, didn’t ever pretend it was going to go great. Shared my anger when it did not go great-empathetic. I would not have got through it without her. Witness</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Prioritise developing the relationship with a witness at the first contact and any follow-up contacts by taking time to establish a sense of trust and safety through demonstrating professionalism, consistent and predictable communication, empathy, collaboration, and a non-judgemental stance. Create and maintain a safe, predictable, consistent, and trusting relationship with a witness to support their recovery from trauma as much as is possible when going through the justice process, by applying the trauma informed principles within and across every interaction, for example: <ul style="list-style-type: none"> » Collaborate with witnesses to: i) assess their individual needs at an early stage and identify what




ADVOCACY/SUPPORT: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> ● The positive and buffering impact of one consistent supportive relationship with a trained professional who has sufficient knowledge of the justice system on: witness wellbeing, hope for the future, and meaningful engagement and satisfaction with the justice process, regardless of the case outcome. ● The ways in which prior experience of trauma, especially when repeated and experienced within a caregiving or intimate relationship, can affect a witness including: <ul style="list-style-type: none"> » Avoidance of support or advocacy, » Avoidance of talking about their experiences, » Lack of trust in others including advocacy/ support workers, » Their perception and experience of boundaries and especially endings in relationships, » The cultural and social factors (including shame, blame, and social isolation particularly acute in experiences of Gender Based Violence) that can hinder witnesses seeking support. <div data-bbox="539 1098 1451 1481" style="border: 1px solid #4a7c9c; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>» They let me choose what I wanted. So they took it very, very slowly (...)They said, this will be at your pace, however long you need it, you can stop at any time, you don't need to continue speaking to us. So they were just great (...) and also asked me - in considering being trauma informed – they asked me if there was any issues that I was facing from the past or anything that might have impacted on what was happening now. Witness</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » services they may benefit from, tailoring support to meet their needs and preferences; ii) collaboratively consider stages of the justice process which may be particularly challenging or distressing for the witness based on their experiences (for example attending court) and support them to prepare for this. » Offer choice, for example over the various available options for support within and out with the justice system (including considering options for peer support), to enhance a witness' sense of empowerment within the process. » Foster a sense of safety and trust by i) setting realistic and predictable boundaries to the relationship, managing relationship boundaries effectively, and seeking supervision to consider how to best manage any difficulties in the relationship, recognising the need to slowly build and earn trust with witnesses who

ADVOCACY/SUPPORT: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The role that an advocacy/support worker can have in enhancing witness satisfaction with the justice process and their recovery from trauma by ensuring they understand the processes and rules involved at each stage in the justice process <div data-bbox="539 635 1453 922" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ And I would say the positives, looking at each stage, was the fact that there were people there that were taking the time and the trouble to try and support you and that was a major positive. Witness”</p> </div> <div data-bbox="539 963 1453 1295" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ She heard and listened and did not give me opinions, and asked me how it made me feel and what it was doing for me- she heard me- really heard me, rather than telling me what to do. If I had not had [X] through this process I wouldn't have been here. Witness”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> may have had trust repeatedly violated by those in caregiving or intimate relationships; ii) Explaining what to expect of the justice process at various stages, managing expectations, and being clear when something is unknown or uncertain; iii) anticipating when there may be long delays or gaps in communication from justice agencies during the process and providing regular support and communication during this time so that they feel supported and do not feel forgotten; iv) Facilitating any transition to a new service if needed or appropriate, and v) working towards an ending in a planned and predictable way. » Foster a sense of empowerment, safety and trust by listening and responding to a witness's experiences with openness, empathy and compassion as they move through the justice system, to help them feel that their experiences are valid and are important and to support them to continue with the process despite the inherent challenges, if they choose to.

ADVOCACY/SUPPORT: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role child, young people and family workers understand: </p> <ul style="list-style-type: none"> The social norms that have been breached when harm has been caused by a family member or known adult, and the witness may still have or want to have some contact with them, and the way in which this can hinder witnesses seeking support. <div style="border: 2px solid #008080; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p> It was terrible, absolutely terrible, and knowing that I'm leaving her there to give evidence even via video link. Her dad would see her and I wouldn't. And people in the court cross examining her when she's ten and vulnerable, fair enough it's from a video link but she's given her evidence (...) I think that should be enough rather than cross-examining a wee ten-year-old.</p> <p>Mum </p> </div>	<p>Where relevant to their role, managers can:</p> <ul style="list-style-type: none"> Try to enable the same support/advocacy worker, chosen by the witness, to offer support from the start of their justice journey and throughout, including offering follow-up support after the justice process has finished.
<p>Witnesses and their families are protected from further harm.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The unique role advocacy/support workers have in supporting a witness and their family going through the justice system, and that they may learn information from a witness related to their safety and associated risks which no other agencies are aware of. The range of safety needs that may be present for children and adults, including physical, emotional, and psychological. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Collaborate with a witness to understand any risks they and/or their family members face from the accused or others in their community and formulate and implement a plan to manage these risks, including potential referral to other agencies for example child protection. Communicate risks and safety plans to all relevant organisations and workers, whilst respecting confidentiality.

ADVOCACY/SUPPORT: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Witnesses and their families are protected from further harm.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1453 600" style="border: 1px solid #007070; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>“ It’s important to make folk feel like they aren’t wasting your time – very important. Witness ”</p> </div> <ul style="list-style-type: none"> The indicators that a person is experiencing increasing levels of distress and mental health deterioration because of past trauma, current legal proceedings, or other factors. <div data-bbox="539 767 1453 1185" style="border: 1px solid #007070; border-radius: 15px; padding: 10px;"> <p>“ It was such a key part of the process – not only support, but also collaborating with me, when things went wrong saying “that shouldn’t have happened”, and taking action when things didn’t go right- sorting things out practically, for example “you saw him outside the court, I will make sure that does not happen again... I will get you through a back door earlier next time” Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Deliver psychological first aid when responding to a person who has experienced recent trauma, to help them to feel emotionally and physically safe in the present. Identify and acknowledge when a witness’s mental health is deteriorating, and collaborate with them to understand the current factors contributing to this, considering what options there are available to mitigate this as best as possible (for example if any adaptations can feasibly be made to justice procedures to limit the negative impact of the justice process, or if onward referral to another service may be helpful). In partnership with the witness, communicate and collaborate with relevant colleagues and justice professionals when a witness’s mental health is deteriorating or their safety is at risk due to justice processes, and support colleagues to adapt justice processes and procedures where possible, consider possible alternatives, and / or ensure additional support is provided, to minimise the impact on witness mental health.

ADVOCACY/SUPPORT: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
Witnesses and their families are protected from further harm.	Where relevant to their role, workers understand: <ul style="list-style-type: none"> ● How to identify collaboratively where a witness may be using coping strategies to manage the impact of trauma or the justice process that may be harmful in the longer term (for example substance use, alcohol use or avoidance of people and places). 	Where relevant to their role, workers can: <ul style="list-style-type: none"> ● Discuss possible alternatives to current potentially harmful coping strategies, including referral for additional support and/or therapy services. ● Recognise when an individual is unable to safely tolerate distress associated with recent trauma and/or the justice process and requires additional support to stay safe, referring them to the appropriate service as required.
The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.	Where relevant to their role, workers understand: <ul style="list-style-type: none"> ● The elements of engaging with the justice process that are most likely to hinder recovery from the impact of trauma, or create further trauma including: <ul style="list-style-type: none"> » Isolation from key social supports » Feeling alone, judged or shamed whilst disclosing traumatic events in the absence of empathy » Processes that reinforce beliefs that developed in the context of traumatic events such as feelings of responsibility, shame or blame » Lack of clarity or transparency over the process and what happens next 	Where relevant to their role, workers can: <ul style="list-style-type: none"> ● Throughout the justice journey provide a relationship that validates a witness's experiences and feelings, and enhances a sense of connection, by providing information about: <ul style="list-style-type: none"> » Common experiences of and responses to the justice process as a witness » the normal impact of traumatic events on a person's thoughts, feelings, behaviours, functioning and relationships in plain, individualised language and in multiple formats to ensure their understanding




ADVOCACY/SUPPORT: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1453 708" style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>“ I just wish I’d known this could potentially take 2 years of your life cos now it’s 3 and a half, I wish I’d known that. I wish I’d known things like – even just things like you can apply for [CICA] (...), you can go for PIP. It’s just like almost a check list of things that survivors should know at the beginning before they go through that. Witness ”</p> </div> <ul style="list-style-type: none"> ● Key factors that will minimise the negative impact of engaging with the justice process and support recovery from the impact of trauma, including access to safe and supportive confiding relationships. <div data-bbox="539 871 1453 1195" style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>“ I think it helped that when I told her about stuff (PAUSE), she didn’t drop her pen or go, oh my God. She actually seemed quite (PAUSE) – I could tell what I was telling her, it wasn’t something – it was stuff she’d heard before (...) By her not freaking out, I didn’t freak out as well, so that was fine. Witness ”</p> </div> <ul style="list-style-type: none"> ● What routine enquiry and response (RER) into a history/current experience of trauma and abuse involves and when it is appropriate to carry out, in line with remit. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » Any extra details regarding the justice process the individual may need to help them understand it, make it predictable, and to cope with it. ● Support a witness to identify their existing strengths, skills, resources, and social supports and to use them to help cope through their justice journey. ● Encourage a witness to engage in activities and relationships that can support natural recovery from the impact of trauma including seeking out and sustaining supportive relationships with key social supports, for example in their family and community. ● Provide a supportive and empathic relationship in which, without compromising the fairness of any trial or rules of evidence, and where appropriate to remit, experiences of trauma are routinely enquired about and responded to with sensitivity and empathy.




ADVOCACY/SUPPORT: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> When and how communication with a trusted support worker or advocate can be especially significant for the witness’s experience of the justice process and supporting their recovery (for example communicating important news), including the importance of follow-up support after the verdict and sentencing. <div data-bbox="539 611 1453 1123" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 15px; margin: 10px 0;"> <p>“ I was actually just walking back from work... And I just remember she picked up and she just went, “I’m so sorry pet, it’s not proven” ... And I just hung up on her and she never phoned back (...) I never heard from her again...[she should have] called back the next day, called back in a week and said, by the way, I’ve not forgotten about you, I still care, I know you managed to get home safely but that’s obviously deeply traumatising for you, I just wanted to give you an opportunity to talk (...) It didn’t even need to be anything practical, just - you know, we’re human beings, you’re a human being. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Collaboratively agree with the witness at the outset how and when they would like to be told of any important news regarding the case (for example decisions about prosecution or otherwise), recognising the potentially negative impact on a witness’s mental health or recovery and paying particular attention to the witness’ safety and psychological wellbeing in developing the agreed plan (for example consider who they would like present at the time and where they would like to receive the news). Ensure that any news is communicated in line with this agreement. Deliver important news to a witness in a sensitive, empathic manner in line with the collaboratively agreed plan, paying particular attention to their safety and psychological wellbeing, and arrange appropriate follow-up support if needed.

ADVOCACY/SUPPORT: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1456 794" style="border: 2px solid #008080; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p> They should have more services like XXX as I think it is a great place, as you can feel safe and welcomed. The people there are lovely. For witnesses of crime, it would be good to come along and tell their story as they are great at listening and making sure everyone is okay. Staff support young people through court so they are never alone. Young woman, aged 19</p> <p style="text-align: right;"></p> </div> <p>Where relevant to their role child, young people and family workers understand: </p> <ul style="list-style-type: none"> • Where trauma happens at developmentally important points in a person’s life, it can result in missed developmental, educational, and social opportunities. • The implications of the UNCRC and the Children and Young People (Scotland) Act 2014 and the importance of using the GIRFEC (Getting It Right For Every Child) SHANARRI (Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible and Included) child well-being framework and national practice framework to support recovery. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Work in partnership with other services and agencies, both voluntary and statutory, to ensure witnesses’ voices, views and recovery needs are effectively heard and addressed, and that information is shared appropriately between agencies whilst respecting confidentiality. <p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> • Build on a child’s protective factors, which can include accessing normative developmental opportunities across home, education, and community. • Support and uphold the UN Rights of the Child and GIRFEC throughout all interactions with children and their caregivers. • Work to provide an integrated multi-agency and multi-disciplinary system with flexibility to respond to children’s needs as they evolve, truly promoting the child’s best interests.


ADVOCACY/SUPPORT: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role child, young people and family workers understand: </p> <ul style="list-style-type: none"> • That distress associated with trauma is more likely to be successfully managed in a supportive relationship with a primary caregiver, whilst also recognising people’s unique situations and the positive support of ‘one good adult’ in children and young people’s well-being. • The impact of trauma on early development, key relationships with caregivers and others, and on attachment. • The importance of supporting the family/caregiving system to manage the impacts of trauma both individually and as a unit to buffer children against the impacts of trauma. • The barriers to seeking help and accessing care that families / caregivers can experience. 	<p>Where relevant to their role child, young people and family workers can:</p> <div data-bbox="1480 427 2040 722" style="border: 2px solid #008080; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p> Just because we're children, doesn't mean we don't have strong feelings and don't understand things. Girl, aged 8 </p> </div> <ul style="list-style-type: none"> • Support families to access care, support and interventions that they need, especially those that may find this particularly hard.
<p>Witnesses and their families affected by trauma access appropriate services to meet their recovery needs.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The range of individualised, tailored supports a witness may need to improve safety and enhance well-being following trauma when going through the justice process, including safety planning, emotional and practical support, physical health support and specialist psychological therapy, and the benefits of early assessment and identification of a witness’ recovery needs. • The general and specialist services available to meet witnesses’ recovery needs in their area, and when it would be appropriate to support a witness to access these. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Work within the limits of their professional competencies and identify when involvement of another service may be warranted, prompting referral as appropriate to prevent re-traumatisation and support recovery.

ADVOCACY/SUPPORT: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses and their families affected by trauma access appropriate services to meet their recovery needs.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> the range of indicators that a person is affected by unresolved or unprocessed trauma and may benefit from evidence-based psychological therapies or mental health interventions. <div data-bbox="539 528 1453 775" style="border: 1px solid #4a7c9c; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>Don't send us to a one size fits all because it doesn't work for certain traumas and certain abuse victims. It needs specialists. Witness</p> </div> <ul style="list-style-type: none"> The range of available effective evidence- based interventions that support recovery from the longer-term psychological impact of trauma, and how to access them. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Recognise where a witness may be affected by unprocessed or unresolved trauma and may benefit from a specialist intervention, including where they experience: <ul style="list-style-type: none"> » intrusive memories in the form of flashbacks or nightmares » increased arousal and avoidance of trauma reminders, » numbing, low mood, negative sense of self » difficulty in establishing/maintaining relationships Where indicators of unresolved trauma are present: <ul style="list-style-type: none"> » Collaboratively discuss with the witness the indicators that they may be affected by psychological trauma » Discuss the availability of effective specialist psychological interventions in a way that engenders hope for recovery

ADVOCACY/SUPPORT: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses and their families affected by trauma access appropriate services to meet their recovery needs.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • Current guidance around the provision of pre-trial therapy and implications for the justice process <p>Where relevant to their role child, young people and family workers understand:</p> <ul style="list-style-type: none"> • That the age(s) at which the trauma occurred and the current developmental age can impact on a child and young person’s ability to benefit from or engage with trauma processing therapy. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » Collaboratively consider the current guidance around pre-trial therapy with the individual » Facilitate access to appropriate specialist interventions in line with current pre-trial therapy guidance and the individual’s choice. <p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> • Recognise where the impact of trauma requires further assessment to consider whether trauma focussed therapy should be considered and support the child, young person and family/caregivers to access and utilise therapeutic support.

ADVOCACY/SUPPORT:

ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

ADVOCACY/SUPPORT: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • What procedural justice is, and the four key principles that underpin it for witnesses: <ul style="list-style-type: none"> » Understanding processes and rules » Processes & rules applied fairly, neutrally & equally » Having a voice » Feeling respected and valued <div style="border: 1px solid #4a7c9c; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ Probably in most crimes, your control’s been completely destroyed and taken away. So to feel that sense of control given back to you in some kind of way makes you feel empowered instead of a complete and utter victim. ‘Cos that’s what I kept saying all the time, I don’t want to be a victim, I hate being a victim. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Take the steps that will ensure that throughout the process of an investigation, witnesses feel safe and sufficiently able to trust investigators to talk about potentially traumatic events, including <ul style="list-style-type: none"> » Ensuring witnesses have a key single named point of contact. » Collaborate with other justice professionals to agree who is best placed to clearly communicate with the witness, as early as possible, any procedures, systems, processes, or rules they need to understand, ensuring any particular areas of expertise are identified and therefore when direct communication should be made with those directly involved in the said procedures, systems, processes, or rules to ensure accurate understanding and communication.

ADVOCACY/SUPPORT: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1453 758" style="border: 1px solid #007070; border-radius: 15px; padding: 10px; background-color: #e0f2f1;"> <p>“</p> <p>So just that way of being able to just make us a little more calm, tell us what we need to know in terms of what’s going to happen and what we need to do when we get into the court room. But also, when we’re not in the court room, how to decompress a little bit, I suppose.</p> <p>Witness</p> <p>”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » advocating for witnesses when these do not appear to have been applied fairly or neutrally. » Communicate and explain to witnesses, proactively and at as early a stage as possible, any of the above that may be experienced as difficult or distressing, making everything as transparent and predictable as possible, ensuring the witness is able to understand and fully engage their rights throughout. » Identify with witnesses any other factors that may help them feel safe when giving evidence and work with relevant justice professionals to adapt it as much as possible to each individual witness. For example, being allowed to bring in a personal item to hold whilst giving evidence to help them stay calm; prior arrangement of being allowed to take in some written notes to support them give their statement, etc.

ADVOCACY/SUPPORT: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The range of adaptations and special measures available to a witness that can support them to give evidence, and the ways in which these can be used to mitigate the impact of trauma and reduce the risk of re-traumatisation. <p>Where relevant to their role child, young people and family workers understand:</p> <ul style="list-style-type: none"> The range of special measures available for children and the importance of utilising them to support child witnesses in their contact with the Justice system. <div data-bbox="539 970 1453 1390" style="border: 2px solid #008080; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“</p> <p>Like they could dae it fae another room like they put the weans in another room, you don’t have to actually be in the court room. I think they should get a different way to deal with it but everybody is different, some people want to face the person that’s done this to them and be that strong person so each to their own but I think they should have a more versatile way of doing it.</p> <p>Mum</p> <p>”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Collaboratively talk through the practicalities and the pros and cons of each special measure available to a witness to help them decide if they want to use them. Support the implementation of special measures for witnesses on an individualised basis. <p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> Support the implementation of special measures for children consistently in the Justice settings they interact with.

ADVOCACY/SUPPORT: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The ways in which providing psychoeducation about the impact of trauma can support a witness to give their best evidence, for example: <ul style="list-style-type: none"> » decreasing sense of shame and self-blame » understanding responses during and after an assault » increasing the likelihood of reporting the assault formally and engaging with the justice process » understanding the role of dissociation in memory consolidation and retrieval <div data-bbox="539 746 1456 1050" style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>““</p> <p>I at one point was laughing and I actually said to them, “Is this normal?” Like I’ve just had something completely traumatic happen to me but yet I’m laughing. I don’t know what’s normal...</p> <p>Witness ””</p> </div> <ul style="list-style-type: none"> • That witness perceptions of the quality of their police interview may influence their willingness to engage further, particularly in people who experience dissociation and provided a fragmented account. • That internal states of anxiety associated with a formal legal process can trigger intrusive experiences 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Provide individualised information and psychoeducation regarding the immediate and longer-term impact of trauma on a person’s behaviour, thinking, emotions and memory, to help witnesses understand their own responses and decrease any feelings of shame or self-blame <ul style="list-style-type: none"> » using plain, accessible language and various formats (e.g., written/diagrammatic/verbal) » at appropriate time points (repeating the same information on several occasions but in different ways if needed), » checking comprehension throughout • Support the witness to develop and utilise coping strategies to manage their stress and anxiety levels when giving evidence and stay in their window of tolerance (see trauma skilled pages 49-56 and evidence gathering, pages 116-117 for further detail).

ADVOCACY/SUPPORT: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 387 1453 778" style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px; background-color: #E6F2FF;"> <p>“ It [re-telling] was almost as worse as the events themselves... It just brought everything back and the physical side, the palpitations, I didn't sleep for weeks. I didn't relate reliving it, talking about it to basically [being] re-traumatized. All I did was, and I didn't know, but all I did every time I spoke to these [justice professionals] was re-traumatise myself. Witness”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Identify where a witness is likely to struggle with the evidence collection process due to the impact of trauma and explain this to the justice professionals responsible for evidence collection, collaboratively considering how they can adapt their processes and procedures to support the witness to stay in their window of tolerance and give their best evidence.
<p>Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • See corresponding section in trauma skilled, pages 74-76. <div data-bbox="539 914 1453 1145" style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px; background-color: #E6F2FF;"> <p>“ ...just because I'm not crying at that particular moment doesn't mean to say it wasn't traumatic. Witness”</p> </div> <div data-bbox="539 1169 1453 1441" style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px; background-color: #E6F2FF;"> <p>“ Know and understand that it's complicated and hard for us to talk about and when we do, we feel like we are reliving it and that can be worse than the trauma itself. Witness”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Recognise where a witness's evidence or demeanour is likely to have been affected by the impact of trauma. • Recognise where the impact of trauma on a witness may be misinterpreted as lack of reliability or credibility by other justice professionals responsible for evidence collection/ interpretation. • Explain the neurobiology of trauma and associated impact on a witness's demeanour, memory and recall to justice professionals responsible for evidence collection/interpretation where it appears they may be misinterpreting the impact of trauma on the witness.

ADVOCACY/SUPPORT:

SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

ADVOCACY/SUPPORT: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA		
<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised.</p>	<p>The knowledge and skills relevant for this workforce are contained in the Trauma skilled practice level pages 77-85.</p> <p>In addition to Trauma skilled practice level pages 77-85, and where relevant to their role, workers and managers understand:</p> <ul style="list-style-type: none"> ● How the knowledge from the corresponding sections in the Trauma skilled practice level specifically applies to workers in an advocacy and/or support role, for example: <ul style="list-style-type: none"> » the impact on a worker (positive and negative) of often long-term, in-depth support provided by one worker to witnesses affected by trauma from the start to the end (and beyond) of the justice process. » the potential increased exposure to 1. details of trauma and 2. the impact of trauma on a witness and their distress (both related to their initial trauma but also re-traumatisation during the justice process). » the worker’s unique position in observing the impact of the justice system and process on a witness’s mental health and recovery from trauma over time, whilst often having limited control over the aggravating factors. 	<p>In addition to Trauma skilled practice level pages 77-85, and where relevant to their role, workers and managers can:</p> <ul style="list-style-type: none"> ● Apply the skills from the corresponding sections in the Trauma skilled practice level to mitigate the impact of vicarious trauma in their role as an advocacy/ support worker, for example: <ul style="list-style-type: none"> » where a worker has regular and in-depth exposure to details of interpersonal trauma experienced by witnesses, they can meaningfully utilise self-care strategies and organisational support structures (such as peer support, reflective practice and supervision) to mitigate the impact of vicarious trauma.
<p>The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.</p>		
<p>Signs of Vicarious Traumatization, compassion fatigue, burnout and traumatic stress in the workforce are recognised and responded to.</p>		

ADVOCACY/SUPPORT: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised.</p>	<p>Where relevant to their role, workers and managers understand:</p> <ul style="list-style-type: none"> » the types of crime which carry a higher risk of causing vicarious traumatisation and other negative impacts on advocacy/support workers (for example, working with witnesses affected by homicide and/or gender-based violence). 	<p>Where relevant to their role, managers can:</p> <ul style="list-style-type: none"> • Apply the skills from the corresponding sections in the Trauma skilled practice level (pages 77-85) to support resilience and mitigate the impact of vicarious trauma on their workforce, recognising the unique role and nature of advocacy/support work within the justice sector and the risk factors associated with this.
<p>The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.</p>	<div style="border: 2px solid purple; border-radius: 15px; padding: 15px; margin: 10px 0;"> <p>» advocacy workers... are there throughout the whole journey, they are doing the pre-engagement, they're building the rapport, they're building the support, they've got to really understand about trauma, they've got to navigate that, they've got to relate that to the system...</p> <p>Justice Leader</p> </div>	
<p>Signs of Vicarious Traumatisation, compassion fatigue, burnout and traumatic stress in the workforce are recognised and responded to.</p>		

EVIDENCE GATHERING

The Enhanced (*Evidence Gathering*) section is designed to meet the needs of anyone who has a role in gathering information or evidence directly from witnesses, including those who direct or oversee the gathering of evidence. This may include police detectives, forensic medical examiners, statement takers, and some solicitors.

Aims	Page	Outcomes
Aim 2: Avoid re-traumatisation where at all possible.	<u>113</u>	<ul style="list-style-type: none"> • Potential risk of re-traumatisation across the system is understood, identified and avoided where at all possible.
Aim 3: Support recovery from the impact of trauma where possible.	<u>118</u>	<ul style="list-style-type: none"> • Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.
	<u>120</u>	<ul style="list-style-type: none"> • Witnesses and their families are protected from further harm.
	<u>122</u>	<ul style="list-style-type: none"> • The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.
Aim 4: Enable equal and effective participation in the legal process.	<u>127</u>	<ul style="list-style-type: none"> • Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.
	<u>130</u>	<ul style="list-style-type: none"> • Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.
	<u>135</u>	<ul style="list-style-type: none"> • Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.
Aim 5: Support resilience of the workforce and reduce the potential impact of vicarious trauma.	<u>138-139</u>	<ul style="list-style-type: none"> • The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised.
		<ul style="list-style-type: none"> • The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.
		<ul style="list-style-type: none"> • Signs of vicarious traumatisation, compassion fatigue, burnout and traumatic stress in the workforce are recognised and responded to.

EVIDENCE GATHERING:

AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

EVIDENCE GATHERING: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • What re-traumatisation is, and the factors that can exacerbate it (see skilled section). • The impact that re-traumatisation can have on the quality of evidence a witness can provide, and its role in preventing witnesses from participating effectively in the justice process. • The key role that a sense of trust and safety has for witnesses in enabling them to provide as full and accurate an account as possible. • What why and how particular aspects of providing evidence or being interviewed about traumatic events have the potential to re-traumatise witnesses, including: <ul style="list-style-type: none"> » Physical / sensory (viewing objects or pictures or CCTV / film from the event or constructing a visual picture of an assailant, invasive medical examinations, the set up of and appearance of a building and rooms, including smells, sights, sounds, physical sensations and touch). 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Identify areas of own work with witnesses which may carry a risk of re-traumatisation and adapt these using the trauma informed principles (safety, trust, choice, collaboration, and empowerment) to minimise the risk of re-traumatisation (see trauma informed, pages 32-36 and trauma skilled, pages 49-56 and Appendix 1 for examples) • Create the sense of safety and trust necessary for witnesses to be able to provide the most accurate and complete information. • Adapt area of work to minimise physical and sensory, cognitive, and relational triggers where possible, for example: <ul style="list-style-type: none"> » Physical / sensory: Showing drawings instead of graphic photos to witnesses; adapting the position of witnesses during invasive medical examinations to reduce sensory similarities to events

EVIDENCE GATHERING: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> » Cognitive (for example giving an account of traumatic events, including particular / unique hot spots, hearing their statement read back in full for approval) » Interpersonal / Relational – (for example feeling unclear about or having no choice in what is happening, coercive questioning, lack of control or disempowerment) <div data-bbox="539 643 1453 970" style="border: 2px solid green; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ she was the one who did my interview. And she did it really slowly. She broke it down. She gave me a minute to cry when I needed to cry. Young person's experience of support that they received ”</p> </div> <div data-bbox="539 1015 1453 1286" style="border: 2px solid blue; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ The only time that I was able to give evidence that was credible was when I wrote it. The other evidence, that was supposedly taken unwritten, bore no resemblance to my experience. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » Cognitive: recognise where a witness's evidence may be affected by the disruptive impact of trauma and collaborate with the witness to adapt interviewing to minimise distress, using the trauma informed principles of choice, control, collaboration, trust and safety. » Cognitive: Consider ways to mitigate the impact of reading a statement back to a witness for approval, which evidence shows is a particularly difficult and potentially re-traumatising part of the reporting process for victims of serious or sexual assaults. For example, consider whether a video recording is an option or discussing collaboratively what may help make it easier for them, such as offering to return the following day to read it back. » Relational. Ensuring that across the investigation, and within each individual process or procedure with a witness, best use is made of every

EVIDENCE GATHERING: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1453 715" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>“ I think that they thought they were doing things in our best interest but, actually, it was the opposite to that, that they wouldn't have known that without consulting with us (...) There was a lot of assumptions made that we could have straightened out had we been allowed to take part in the process. Witness ”</p> </div> <ul style="list-style-type: none"> • Whilst it may be impossible to completely avoid distress of witnesses giving evidence about potentially traumatic events (because any process that involves talking about unresolved traumatic events is likely to bring back associated memories and feelings) there are many ways in which the process of giving evidence can be adapted to mitigate the impact. <div data-bbox="539 999 1453 1267" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>“ turn up when you say you're going to turn up and phone when you say you're going to phone. It really does make a difference because it's exhausting. Witness ”</p> </div> <ul style="list-style-type: none"> • The role that a sense of predictability, facilitated by clear and consistent, empathic accurate communication and information prior to giving evidence, plays in reducing witness anxiety and likelihood of re-traumatisation. 	<p>Where relevant to their role, workers can:</p> <p>possible opportunity for collaboration with the witness to determine together what, how and when things happen. Offer the witness as much choice and control over processes as possible. Ensure a sense of trust and safety through predictability and consistency throughout all processes.</p> <ul style="list-style-type: none"> • Prior to any process that involves evidence collection, ensure that someone (preferably their single consistent point of contact) has collaborated with the witness to identify what they need to fully understand and be prepared for regarding the process, including information about their rights, legal processes and procedures of which they may be unaware, making all these as predictable and understandable as possible. For example, explaining: <ul style="list-style-type: none"> » The role of every member of the investigation team that will be involved in the process of gathering evidence, and where possible introducing them.

EVIDENCE GATHERING: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1453 751" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“</p> <p>If you’ve had something (...) traumatic that’s happened to you, you don’t know your arse from your elbow... You want it to be very, very structured. Like let’s go, take it from the top, break it right down. Like talking to a child, explaining, this is what you do first. Because you literally - you’re not there at that point.</p> <p>Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » The rights of the witness, including whether, when and how they provide information or evidence, and to whom. » The opportunity to re-read and make any corrections to their statement. » Any expected gaps in communication/ progressing of the case. » The likelihood of and potential need for repeat questioning in order to sufficiently test evidence. » The procedure of what will happen before, during and after their presentation of evidence. » Any legal processes, terms or procedures that they are unclear or unsure about. <ul style="list-style-type: none"> ● Collaborate with a witness before any potentially re-traumatising procedure or process to <ul style="list-style-type: none"> » Ensure they are sufficiently prepared » Have adequate support beforehand and afterwards,

EVIDENCE GATHERING: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1453 751" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>“ They have to understand this limited head space and there will be trigger words and (...) you can tell by somebody’s reaction (...) if you’re starting to struggle (...) I mean, I couldn’t string a sentence together at some point (...) they have to be aware of the language, the body language of trauma and just keep making sure we’re still there. Witness ”</p> </div> <ul style="list-style-type: none"> ● The indicators that a witness may be moving out of their personal window of tolerance as a result of re-traumatisation or increased distress (see trauma skilled). ● The impact of minimising triggers and avoiding re-traumatisation on the quality of evidence collected. <div data-bbox="539 1054 1453 1422" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px;"> <p>“ I once sat for two hours in a meeting physically shaking and not understand[ing] why. Not one person stopped the interview or tried to explain to me what was happening. It’s like they were embarrassed. That’s why I think the sleeping wolf describes it well. I dragged that wolf along for years. That wolf woke up and attacked me many times while going through the justice system. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » Understand the witness’s own unique triggers » Understand the witness’s own unique indicators that they may be about to move out of their window of tolerance » Understand how to best respond to help them maintain their window of tolerance <ul style="list-style-type: none"> ● Respond to indicators that a witness is moving out of their window of tolerance by identifying and where possible addressing potential triggers: <ul style="list-style-type: none"> » Physical (for example sights sounds or sensations associated with or similar to the event, including objects, videos or pictures from the event in the form of evidence). » Cognitive (for example thinking about or giving an account of traumatic events, including particular / unique hot spots). » Interpersonal / Relational – (for example coercive questioning, disempowerment or confusion).

EVIDENCE GATHERING: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

EVIDENCE GATHERING: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The ways that shame, blame, and fear can affect our willingness or ability to talk about traumatic events, especially where these take place in an intimate or caregiving relationship. The key role that a sense of trust and safety has for witnesses in enabling them to give as full and accurate an account of traumatic events as possible, especially where feelings of shame or fear are involved. That how a witness experiences the justice process is a significant predictor of their satisfaction with it, independent of outcome. <div style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ I hated the fact that you would build up a rapport with one person and you would be like, Ok this is now someone that I can speak to. But the [justice agency] have this bad habit of just passing it over to another department and then passing it over to another person. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Take the steps that will ensure that throughout the process of an investigation, witnesses feel safe and sufficiently able to trust investigators to talk about potentially traumatic events, including <ul style="list-style-type: none"> » Ensuring witnesses have a key single named point of contact. » Spending time to develop a sense of trust and safety with a witness through their own professionalism, consistency and collaboration with the witness. » Be as honest as possible, from as early as possible, about any procedures, systems, processes, or questions that may be experienced as difficult or distressing, making everything as transparent and predictable as possible, ensuring the witness is able to understand and access their rights throughout.

EVIDENCE GATHERING: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1453 711" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ to not have to repeat, repeat, repeat, repeat with every single [justice professional] that you’re involved with which, in my case, is dozens. It’s very hard to repeat your story all the time and be told to just move on with your life. Witness ”</p> </div> <ul style="list-style-type: none"> ● What procedural justice is, and the four key principles that underpin it for witnesses: <ul style="list-style-type: none"> » Understanding processes and rules » Processes & rules applied fairly, neutrally & equally » Having a voice » Feeling respected and valued ● The role that perceptions of fairness and a sense of procedural justice has in witness satisfaction with the justice process and their recovery. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » Attend to witness’ welfare and basic needs (for example ensuring food and toilet breaks are offered), being mindful of the demands upon them and how this can impact their wellbeing and ability to give best evidence. » Avoiding multiple interviews about traumatic events where possible. » Providing the same consistent interviewer(s) throughout the investigation. <ul style="list-style-type: none"> ● Apply the principles of procedural justice (voice, neutrality, respect and trust) and trauma informed practice (choice, empowerment, collaboration, safety and trust) within and across every interaction with witnesses to support recovery from trauma (See Appendix 1 for some examples).

EVIDENCE GATHERING: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The factors that will create effective working relationships that empower witnesses and build a sense of procedural justice prior, during and after the investigation, including: <ul style="list-style-type: none"> » Timely, effective, clear and empathic communication and information sharing, » Clear and timely explanations of reasons for decisions (such as not to proceed to trial, change to charges, to release the accused on bail), » Building rapport and trust through empathic understanding and normalisation of the emotional impact of the process on witnesses. <div data-bbox="539 817 1453 1193" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ she also kept regular contact with me, so she followed up and she said, this is where we are with the case, this is what may happen. And then, when things happened as things moved on, she - I was able to email her and just ask her advice just on whether there were things I had to report or not. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Build rapport and trust, and empower witnesses to engage in the justice process through implementing the principles of procedural justice across and within every interaction to enhance their engagement and positively support their recovery, for example: <ul style="list-style-type: none"> » Ensure all steps are taken to allow a witness to voice the harms that have led them to becoming a witness. » Respond to witnesses’ emotional responses to the process with empathy and understanding » Where appropriate recognise and apologise for mistakes, delays, miscommunications and any other factors that may contribute to witness discomfort. » Provide clear, timeous, empathetic communication throughout.
<p>Witnesses and their families are protected from further harm.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The unique and complex factors involved in crimes of gender- based violence and the sensitive response needed from first responders to assess and ensure the safety of the witness and their dependents in this context. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Assess risks to safety (including subtle signs of coercive control and abuse) and act in accordance with policy and procedures to protect witnesses and their families from further harm.

EVIDENCE GATHERING: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses and their families are protected from further harm.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The ways that feeling safe and protected from harm can affect the quality of evidence a witness is able and willing to give. Evidence-based brief interventions available that can help people who are feeling distress at times of acute crisis. <div data-bbox="539 727 1456 1059" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ she took the time to understand what I was saying and how distressed I was...She understood that women can be particularly vulnerable in traumatic situations like that and she did understand my vulnerability. Witness ”</p> </div> <p>Where relevant to their role child, young people and family workers understand:</p> <ul style="list-style-type: none"> The unique factors of interpersonal abuse can mean that the accused is known to the witness and their family and potentially had/has a caregiving role or position of responsibility regarding the witness. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Collaborate with the witness to understand what will help them and their families feel safe and protected from harm, and ensure they protect the witness from risk of further exposure to trauma during the investigation. Respond compassionately to a witness in distress, employing the principles of evidence-based brief interventions (e.g. distress brief intervention or psychological first aid) to keep the witness safe and reduce distress during times of acute crisis. <p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> Assess child protection and engage with child protection services and procedures.

EVIDENCE GATHERING: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The ways that initial responses to a primary or early disclosure of traumatic events can have a long-term impact on a witness’s mental health and recovery, as well as engagement with criminal justice processes, including further disclosures. • The pivotal influence that early responders have in shaping how an individual makes sense of and recovers from a traumatic event, as well as their choice or otherwise to continue to engage with the criminal justice process. • Interpersonal factors involved in the evidence collection process that can support a witness’s recovery (e.g. feeling believed) and that can hinder recovery (e.g. dismissing seemingly trivial details), and how this can consequently impact on witness satisfaction and engagement with the justice process. <div data-bbox="539 975 1453 1337" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“I think they need to be more empathetic, they need to take into consideration that when you report a crime, it’s one of the hardest things that you can possibly do, especially if it’s a relationship cos you’re essentially turning against someone who, at one point, you probably were in love with.” Witness</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Respond to initial accounts of potentially traumatic events in ways that are likely to support recovery and further engagement by the witness in the investigation process, including responding with professionalism and empathy, non-judgement, and implicit (and explicit if possible) belief, engendering a sense of trust and safety. • Apply the trauma informed principles across and within every interaction with witnesses to positively support their recovery (See Appendix 1 for examples) • Whilst realising that “one size does not fit all”, develop the kinds of “good enough” safe and trusting relationships with witnesses which have been found to contribute to the immediate and long-term recovery of a witness, including: <ul style="list-style-type: none"> » being calm, empathic, compassionate, patient and respectful » expressions of shared emotion which build rapport & trust

EVIDENCE GATHERING: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1456 671" style="border: 1px solid #4a7c9c; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ it’s the empathy, it’s the understanding, it’s just that knowing that a simple little flippant remark can just set somebody off and take them down a road that they really don’t deserve to or don’t want to go down. Witness ”</p> </div> <ul style="list-style-type: none"> ● The ways in which the investigation process may entrench and augment the vulnerabilities of traumatised witnesses affecting mental health and hindering recovery, including: <ul style="list-style-type: none"> » Anticipatory anxiety and trauma symptoms associated with having to talk about traumatic, frightening or shameful events with investigators » Keeping traumatic events to the forefront of mind to enable accurate recall » Uncertainty during what has been described by witnesses as “the gap” between the initial intense period of disclosure and information gathering, and the sometimes lengthy silence before later decision to prosecute or otherwise » Unpredictability caused by backlog of cases, lack of communication, court delays and last-minute adjournments » Questioning that reinforces negative beliefs about the self that develop in response to exposure to interpersonal trauma (for example around responsibility for events, sense of self as to blame) 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » taking time to build rapport by being genuinely interested in the witness, having non-offence related talk e.g., on their interests that helps with engagement and creating safety. » Going at the right pace and not making witnesses feel rushed. <ul style="list-style-type: none"> ● Collaborate with witnesses to understand from their perspective the things that will ensure they feel as reasonably in control of their place in the justice process as possible and have a sense of certainty as to what will happen and when, including when and how to communicate, preferably via a single point of contact. ● Empower witnesses and build trust by communicating clearly, honestly and in a timely manner with them regarding progress of the case, any decisions made and the reasons underlying the decisions ● When a witness has reported a historic case of sexual assault and rape, consider whether counselling/support would be helpful prior to them making a full statement.

EVIDENCE GATHERING: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> » Sense of invasion and powerlessness when requests are made to access private information and communications on mobile phone, or medical records » The impact of removal (witnesses describe this as demeaning and punitive) and non-return of personal possessions (e.g., loss of phone contacts and objects of sentimental value) <div data-bbox="539 655 1453 1086" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ You’re sort of craving that honesty (...) the [justice professional] that I spoke to was the first person who I felt was completely honest, even if it was answers that I think she maybe felt were difficult for me to hear. It was just really refreshing for her to have that honesty with me and it felt like the first time that somebody would do that, to be honest. (...) I think it really helped me move past. Witness ”</p> </div> <ul style="list-style-type: none"> » Exacerbation of coping mechanisms such as substance use » Additional potential harm caused by delays on typical and normative development of children and young people witnesses 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Ensure that witnesses have as much sense of control, empowerment and collaboration when requests for access to intimate or private information (such as medical or phone records) are made and agreed, including disclosing these requests in good time, and facilitating witness access to independent legal representation. • Discuss why personal items may be removed for evidence, collaborate with witnesses as to when and how to do this to create least disruption, and provide a clear indication of if and when witnesses can expect their return.

EVIDENCE GATHERING: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The ways that early and consistent support from an independent advocacy or support person or other appropriate support throughout the investigation process, and their presence during the evidence collection process can maintain wellbeing and empower witnesses to engage most effectively with the process. <div data-bbox="539 611 1451 1002" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ I wish that there was advocacy involved before you even give a statement to be like, do you know what you're letting yourself in for (...) they have to take into account you've already survived something so brutal...I spoke to a lawyer once who said that the court process was the second violation and it's the most perfect way to describe it. ” Witness</p> </div> <ul style="list-style-type: none"> How to make appropriate judgements about maintaining a balance of 'good enough' evidence and protecting the wellbeing of the witness The signs (both obvious and subtle) that a witness might be experiencing significant mental health difficulties relating to the investigation process 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Offer clear information regarding advocacy and support services available to the witness from the initial contact, making it clear it is their choice as to when and with whom they connect. Identify any barriers to the witness independently connecting with an advocate or other support services at the earliest opportunity and facilitate this connection if the witness would like it. Collaborate and work in partnership with specialist services (e.g., for domestic abuse and rape) to aid recovery, ensuring that information is shared appropriately between agencies whilst respecting confidentiality

EVIDENCE GATHERING: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role child, young people and family workers understand:</p> <ul style="list-style-type: none"> • The importance of having multi-disciplinary and multi service input to support recovery. • Identify who knows the child or young person and can provide relevant information and support. <div data-bbox="539 756 1453 1091" style="border: 2px solid green; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“Professionals explaining the process step by step was something which also came up during the discussions with one young person telling us "to me, it would be talking the child through every step that you do to them" and another participant said "tell me every single step."</p> </div>	<p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> • Identify and work in partnership with services designed for children, young people and their families/support networks. Tailor approaches to be genuinely child centred and child friendly. • Adapt communication and interpersonal skills to the developmental age and stage of the child or young person, ensuring that the child or young person is engaged, comprehending and expressing at their ability level. This may include using different formats –verbal, written, visuals. It may also include who is communicated with including the child, young person, families and support networks.

EVIDENCE GATHERING:

ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The complex cultural and interpersonal factors involved in gender-based violence and the reasons why a witness may not want to pursue charges against or leave their abuser. The subtle power dynamics inherent in evidence collection processes, and the small but important ways in which workers can reduce the witness' sense of threat and shame and increase quality of evidence and extent of their engagement by adapting their verbal and non-verbal behaviour and responses The factors which empower witnesses affected by trauma to disclose their experience of a traumatic offence, leading to more accurate, coherent and consistent narratives, witness satisfaction with the process, and reduced drop out, including ensuring that throughout the evidence collection process and interviews witnesses: <ul style="list-style-type: none"> » experience the principles of procedural justice » feel believed, understood and taken seriously by the verbal and non-verbal communications of the interviewer <div style="border: 1px solid #0056b3; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>» He said, this is entirely within your control, you don't have to report something. And I think that made me feel a lot more confident. Witness</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Ensure victims, witnesses, and complainers know and can access their rights under the Human Rights Act (1998) For example, ensuring the right to respect for private and family life has been applied throughout the evidence collection process (and particularly when section 275 applications have been made). Develop a consistent, respectful, collaborative, trusting, professional relationship with a witness to know what is going to be helpful for them in terms of maximising their ability to provide best evidence, applying the trauma informed principles across and within every communication and interaction (See Appendix 1 and trauma skilled for further examples)


EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> » sense that the interviewer is tuned in to their emotions, able to tolerate what they have to say / the details of their experiences without judgement » feel they have been enabled to give an accurate account during interview(s). » feel safe and that the process has maintained respectful and consistent boundaries. <div style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ People said to me, do you want a break, but I would be like, no I just want this over with. But if they’d said, I really think you should take a break now, you’re struggling, we can see you’re shaking. I sat through an interview for 2 hours, shaking, physically shaking and not one person said (...) But I didn’t want to be the one to say, I can’t handle this, I want a break. I don’t even know if I was aware. I was just exhausted, having hours and hours of this, I just felt as though, I need to get through it. It’s almost like – it’s like the top of the hill, it’s just over the next ridge, just over the next ridge. But it never was (...) somebody should have said at some point, do you need a break or tell me, don’t ask cos a lot of people are – no, I just want to get through it. But, no, you need a break. Witness”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Explicitly consider a witness’s wellbeing when collecting evidence, for example by offering regular breaks during a police interview and informing them of when these will be at the start; ensuring they know they can ask if they need to go to the toilet; and pacing questions so that they do not feel overwhelmed. • Balance the need to be impartial and empathic at the same time, understanding that demonstrating empathy does not equate to demonstrating bias or lead to collusion. • Recognise, interpret, and respond constructively to emotions in oneself and others which provides the foundations for effective trauma informed interviewing. • Ask only the questions that truly need to be asked in the process of evidence collection and reduce the need for witnesses to repeat their experiences unnecessarily.

EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • Current best practice guidance and legislation on the use and adoption of special measures to support a witness provide evidence, including pre-recorded evidence by commission, written rather than spoken evidence, and the utility of special measures in reducing distress and enhancing the quality of the evidence provided. <p>Where relevant to their role child, young people and family workers understand:</p> <ul style="list-style-type: none"> • That in line with GIRFEC and UNCRC, their primary function is to protect the child’s recovery. • The complexities of interviewing a child or young person in terms of 1. their chronological age and how this may substantially differ from their developmental stage due to the impact of trauma and adversity on their development; 2. what that means for their level of comprehension and ability to communicate; 3. how to assess this accurately and 4. what strategies to employ to enable them to provide best evidence. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Follow up-to-date legislation, guidance, policy and procedures related to gathering best evidence for specific witness populations (e.g. Vulnerable Witnesses (Scotland) Act 2014; Evidence and Procedure Review 2015; Lord Justice Clerk’s Review 2021; Domestic Abuse (Scotland) Act 2018; Vulnerable Witnesses (Criminal Evidence) (Scotland) Act 2019). <p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> • Use a multi-disciplinary approach, including people who know the child well, to determine the child’s ability and needs, and use this to support engagement and adapt language and interviewing to get best evidence. • Skilfully adapt communication to the individual’s level of ability and developmental stage. Use multi-modal methods of communication with children, young people and their families where appropriate.

EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<p>Where relevant to their role child, young people and family workers understand: </p> <ul style="list-style-type: none"> • The impact of trauma and attachment on the evidence collection process. • The impact of myths regarding children not being credible or reliable witnesses in adult contexts and the importance of adapting practices to enable their evidence to be collected and understood. 	<p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> • Employ robust strategies to check comprehension of the witness and to support expression and giving evidence. For individuals who may struggle with this, ascertain adaptations required and utilise Speech and Language colleagues where required
<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<p>Where relevant to their role, workers understand: (NB the following section has overlap with Evidence presentation and interpretation page 153)</p> <ul style="list-style-type: none"> • The normal ways in which humans process events, store them as memory and recall them. • The different ways that the impact of trauma and stress can affect the way the brain processes, stores and recalls events, including: <ul style="list-style-type: none"> » The role of the limbic system (including the hippocampus, amygdala and hypothalamus) in processing events and storing explicit and implicit memories » The ways that threat can disrupt hippocampus and amygdala function during traumatic events » Impact of disrupted hippocampal function on storage of and later recall of traumatic events » The ways that acute and chronic stress can affect the hormones of the hypothalamus-pituitary-adrenal (HPA) axis, and implications for the hippocampus and memory 	<p>Where relevant to their role, workers can: (NB the following section has overlap with Evidence presentation and interpretation page 153)</p> <ul style="list-style-type: none"> • Recognise and communicate to others (including the witness if this may be helpful to normalise their responses) in simple non-technical language where elements of a witness’s account of events is consistent with the impact of trauma or extreme stress during events: <ul style="list-style-type: none"> » Fragmented, with gaps and out of time order, especially where there has been peri-traumatic dissociation. » Contain some key vivid emotional “hotspots”, recalled clearly but in a jumbled, non-sequential order, with other details much more difficult to recall.

EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> » The impact of alcohol use on memory encoding and consolidation and the implications of this for evidence collection and taking a statement » Triggering dissociation to protect the witness from psychological harm, & consequent impact on memory » The characteristics of memory of traumatic events, including discrepancies and omissions, and that repeated recall can elicit novel details as well as other details fading over time. » The impact of high levels of stress and re-traumatisation on a witness’s window of tolerance, and on their capacity to accurately recall events in a coherent fashion, whether traumatic or otherwise. » The role and importance of listening for ‘micro details’ recalled by witnesses of traumatic offences. <div style="border: 1px solid #0056b3; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“</p> <p>Your mind gets muddled, and you can’t always give a black and white answer and that’s why it’s difficult when you give a statement for something like [offence] (...) coming out of abuse, I mean, I must have got attacked well over a hundred times, I think 5 of which he got charged with. But they do blend into one. (...) they need to really give you time and space and not be forceful to get this done quick. This is not a quick job.</p> <p>Witness</p> <p>”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » Strong implicit memories that are characterised by sensory components, feelings and emotions. » Weaker explicit memories that lack coherence or a clear explicit narrative, without following a clear timeline of events. » Central details are more likely to be accurately recalled than peripheral ones. » Change in recall over time, for example where an initial statement has been taken close to the time of events(s), been adopted as a prior statement at trial months or years later, and consequently there are inconsistencies with the witness’ account at trial. » Memories for repeated similar events over a prolonged period of time (for example in cases of domestic abuse) can become merged or difficult to disentangle or place on an accurate timeline


EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The importance of consent and predictability when collecting evidence from a witness affected by trauma, and how this links with the neurobiological consequences of trauma. • The factors that can affect memory retrieval, witness well-being and willingness to disclose significant details. • The benefits of taking a delayed complete statement following a serious assault or sexual assault on a witness’s ability to recall and disclose the assault. • The verbal and non-verbal responses or expressions of an interviewer that can decrease sense of shame or blame, and increase sense of belief and safety that are likely to affect witness well-being and willingness to disclose significant details. <div data-bbox="539 1142 1453 1441" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ He honestly knew just to sit down and let me talk and, kind of like you’re doing, asking very open questions (...) and it felt like I had more control, there was no pressure to answer them. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » Impact of dissociation on ability to remember and provide a coherent detailed account of events. <div data-bbox="1482 520 2038 943" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ Like obviously your brain’s still processing. It’s almost like you can still see everything that’s just happened. You’ve not even begun to start processing it and calming down and I think, in order to sort of communicate effectively, you do need to be calm. Witness ”</p> </div> <ul style="list-style-type: none"> • Demonstrate Interviewing skills and techniques consistent with an understanding of the impact of trauma on memory and recall to facilitate the witness to provide their best evidence and support recovery – for example: <ul style="list-style-type: none"> » Provide the witness with time and space to think by demonstrating patience and a calm presence, and not making them feel rushed » Allow for an uninterrupted narrative, articulated by the witness, of what happened

EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1456 719" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ Just sit down (...) even just ask me, “Are you OK?” (...) just show more empathy, sympathy, understand how I was feeling at that time. And like privacy, security, comfort (...) You needed to deliver that in order for me to even begin to start talking. Witness ”</p> </div> <ul style="list-style-type: none"> • Indicators that a witness is struggling to cope and how to support them to stay in their window of tolerance to provide best evidence. <div data-bbox="539 906 1456 1345" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ When I was sort of started getting jumpy in my seat, she said, I can see you getting really anxious now, do we want to take a break? Do we want to stop? So there was a lot of that (...) I found that really reassuring because then I felt I trusted her to be able to speak to her and building up that trust was really difficult. I didn't feel like I trusted anybody, so when she came in and was able to be supportive, that was really great actually. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » Pace questions slowly » Use open-ended questions » Ask victims of assault about any sensory memories (smells, sounds, sights, physical sensations or feelings) they can recall instead of the exact time and sequence of events » Don't convey suspicion or disbelief in the witness' account <ul style="list-style-type: none"> • Support a witness to stay in their window of tolerance throughout any interview by <ul style="list-style-type: none"> » Collaborating with a witness before any interview to understand and recognise the signs that they may be leaving the window, and agree together the responses that will help to regain it » Employing grounding strategies when needed (for example by asking simple, non-patronising questions such as “do you want a glass of water [name]?”)

EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1453 743" style="border: 1px solid #4a7c9c; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ He said, this is entirely within your control, you don't have to report something. And I think that made me feel a lot more confident. I liked that I was able to discuss things and he was able to give me advice and warn me, right, this could happen, this could happen, this could happen without it actually happening. Witness ”</p> </div> <p>Where relevant to their role child, young people and family workers understand: </p> <ul style="list-style-type: none"> The importance of gathering information from multiple sources who know the child best, to inform how to conduct and make any required adaptations to the interview. <div data-bbox="539 1051 1453 1410" style="border: 1px solid #4a7c9c; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ When I had to talk to the police about my dad, I was taken away to a police station away from home and had to talk to two people in a small room with a camera. I wasn't allowed my mum or anyone I trusted. I felt really scared. Girl, aged 12 ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » Ensuring that witnesses have as much control and choice over the process throughout, collaborating with them prior to any evidence collection as to what will help them feel safe before, during and after the process. See Appendix 3 for some examples. » Adapting the interview to an individual's needs <p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> Adapt the interview to an individual's needs, paying attention to the environment, the child's stage of cognitive development and comprehension level, communication, sensory aspects, physical reactions, emotional regulation, and behavioural responses.

EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.</p>	<p>Where relevant to their role, workers understand: (NB the following section has overlap with Evidence presentation and interpretation page 158)</p> <ul style="list-style-type: none"> ● The ways that our expectations of the behaviour and demeanour of a credible witness, and factors that we use to assess their credibility, can be at odds with commonly documented responses to and impact of traumatic events, thereby adversely affecting perceptions of credibility, including: <ul style="list-style-type: none"> » Fight / flight / freeze / friend / flop responses during and after traumatic events, including tonic immobility, particularly in relation to sexual assault/GBV » Emotional responses, and range of ways these can be expressed, including numbness / dissociation, shame, depression, anger and intense fear. » Behavioural responses, including freezing during an assault, and delays to disclosure » Common ways of surviving trauma and coping with its impact, including use of substances and self-harm, and managing the relationship with the perpetrator to manage risk to self and dependents. » the way we relate to others, including justice professionals, especially if these events occur repeatedly, at the hands of a caregiver or loved one, at an early or developmentally sensitive age or stage, or in the presence of adversity or absence of protective factors. 	<p>Where relevant to their role, workers can: (NB the following section has overlap with Evidence presentation and interpretation page 158)</p> <ul style="list-style-type: none"> ● Identify when a witness’s presentation may be linked to the impact of trauma ● Recognise where their own expectations of a witness’s responses and behaviour following a given type of offence may be at odds with what is commonly found to be the case in fact. ● Identify the range of ways in which a witness’s demeanour, actions or evidence is likely to have been affected by trauma, and provide an explanation, (including for the witness if this may be helpful to normalise their responses), in terms of common or normal trauma related responses for actions or responses that may otherwise have been misinterpreted as indicating a lack of credibility, for example: <ul style="list-style-type: none"> » freezing rather than resisting during an assault, » delayed or staggered reporting,

EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> » the different coping strategies witnesses may use to manage going to court and cope with the impact of the justice process (for example ‘putting on a mask’; dissociating; flippant behaviour) » feelings of shame, self-blame, and low self-esteem that can occur in response to being unable to explain or understand confusing and seemingly counterintuitive behaviours at the time of a traumatic event (e.g. tonic immobility) <div data-bbox="539 683 1451 1098" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ I think just a basic understanding of the triggers that [specific offence] has on your physical and mental ability to cope. I mean, my cognitive ability goes down the drain when I start to panic...And I think that...particularly [justice professionals] need to understand that a small thing may have a much deeper impact on a victim than would be normally apparent. ” Witness</p> </div> <ul style="list-style-type: none"> • The types of questions which can inadvertently result in undermining the credibility of a witness at a later stage in the justice process (for example asking a victim of sexual assault who does not understand the impact of trauma on the brain to account for and explain behaviour that has arisen from involuntary survival responses, such as freezing, leading to witness explanations that when challenged by defence can appear to be inconsistent statements). 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » numbing rather than expression of acute distress in the immediate aftermath of traumatic events » lack of distress or emotion when giving evidence • Communicate to the justice professionals responsible for interpreting and presenting the evidence, both in written and verbal form, the ways in which the impact of trauma on a witness may affect: <ul style="list-style-type: none"> » the evidence provided by the witness » the witness’s responses when presenting evidence formally » any special measures or adaptations which may helpfully assist in gaining best evidence <div data-bbox="1482 1086 2040 1485" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ Sometimes when we’ve been giving evidence... we’ve often been made to feel maybe to doubt yourself in terms of what you’re saying...And I know people have to be sure but (...) as a result, you come away thinking, maybe I have said something wrong, maybe I did provoke something... ” Witness</p> </div>

EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.</p>	<p>Where relevant to their role child, young people and family workers understand: </p> <ul style="list-style-type: none"> • Children have special measures available as vulnerable witnesses which can be utilised. • That children and young people may not have developed emotion regulation skills and this may be observed through behavioural expressions of their emotions, or regressions in their behaviours – before, during and after justice procedures. <div data-bbox="539 823 1453 1161" style="border: 2px solid green; border-radius: 15px; padding: 10px; margin-top: 20px;"> <p> I lost my temper and started screaming and crying... everything to the wind, and the judge asked me to leave the room and calm down. Young woman, aged 19 (sexually assaulted aged 17) </p> </div>	<p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> • Outline the special measures available for children as vulnerable witnesses. Work in collaboration with children and families/ support networks to select appropriate measures.

EVIDENCE GATHERING:

SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

EVIDENCE GATHERING: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised.</p>	<p>The knowledge and skills relevant for this workforce are contained in the Trauma skilled practice level pages 77-85.</p> <p>In addition to Trauma skilled practice level pages 77-85, where relevant to their role, workers and managers understand:</p> <ul style="list-style-type: none"> How the knowledge from the corresponding sections in the Trauma skilled practice level specifically applies to the different types of roles across evidence collection, for example: <ul style="list-style-type: none"> The impact of being exposed to traumatic material and witnesses affected by trauma regularly throughout the course of their work, but often unpredictably as a snapshot in time, without full context of the background to the case and/or knowing the resulting outcome of the case. Specialist roles and the cumulative impact of sole or main exposure to gathering evidence for specific types of crime and traumatic material (for example, forensic medical examiners or workers investigating online child exploitation) 	<p>In addition to Trauma skilled practice level pages 77-85, where relevant to their role, workers and managers can:</p> <ul style="list-style-type: none"> Apply the skills from the corresponding sections in the Trauma skilled practice level to mitigate the impact of vicarious trauma in their evidence collection role, for example: <ul style="list-style-type: none"> Highlight any work-related factors, including frequent and / or intense exposure to traumatic material that place wellbeing at risk, and work with their manager to minimise or mitigate risks.
<p>The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.</p>		
<p>Signs of Vicarious Traumatism, compassion fatigue, burnout and traumatic stress in the workforce are recognised and responded to.</p>		

EVIDENCE GATHERING: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised.</p>	<p>Where relevant to their role, workers and managers understand:</p> <ul style="list-style-type: none"> » The organisational and cultural factors specific to some evidence collection roles which may make it harder to speak about or seek support for difficulties related to the impact of vicarious trauma, and evidence-based strategies to address this » The operational factors specific to evidence collection roles which contribute to the risk of being negatively affected by vicarious trauma and steps that can be taken to mitigate them (for example competing workload demands, anti-social working hours, lone working etc.) » The ways in which the negative impact of vicarious trauma in this role grouping can have a significant secondary negative impact on witnesses and the course of justice if left unchecked (e.g. difficulty attuning to witnesses’ distress during interviews leading to witnesses feeling not listened to, and therefore not being able to give their best evidence). 	<p>Where relevant to their role, workers and managers can:</p> <ul style="list-style-type: none"> » Utilise peer support and other evidence-based strategies found to be protective against the impact of vicarious trauma (for example physical exercise, social time with family and friends, practicing mindfulness), and keep a healthy boundary between work and personal life » Identify early warning signs in themselves and colleagues that they may be struggling with the impact of vicarious trauma and take appropriate steps to address this as early on as possible.
<p>The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.</p>		
<p>Signs of Vicarious Traumatization, compassion fatigue, burnout and traumatic stress in the workforce are recognised and responded to.</p>		

“ I feel one [justice professional] was vicariously traumatised but not treated/supported, and her actions were extremely damaging for me. ”
 Witness

Where relevant to their role, managers can:

- Apply the skills from the corresponding sections in the **Trauma skilled practice level (pages 77-85)** to support resilience and mitigate the impact of vicarious trauma on their workforce, recognising the unique needs of workers in evidence collection roles.

EVIDENCE PRESENTATION AND INTERPRETATION

The Enhanced (*Evidence Presentation and interpretation*) section is designed to meet the needs of anyone who has a role presenting, examining, interpreting or making decisions based on evidence relating to traumatic events, or obtained from witnesses who may be affected by trauma. This may include Judicial Office holders, advocates, and procurators fiscal.

Aims	Page	Outcomes
Aim 2: Avoid re-traumatisation where at all possible.	<u>141</u>	<ul style="list-style-type: none"> Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.
Aim 3: Support recovery from the impact of trauma where possible.	<u>145</u>	<ul style="list-style-type: none"> Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.
	<u>147</u>	<ul style="list-style-type: none"> Witnesses and their families are protected from further harm.
	<u>147</u>	<ul style="list-style-type: none"> The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.
Aim 4: Enable equal and effective participation in the legal process.	<u>150</u>	<ul style="list-style-type: none"> Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.
	<u>153</u>	<ul style="list-style-type: none"> Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.
	<u>157</u>	<ul style="list-style-type: none"> Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.
Aim 5: Support resilience of the workforce and reduce the potential impact of vicarious trauma.	<u>161-162</u>	<ul style="list-style-type: none"> The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised.
		<ul style="list-style-type: none"> The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.
		<ul style="list-style-type: none"> Signs of vicarious traumatisation, compassion fatigue, burnout and traumatic stress in the workforce are recognised and responded to.

EVIDENCE PRESENTATION AND INTERPRETATION: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

EVIDENCE PRESENTATION AND INTERPRETATION: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • What re-traumatisation is, and the factors that can exacerbate it (see skilled section). • The impact that re-traumatisation can have on the quality of evidence a witness can provide, and its role in preventing witnesses from participating effectively in the justice process. <div style="border: 1px solid #0056b3; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“</p> <p>You get yourself back into the place where you were when you were assaulted. Right? Because that’s where you need to be in that moment because you know you’re going into court and they’re going to ask you questions about being in that moment (...) you’re already feeling the things that you were feeling then. You’re thinking about the things that happened to you when you were there (...) To have the predictability of knowing where people are when you’re in that re-traumatised state (...) that is something that I don’t really need to think about anymore cos I know that the Judge is going to be there, I know the Defence is going to be there and his assistant, I know that the Advocate is going to be here (...) If anything changes, if anything did change in that court room, I think that would have tipped me over the edge because – who’s that person and why are they here? Witness</p> <p>”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Identify aspects of the courtroom environment, processes and procedures which have the potential to re-traumatise witnesses, as well as introduce primary trauma to a witness • Recognise where court room related triggers for re-traumatisation may be affecting a witness’s capacity to recall events and communicate clearly when presenting evidence.

EVIDENCE PRESENTATION AND INTERPRETATION: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> ● What why and how particular aspects of the courtroom environment, processes and procedures have the potential to re-traumatise witnesses, including: <ul style="list-style-type: none"> » Unpredictability arising from delays. » Talking about traumatic events, especially in a public context without familiar support. » Adversarial processes that replicate dynamics of powerlessness, betrayal and stigmatisation. » Seeing, being in the presence of or being observed by the accused. » Confusion and disempowerment that can arise from technical or unpredictable legal processes, language, or techniques, including not knowing what to expect during cross examination and any additional defence measures that have been requested e.g., special defence/ applications made under section 275/ applications to recover medical or other third party material. » Intentional strategies that can disempower or confuse the witness, including approaches to questioning designed to confuse, repeated requests to “speak up”, repeated asking of the same question. » Attacks on the character of the witness unrelated to the evidence they are providing. <div data-bbox="539 1225 1451 1497" style="border: 1px solid #0056b3; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>Reading statements back is really important to do it right... Important to check when is a good time for a witness to read over (...) and correct any errors.</p> <p>Witness</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> ● Prior to any process that involves evidence presentation by the witness, ensure that someone has collaborated with the witness to clarify what they need, in order to fully understand and be prepared for what will happen, including information about their rights, legal processes and procedures of which they may be unaware, what to expect from the process of examination and cross examination, making these as predictable & understandable as possible, including explaining: <ul style="list-style-type: none"> » The role of the significant actors, and where possible introducing them. » The prosecutor’s role of acting in the public interest. » That they will be given the opportunity to re-read and make any corrections to their statement prior to the trial and ensuring they get ample time to do this. » Any expected gaps in communication/ progressing of the case.

EVIDENCE PRESENTATION AND INTERPRETATION: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1453 639" style="border: 1px solid #336699; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>“ I think that particularly [justice professional] need to understand that a small thing may have a much deeper impact on a victim than would be normally apparent. Witness ”</p> </div> <ul style="list-style-type: none"> ● The information that will adequately prepare a witness in advance for what to expect from the trial process, cross-examination and any additional defence measures requested. <div data-bbox="539 794 1453 1129" style="border: 1px solid #336699; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>“ If you’ve had something that’s traumatic that’s happened to you, you don’t know your arse from your elbow... You want it to be very, very structured. Like let’s go, take it from the top, break it right down. Like talking to a child, explaining, this is what you do first. Because you literally - you’re not there at that point. Witness ”</p> </div> <ul style="list-style-type: none"> ● That any process that involves talking about traumatic events that are unresolved is likely to bring back memories and feelings associated with the events. ● Whilst it may be impossible to completely prevent re-traumatisation of witnesses giving evidence about potentially traumatic events for the reason given above, there are many ways in which the process of giving evidence can be adapted to mitigate the impact. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » The likelihood of and potential need for questioning of an intimate and potentially distressing nature in order to sufficiently test evidence. » The procedure of what will happen before, during and after their presentation of evidence. » Any legal processes, terms or procedures that they are unclear or unsure about. » Any special measures available to them and what they will involve.

EVIDENCE PRESENTATION AND INTERPRETATION: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The role that a sense of predictability, facilitated by clear and consistent, empathic accurate communication and information prior to giving evidence, plays in reducing witness anticipatory anxiety and likelihood of re-traumatisation. The indicators that a witness may be moving out of their personal window of tolerance as a result of re-traumatisation or increased distress (see trauma skilled) <div data-bbox="539 799 1451 1321" style="border: 1px solid #003366; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“</p> <p>They have to understand this limited head space and there will be trigger words and - but you can tell by somebody’s reaction (...) when they’re starting - if you’re starting to struggle (...) I mean, I couldn’t string a sentence together at some point. So, the body language, the way people are expressing themselves, the eye contact. After a while, I just looked down. You can’t even - you don’t even have the energy or the concentration to make eye contact. So, they have to be aware of the language, the body language of trauma and just keep making sure we’re still there.</p> <p>Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <div data-bbox="1482 384 2040 624" style="border: 1px solid #003366; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“</p> <p>The fact that she explained meant I didn’t catastrophize it in my head.</p> <p>Witness ”</p> </div> <ul style="list-style-type: none"> Respond to indicators that a witness is moving out of their window of tolerance by identifying and where possible addressing potential triggers: <ul style="list-style-type: none"> » Physical (for example proximity of accused or their peers, objects or pictures from the event in the form of evidence). » Cognitive (for example giving an account of traumatic events, including particular / unique hot spots). » Interpersonal / Relational – (for example coercive questioning, disempowerment or confusion).

EVIDENCE PRESENTATION AND INTERPRETATION: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE

EVIDENCE PRESENTATION AND INTERPRETATION: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • That how a witness experiences the process is a significant predictor of their satisfaction with it, independent of outcome. • What procedural justice is, and the four key principles that underpin it for witnesses: <ul style="list-style-type: none"> » Understanding processes and rules » Processes & rules applied fairly, neutrally & equally » Having a voice » Feeling respected and valued • The role that perceptions of fairness and a sense of procedural justice has in witness satisfaction with the justice process and their recovery. <div style="border: 1px solid #004a87; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ she actually saw me as a person, as an individual rather than just another witness. Witness”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Build rapport and trust, and empower witnesses to engage in the justice process through implementing the principles of procedural justice across and within every interaction to enhance their engagement and positively support their recovery, for example: <ul style="list-style-type: none"> » Explaining the application of relevant technicalities such as rules of evidence and corroboration that may feel invalidating to the witness (e.g. definitions of what does and does not constitute “distress after the fact” as corroboration for non-consensual sexual contact if this arises during trial), relevant legislation and procedures, verdicts, decisions not to proceed. » Ensure all steps are taken to allow a witness to voice the harms that have led them to becoming a witness.

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<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses experience relationships that support their recovery, ability to give best evidence and engagement with the justice process.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> ● The factors that will create effective working relationships that empower witnesses and build a sense of procedural justice prior, during and after giving evidence, including: <ul style="list-style-type: none"> » Timely, effective and empathic communication and information sharing, » Clear and timely explanations of reasons for decisions (such as not to proceed to trial, or not to present what may seem to the witness to be important information) » Building rapport and trust through empathic understanding and normalisation of the emotional impact of the process on witnesses <div style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ She offered to meet me at the court door, she followed up with me, she was the one that phoned me with the verdict, (...) she gave me an offer to speak about how I felt it had gone or any questions afterwards. She seemed to have like a really good just approach and just a genuine offer of perhaps not support (...) but just a follow up and some access to follow up. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » Where procedures or rules of evidence prevent a witness voicing in court the full details of what has happened to them, explaining the reasons for this » Respond to witnesses’ emotional responses to the process with empathy and understanding, and where appropriate demonstrate shared emotion such as frustration with delays. » Where appropriate recognise and apologise for mistakes, delays, miscommunications and any other factors that may contribute to witness discomfort. ● Collaboratively consider with the witness if restorative justice procedures would be helpful to their recovery.

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<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses and their families are protected from further harm.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The range of ways in which power and control can be used by accused and their families to subtly intimidate witnesses and their families in the court room and the court building. • The impact that such experiences can have on a witness’s window of tolerance and capacity to effectively give evidence. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Foster a sense of safety by maintaining an awareness of how power, control and intimidation are being used in the court room and court building and manage these accordingly if within remit, for example by proactively limiting the accused’s ability to interact with witnesses (not waiting until the witness requests this).
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • The ways in which the cumulative impact of criminal procedure – including its adversarial structure and timescales for trial processing – may entrench and augment the vulnerabilities of traumatised witnesses and hinder recovery. <div data-bbox="539 975 1453 1209" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ Just being kept in the loop because you’re just sort of left in this like black abyss of just nothing. ” Witness</p> </div> <ul style="list-style-type: none"> • Ways that awaiting giving evidence can affect witnesses’ mental health and delay their recovery in the period prior, including: <ul style="list-style-type: none"> » Anticipatory anxiety and trauma symptoms associated with having to talk publicly about traumatic, frightening or shameful events especially in an adversarial context, in the presence of strangers and the accused 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Work to minimise any delays to witnesses presenting evidence in court. • Apply the trauma informed principles across and within every interaction with witnesses to positively support their recovery (see section on resist re-traumatisation, pages 142-144 for some examples). • Empower witnesses and build trust by communicating clearly, honestly and in a timely manner with them regarding progress of the case, any decisions made and the reasons underlying the decisions

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<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> » Uncertainty as to what will happen during and after » Sense of invasion and powerlessness when requests are made to access private information such as medical records » Keeping traumatic events to the forefront of mind to enable accurate recall » Exacerbation of coping mechanisms such as substance use » Unpredictability caused by backlog of cases, lack of communication, court delays and last-minute adjournments » Additional potential harm caused by delays on typical and normative development of child and young witnesses <ul style="list-style-type: none"> • Ways that giving evidence can negatively affect long term recovery of witnesses including: <ul style="list-style-type: none"> » Questioning that reinforces negative beliefs about the self that develop in response to exposure to interpersonal trauma (for example around responsibility for events, sense of self as to blame) » Questioning that is otherwise demeaning, humiliating, belittling, or is designed to provoke powerful emotions in the witness, in order to discredit their credibility, » Impact on access to relationships with key family and friends if they too are witnesses 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Collaborate with witnesses to understand from their perspective the things that will ensure they feel as in control of the process as possible and have a sense of certainty as to what will happen and when. • Ensure that witnesses have as much sense of control, empowerment and collaboration when requests for access to intimate or private information (such as medical records) are made and agreed, including disclosing these requests in good time, and facilitating witness access to independent legal representation • Support witnesses be better prepared for the nature and format of questioning at trial, while maintaining fairness of process. For example, explain the sequencing of events, and the likelihood that questioning may not enable them to tell their full version of the events in question, and the reasons for this. • Recognise and challenge questioning that is not necessary in the interests of a fair trial and are likely to exacerbate mental health and/or impede recovery.

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<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> » Not being able to effectively communicate to the court the details of traumatic events and harm they have caused (for example as a result of rules of evidence) » Sense of isolation and aloneness in the face of further traumatic cross examination and absence of eye contact with a trusted supporter. <div style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ I think the court side takes so long to prepare for and when you have someone being that black and white honest with you, it just makes it easier, it takes the anxiety away. ” Witness</p> </div> <ul style="list-style-type: none"> • The ways of talking about traumatic events that can affect witness’s later recovery, including feelings of being heard and believed, and being able to “tell their story”. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Consider how giving evidence can be done in a way that facilitates rather than impedes recovery without interfering in the legal process or impacting on the human rights of all parties involved. • Reduce sense of isolation by facilitating a trusting relationship with a single consistent advocacy or support worker, making adaptations where necessary to ensure they are able to maintain eye contact during the trial.

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EVIDENCE PRESENTATION AND INTERPRETATION: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The factors that can support or inhibit a witness’s capacity to provide the most accurate and comprehensive account of their evidence, including passage of time, impact of trauma, and re-traumatisation. <div style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ Knowledge of what will happen on the day is critical. I didn’t realise I’d see the accused outside of the court – I found that terrifying. Was not aware that he might be there and that I’d be standing near him. The first time it was called off(...) he was outside. Second time she put special measures in place. Shaking like a leaf in the court – if it had gone ahead I would not have given good evidence. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Ensure victims, witnesses, and complainers know and can access their rights under the Human Rights Act (1998) For example, ensuring the right to respect for private and family life has been applied throughout the justice process (and particularly when section 275 applications have been made). Collaborate with the witness and any relevant professionals or supporters to identify possible adaptations or special measures that will enable the witness to manage the impact of trauma in court in order to enable them to give best evidence.

EVIDENCE PRESENTATION AND INTERPRETATION: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

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<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1453 727" style="border: 1px solid #004a87; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>Giving evidence is exhausting, [witnesses] need toilet breaks. Also, a way of having toilet breaks in court so that it is not embarrassing or humiliating. They need an understanding of how it feels and how [witnesses] can fall apart.</p> <p>Witness</p> </div> <ul style="list-style-type: none"> ● The impact of the passage of time generally on the quality and accuracy of a witness’s account of events. ● Best practice guidelines on supporting witnesses affected by trauma to provide evidence in court, including protecting witnesses from experiencing undue distress during cross-examination. ● The ways in which reading or reviewing prior statements may bring back powerful memories and emotions associated with traumatic events, leading to avoidance. ● The benefits of having a systematic and structured approach to the use of audio-visually recorded forensic interviews as a witness’s principal evidence as outlined in key reviews. ● The ways that the impact of re-traumatisation can affect the capacity of a witness to recall and communicate the most accurate and reliable account of events, and the role of special measures in limiting re-traumatisation. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> ● Explicitly consider a witness’s wellbeing when presenting evidence, for example by offering regular breaks during the trial and informing them of when these will be at the start; ensuring they know who to ask if they need to go to the toilet and that this is done in a way that does not cause embarrassment or humiliation; and pacing questions so that they do not feel overwhelmed. ● Identify where the accuracy of a witness’s account may be affected by the passage of time. ● Give consideration to the use of prior statements and recorded accounts as evidence in chief. ● Collaborate with and empower witnesses to read and review any prior statements in a way that feels safe and mitigates the impact of re-traumatisation, in advance of giving evidence. ● Give consideration to the use of all available special measures in reducing re-traumatisation for witnesses.

EVIDENCE PRESENTATION AND INTERPRETATION: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The positive impact of a witness being able to choose who supports them in court, for example a family member or known advocacy/ support worker. Best practice recommendations with regards to the use of victim impact statements. <div data-bbox="539 632 1453 890" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ it’s something that you have to be mindful that that person is there because you’ve asked them to be there, so look after them. Witness ”</p> </div> <p>Where relevant to their role child, young people and family workers understand:</p> <ul style="list-style-type: none"> That all vulnerable witnesses, including everyone under the age of 18 years of age, should routinely be offered special measures to reduce trauma associated with giving evidence in court. The importance of understanding and using special measures to support children and young people witnesses. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Ensure that the process is as predictable as possible for witnesses, including that special measures are arranged in advance and communicated to the witness so they know what to expect, and that these are in fact available and working effectively on the day (for example checking in advance that the quality of audio and visual links in the court from a remote video link are sufficient). Implement the principles of trauma informed practice (See Appendix 1 for examples) and procedural justice throughout the process. <p>Where relevant to their role child, young people and Family workers can:</p> <ul style="list-style-type: none"> Identify and implement the required special measures for children and young people in the Justice setting they interact with. Ensure that special measures are applied consistently across the Justice context. Utilise good communication across workers in different services/settings and also with children, young people and their families.

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<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<p>Where relevant to their role, workers understand: (NB the following section has overlap with Evidence gathering page 130)</p> <ul style="list-style-type: none"> ● The nature of normal human memory for events, including how information is processed, stored and recalled ● The different ways that the impact of trauma and stress can affect the way the brain processes, stores and recalls events, including: <ul style="list-style-type: none"> » The role of the limbic system (including the hippocampus, amygdala and hypothalamus) in processing events and storing explicit and implicit memories. » The ways that threat can disrupt hippocampus and amygdala function during traumatic events. » Impact of disrupted hippocampal function on storage of and later recall of traumatic events. » The ways that acute and chronic stress can affect the hormones of the hypothalamus-pituitary-adrenal (HPA) axis, and implications for the hippocampus and memory. » Triggering dissociation to protect the witness from psychological harm, & consequent impact on memory. » The characteristics of memory of traumatic events, including discrepancies and omissions, and that repeated recall can elicit novel details as well as other details fading over time. 	<p>Where relevant to their role, workers can: (NB the following section has overlap with Evidence gathering page 130)</p> <ul style="list-style-type: none"> ● Recognise where elements of a witness’s account of events is consistent with the impact of trauma or extreme stress during events, for example: <ul style="list-style-type: none"> » Fragmented, with gaps and out of time order, especially where there has been peri-traumatic dissociation. » Contain some key vivid emotional “hotspots”, recalled clearly but in a jumbled, non-sequential order, with other details much more difficult to recall. » Strong implicit memories that are characterised by sensory components, feelings and emotions. » Weaker explicit memories that lack coherence or a clear explicit narrative, without following a clear timeline of events. » Central details are more likely to be accurately recalled than peripheral ones.




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<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1453 911" style="border: 1px solid purple; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ ... there was a lack of understanding that when you're reporting these crimes, you are in a traumatic position, you don't always remember everything, things will come back to you later. If there's a passage of time between when you gave your initial statement and when you appeared in court, there are things that you will forget. And what the defence was trying to do – and, of course, that is their job to do it - is to try and get their client found not guilty and they would use every trick they possibly could in order to do that. Justice Leader ”</p> </div> <ul style="list-style-type: none"> The impact of re-traumatisation or increased stress on a witness's window of tolerance, and on their capacity to accurately recall events in a coherent fashion, whether traumatic or otherwise. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> » Change over time, for example where an initial statement has been taken close to the time of events(s), been adopted as a prior statement at trial months or years later, and consequently there are inconsistencies with the witness' account at trial. » Memories for repeated similar events over a prolonged period of time (for example in cases of domestic abuse) can become merged or difficult to disentangle or place on an accurate timeline. » Impact of dissociation on ability to remember and provide a coherent detailed account of events. <ul style="list-style-type: none"> Demonstrate Interviewing skills and techniques consistent with an understanding of the impact of trauma on memory to facilitate the witness to provide their best evidence and support recovery (see corresponding section on page 132 in evidence gathering for examples).

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<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> The ways that the impact of trauma and adversity can affect a witness’s window of tolerance, and their demeanour and presentation whilst giving evidence (e.g. on edge, hypervigilant, vacant, flat), especially during the recollection of “hotspots” in trauma memories. The value of mitigating measures to decrease a witness’ sense of threat on the day of the trial (such as meeting the witness in advance of the court case; ensuring they do not bump into the accused in the court building) in increasing their ability to effectively participate in the trial. <div data-bbox="539 943 1453 1457" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“ There was a degree of making sure we were alright to continue, which was important, really important and actually helped me (...) speak up a bit more because the defence had a job to do. What their clients tell them may or may not be accurate and I actually felt just (...) because they had been quite kind, I just felt like I was able to say when I disagreed with something or to actually speak up and say, no that’s not accurate, that’s not how it happened. So, I felt that it maybe just gave me a wee bit more confidence to actually challenge some of the routes down which we were being led by the Defence questions. Witness ”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> Challenge approaches to questioning that appear to be designed to exacerbate the negative impact of trauma on quality of a witness’s evidence (for example demanding the witness give a coherent linear account, repeatedly covering hotspots that trigger trauma memories, asking questions that have already been covered in witness’s prior answers). Challenge interpretations of a witness’s evidence that fail to take account of the impact of trauma – for example implication that reliable and credible memory for traumatic events should be detailed, coherent, linear or not change between prior statement and evidence given some months or years later. Reduce the risk of re-traumatisation and support a witness to stay within their window of tolerance (see trauma skilled, pages 49-56 and evidence gathering, pages 116-117 for further detail) to help a witness to activate the parts of the brain that will enable them to give their best evidence.

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<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<p>Where relevant to their role, workers understand:</p> <div data-bbox="539 384 1451 778" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p> I think they have to be very much looking at body language, looking at how the person sitting in that box looks. Do they look as though they're exhausted? Do they look as though they're on their last legs and they're just sort of tired? Do they look as though they're answering the questions the way that they should be? Are they as involved as what they were at the start? Do they need a break? Witness </p> </div> <p>Where relevant to their role child, young people and family workers understand: </p> <ul style="list-style-type: none"> • The impact of childhood maltreatment and trauma on the developing brain and how this can affect children at different developmental ages and stages, particularly in relation to how they manage emotions and display different behaviours. • The ways that threatening and stressful situations (such as providing evidence and being cross examined) can result in developmental regression or reduction in a child's abilities or capacity. This can mean they have reduced ability to understand and answer questions, even when they have performed at a higher capability in other neutral settings. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Recognise when a witness is experiencing distress and assist them back into their window of tolerance using grounding and other strategies (such as offering a glass of water, using their name, taking a break) when needed. <p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> • Use a multi-disciplinary team approach which places the best interests of the child as central. That draws on who knows the child/young person well and what approaches can be utilised for staying in their window of tolerance. • Implement all special measures and adapt or change the environment to be developmentally appropriate to the individual child, identifying a child/young person's needs and bearing in mind that a child's chronological age may not match their developmental stage; as well as ensuring it is non-threatening and trauma informed in order to resist re-traumatisation.

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<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<div style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 15px; background-color: #e6f2ff;"> <p>“ I saw my statement just before giving evidence in court, it was devastating to see it all together and I just went into a puddle in the floor when I read it immediately prior to court – and I also thought there are bits that are not correct “ what is going to happen on the stand – am I going to need to say that’s not right? Witness ”</p> </div>	<p>Where relevant to their role, managers/ leaders can:</p> <ul style="list-style-type: none"> • Ensure best practice guidelines are followed in terms of maximising best evidence collection and presentation • Adapt the physical environments within which evidence is presented to make them trauma informed and to resist re-traumatisation • Review internal justice organisation policies which may be counter-intuitive to a trauma informed approach and adapt accordingly.
<p>Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> • There is no set reaction to look for when assessing whether the evidence of a witness is affected by trauma. • The kinds of factors that can commonly influence judgements of credibility of a witness, including demeanour, behaviour and expressions of emotion, before, during and after events in question and when giving evidence, and the ways in which these can be fallible. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Recognise where the impact of psychological trauma across cognitive, interpersonal, and emotional domains may affect the perceived credibility of the witness and the quality of their evidence. • Recognise where their own expectations of a witness’s responses and behaviour following a given type of offence may be at odds with what is commonly found to be the case in fact.

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<p>Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> ● The ways that our expectations of the behaviour and demeanour of a credible witness, and factors that we use to assess their credibility, can be at odds with commonly documented responses to and impact of traumatic events, thereby adversely affecting perceptions of credibility, including: <ul style="list-style-type: none"> » Fight / flight / freeze / friend / flop responses during and after traumatic events, including tonic immobility, particularly in relation to sexual assault/GBV » Emotional responses, and range of ways these can be expressed, including numbness / dissociation, shame, depression, anger and intense fear. » Behavioural responses, including freezing during an assault, and delays to disclosure » Common ways of surviving trauma and coping with its impact, including use of substance and self-harm, and managing the relationship with the perpetrator (for example via ongoing contact) to manage risk to self and dependents, and to be able to continue with necessary or valued roles in life » The way we relate to others, including justice professionals, especially if these events occur repeatedly, at the hands of a caregiver or loved one, or someone in a position of authority, at an early or developmentally sensitive age or stage, or in the presence of adversity or absence of protective factors. 	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> ● Identify the range of ways in which a witness’s demeanour, actions or evidence is likely to have been affected by trauma, and provide an explanation, where helpful, in terms of common or normal trauma related responses for actions or responses that may otherwise have been misinterpreted as indicating a lack of credibility, for example <ul style="list-style-type: none"> » Freezing rather than resisting during an assault, » Delayed reporting, » Numbing rather than expression of acute distress in the immediate aftermath of traumatic events » Lack of distress or emotion when giving evidence » Maintaining a relationship with the accused during or after the traumatic incident(s), for example to continue with necessary or valued roles in life or due to the impact of traumatic bonding.

EVIDENCE PRESENTATION AND INTERPRETATION: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.</p>	<p>Where relevant to their role, workers understand:</p> <ul style="list-style-type: none"> » The different coping strategies witnesses may use to manage going to court and cope with the impact of the justice process (for example ‘putting on a mask’; dissociating; flippant behaviour). <div data-bbox="539 520 1453 906" style="border: 1px solid purple; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“</p> <p>Also, I think quite important, is...to understand the way in which trauma may affect the witness’s presentation because that may help the [prosecution], both in the way they take the evidence but also to think about whether there are things they can do in terms of informing the decision maker about that.</p> <p>Justice Leader</p> <p>”</p> </div> <ul style="list-style-type: none"> • The prevalence among jurors, justice professionals, and members of the public of commonly held rape and GBV myths and how this influences perception of witness credibility and reliability during the trial process. <div data-bbox="539 1129 1453 1457" style="border: 1px solid blue; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“</p> <p>Another witness was so re-traumatised by [justice profession] that she withdrew which meant that [moorov doctrine could not be enforced]...They completely victim shamed her saying that what she was saying was not true so she withdrew.</p> <p>Witness</p> <p>”</p> </div>	<p>Where relevant to their role, workers can:</p> <ul style="list-style-type: none"> • Identify and where appropriate challenge practices that are likely to lead to the misinterpretation of the impact of trauma and affect perceptions of witness credibility or reliability (Please see appendix 3 for some examples of where this may apply). • Recognise the ways that cultural, social, educational, developmental and linguistic factors can influence how a witness narrates their experiences which may inaccurately impact on perceptions of witness credibility and reliability • Where relevant, follow best-practice guidance e.g., Lord Justice Clerk’s report (2021) on how to address the potential impact of common rape myths and how to counter these with facts.

EVIDENCE PRESENTATION AND INTERPRETATION: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.</p>	<p>Where relevant to their role child, young people and family workers understand: </p> <ul style="list-style-type: none"> The impact of developmental trauma and the ways that trauma which occurs during development can present in emotional, relational, cognitive and behavioural ways. <div data-bbox="539 568 1453 1310" style="border: 2px solid #008080; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p> I think if it was to be child friendly, the sort of officers that interviewed [my daughter] would be in abundance. When they made that initial statement, they would use that in the courtroom rather than the child. I don't think it's fair to put a child in that situation. I think they should have a voice, but I don't think anyone should tear them to shreds. I think whether we like to believe it or not, a lawyer is a lawyer. Whether you're a ten-year-old child or a forty-year-old man, if they want to prove that you're lying, they will use any means possible, won't they? It's not fair. So, a child-friendly would be that when you make that statement, that's the end of it for you. You would have support as well. I don't think anybody has the right especially not children who have already been in some way systemically abused and told that they are lying to then be told I'm not too sure if you are telling the truth as it takes such a lot of courage to tell your story.</p> <p>Mum </p> </div>	<p>Where relevant to their role child, young people and family workers can:</p> <ul style="list-style-type: none"> Identify and represent the experiences of trauma on a child or young person who is vulnerable and powerless. Recognise the impact of trauma and fear-based reactions (fight/flight/freeze/flop/friend) on development. Recognise that egocentricity in cognitive development can mean children will be more likely to blame themselves for what happened.

EVIDENCE PRESENTATION AND INTERPRETATION: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

EVIDENCE PRESENTATION AND INTERPRETATION: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA		
Outcome	What workers know (knowledge)	What workers can do (capacity/skill/ability)
<p>The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised.</p>	<p>The knowledge and skills relevant for this workforce are contained in the Trauma skilled practice level pages 77-85.</p> <p>In addition to Trauma skilled practice level pages 77-85, where relevant to their role, workers & managers understand:</p> <ul style="list-style-type: none"> How the knowledge from the corresponding sections in the Trauma skilled practice level specifically applies to different types of roles across evidence presentation and interpretation, for example: <ul style="list-style-type: none"> » The operational factors specific to various roles involving evidence presentation and interpretation which contribute to the risk of being negatively affected by vicarious trauma and steps that can be taken to mitigate them (for example lone working, high and competing workload demands, anti-social working hours, specialist roles etc). » The organisational and cultural factors specific to evidence presentation and interpretation roles which may make it harder to speak about or seek support for difficulties related to the impact of vicarious trauma, and evidence-based strategies to address this. 	<p>In addition to Trauma skilled practice level pages 77-85, where relevant to their role, workers and managers can:</p> <ul style="list-style-type: none"> Apply the skills from the corresponding sections in the Trauma skilled practice level to mitigate the impact of vicarious trauma in their evidence presentation and interpretation role, for example: <ul style="list-style-type: none"> » Highlight any work- related factors, including frequent and / or intense exposure to traumatic material or witnesses affected by trauma that place wellbeing at risk, and work with their manager to minimise or mitigate risks.
<p>The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.</p>		
<p>Signs of Vicarious Traumatism, compassion fatigue, burnout and traumatic stress in the workforce are recognised and responded to.</p>		

EVIDENCE PRESENTATION AND INTERPRETATION: SUPPORT RESILIENCE OF THE WORKFORCE AND REDUCE THE POTENTIAL IMPACT OF VICARIOUS TRAUMA

<i>Outcome</i>	<i>What workers know (knowledge)</i>	<i>What workers can do (capacity/skill/ability)</i>
<p>The potential impact on the workforce of working with traumatic material and witnesses affected by trauma is recognised.</p>	<p>Where relevant to their role, workers and managers understand:</p> <ul style="list-style-type: none"> » The difference in prevalence rates of vicarious traumatisation across different evidence presentation and interpretation roles (e.g. student lawyers, experienced solicitors and the judiciary) and the possible reasons for this » the ways in which the negative impact of vicarious trauma in this role grouping can have a significant secondary negative impact on witnesses and the course of justice if left unchecked (e.g. vicarious traumatisation can manifest as cynicism, bias, and prejudice which in turn threatens sound decision-making or effective practice) 	<p>Where relevant to their role, workers & managers understand:</p> <ul style="list-style-type: none"> » Utilise peer support and other evidence-based strategies found to be protective against the impact of vicarious trauma (for example physical exercise, social time with family and friends, practicing mindfulness, reflective practice), and keep a healthy boundary between work and personal life » Identify early warning signs in themselves and colleagues that they may be struggling with the impact of vicarious trauma and take appropriate steps to address this as early on as possible.
<p>The resilience of the workforce is routinely and proactively supported, including steps to prevent the potential impact of vicarious trauma.</p>	<div style="border: 2px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“</p> <p>I felt like lots of [justice professional] I met with were burnt out... If the impact of assault and the work on [them] is not addressed or acknowledged, then that gets passed on to witnesses. They shut down from what happened to them – so how could they see what happened to me as important.</p> <p><i>Witness</i></p> <p>”</p> </div>	<ul style="list-style-type: none"> • Apply the skills from the corresponding sections in the Trauma skilled practice level (pages 77-85) to support resilience and mitigate the impact of vicarious trauma on their workforce, recognising the unique needs of workers in evidence presentation and interpretation roles.
<p>Signs of Vicarious Traumatization, compassion fatigue, burnout and traumatic stress in the workforce are recognised and responded to.</p>		

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5

The Enhanced (*Leadership and management of organisations and systems*) section is designed to meet the needs of those who lead and set the culture for organisations and systems and/or those who manage or oversee systems, processes, environments and policies that can affect witnesses and the workforce.

Aims	Page	Outcomes
Leadership and management of organisations and systems support aims 1-5	<u>164</u>	Culture, Values and Language Support aims 1-5
	<u>166</u>	Leadership Support aims 1-5
	<u>168</u>	Service design and delivery Including: <ul style="list-style-type: none"> ● Environments ● Communication ● Processes and procedures ● Scheduling ● Partnership working Support aims 1-5
	<u>175</u>	Workforce knowledge, skills and confidence Support aims 1-5
	<u>177</u>	Workforce care, support & resilience Support aims 1-5
	<u>180</u>	Working in partnership with witnesses to construct trauma informed systems change Supports aims 1-5
	<u>181</u>	Data, feedback loops and continuous improvement Support aims 1-5
	<u>183</u>	Policies Support aims 1-5
<u>184</u>	Budgets and finance Support aims 1-5	

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5:

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5		
Outcome	What leaders know (knowledge)	What leaders can do (capacity/skill/ability)
Culture, Values and Language Support aims 1-5	<p>Where relevant to their role, leaders and managers understand:</p> <ul style="list-style-type: none"> The factors that can influence the culture of an organisation, and the impact this culture can have on effective implementation of trauma informed systems and practices throughout. The importance of language in supporting a culture that recognises trauma related responses as understandable coping and survival responses to prior events or re-traumatisation, rather than an indication that there is something wrong with a witness. <div style="border: 1px solid purple; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“</p> <p>... the current process seems to be done to them rather than with them... an ordeal rather than a process... particularly for victims of domestic abuse... their confidence, their self-esteem, their ability to engage in normal life has been... eroded to such an extent... [the system] is supposed to redress that balance and give them that agency back, but then that system does the same thing to them... if we were not in the process of changing, then you start to lose the credibility of everything within the Justice system... you start to lose people being able to have confidence to report crimes, to go through the process.</p> <p>Justice Leader</p> <p>”</p> </div>	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> Create a culture that understands why it is important for a justice system to recognise and respond to the impact of trauma on witnesses and on its workers. Value the aims of this framework and the active changes to practice and systems that will support their implementation. Model a trauma informed culture that seeks to implement the aims of this framework. Ensure that language used about/ with witnesses reflects a culture that normalises traumatic responses as a result of what’s happened to someone, rather than what’s wrong with them.

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5

<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Culture, Values and Language Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <div data-bbox="539 384 1453 683" style="border: 1px solid #003366; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ you’re sitting there and you’re confused and you’re expected – you know you’re expected to know these big words and then you sit there and you think, am I stupid? Did I miss something there? Witness ”</p> </div> <ul style="list-style-type: none"> • The ways in which offering a sense of safety and trust, and where possible collaboration and empowerment to workers can support workers to offer these same principles themselves. <div data-bbox="539 983 1453 1361" style="border: 1px solid #003366; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ They checked that we were okay to go on when we were talking about personal impact and things like that, they checked if we had enough water, if we wanted to sit down, just those little touches that maybe I wouldn’t have expected and you maybe don’t get on all occasions. Witness ”</p> </div>	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> • All language used across proforma or other regularly used materials (e.g., citations or routine letters) is accessible to everyone, ensuring that technical legal language is only used in situations in which it is necessary. Leaders also model this principle in their own practice, supporting a culture of collaboration and empowerment with witnesses or other non-legal professionals. • Embed experiences of safety, trust, empowerment, choice and collaboration across all systems and processes and interactions that affect workers and witnesses. • Create an environment where everyone feels empowered and safe to work in this way and create sense of trust, collaboration and safety in relationships with each other and witnesses.

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5

<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Leadership Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <ul style="list-style-type: none"> • The function and importance of high-quality, relevant training for developing knowledge of trauma informed leadership and organisations. • The importance of creating and actively sustaining accountability, infrastructure and implementation support for the long-term embedding of trauma informed systems. • How to establish an implementation group and identify who will take accountability for trauma informed change across the aims outlined in this Framework, where relevant to the organisation. <div data-bbox="539 815 1453 1115" style="border: 2px solid purple; border-radius: 15px; padding: 10px; margin-top: 20px;"> <p>... if you don't have a trauma informed system, it's not going to work as well as it should do, 'cos you're not going to get the best out of people. Justice Leader</p> </div>	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> • Access relevant trauma training as routine. • 'Walk the talk' and set the culture: embody the key principles of safety, choice, control, empowerment and collaboration with workers, and keep the aims of this framework as an organisational priority. • Identify the most appropriate structure through which to implement change within their organisation, for example: <ul style="list-style-type: none"> » Identify appropriate members for an organisation-wide trauma informed implementation group, including key operational and strategic leaders, experts by profession and experts by experience of trauma, ensuring that this includes opportunities for quieter voices to be heard. » Establish appropriate governance and accountability structures for the implementation group.

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5

<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Leadership Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <ul style="list-style-type: none"> The role that systems, processes, procedures, environments and policies have in implementing and sustaining the key aims of this framework. <div data-bbox="539 528 1451 1002" style="border: 1px solid purple; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>...there are both issues of practice at an individual level, the way that people are treated as individuals when they encounter the Justice System, and the way that those, whether they be police officers, Prosecutors, defence counsel, judges, court officials, just the way they interact with victims. And then there are structural and institutional issues which are both about the rules, the way in which the system operates, but are also issues like... capacity and resource.</p> <p>Justice Leader</p> </div>	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> Collaboratively develop a long-term shared vision, commitment and rationale for the implementation of the aims of this framework Identify and support named individuals and / or sub workgroups responsible to examine and where necessary adapt the range of systems, processes, procedures, environments, policies, guidance and legislation that may influence risk of re-traumatisation, effective participation and recovery for witnesses In setting up implementation groups, consider how and where it is possible to empower people across the organisation where possible, including workers and witnesses with lived experience of trauma, to work collaboratively to implement the aims of this framework Access collaborative reflection and learning with other leaders from across partner organisations. Put processes in place to ensure continuous review, monitoring, accountability and implementation of learning and change

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5

<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Service design and delivery Including:</p> <ul style="list-style-type: none"> ● Environments ● Communication ● Processes and procedures ● Scheduling ● Partnership working <p>Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <ul style="list-style-type: none"> ● The ways in which the aims of this framework (including establishing a sense of safety, choice, collaboration, trust and empowerment for witnesses) can be affected by service design and delivery elements such as: <ul style="list-style-type: none"> » physical environments » communications » processes and procedures » scheduling » ways of working with other agencies and organisations that also work with witnesses. <div data-bbox="539 963 1451 1326" style="border: 2px solid purple; border-radius: 15px; padding: 10px; margin-top: 20px;"> <p>“</p> <p>And we lose the person and yet, the person is the most important thing in the whole of the Justice system... so people... get cited for court cases and then told to go away because we're not ready 3 days in a row. And then we wonder when they don't turn up.</p> <p>Justice Leader</p> <p>”</p> </div>	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> ● Evidence that where relevant to their sphere of work and organisation, the aims of this framework are being clearly and tangibly met in line with the principles of its endorsement. ● Take a 'trauma informed walk through' and review the extent to which the following are likely to minimise re-traumatisation and be experienced by witnesses as predictable, empowering and safe, and maximise effective participation and opportunities for recovery: <ul style="list-style-type: none"> » physical environments (for example court buildings and waiting rooms, police stations, examination rooms) » communication content and processes » procedures that especially risk re-traumatisation » scheduling of procedures » partnerships with other organisations and systems that are part of the witness's justice journey

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5

<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Service design and delivery Including:</p> <ul style="list-style-type: none"> • Environments • Communication • Processes and procedures • Scheduling • Partnership working <p>Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <div data-bbox="539 384 1456 703" style="border: 2px solid #008080; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ I'd probably get like a lounge area [for court]. And maybe some electronics so like maybe iPads and a laptop or something so that. Yeah... with pillows and blankets....and pink and glitter. Girl, aged 10 ”</p> </div> <p>Physical environments</p> <ul style="list-style-type: none"> • The ways that anxiety can be created by physical environments that do not feel safe or are confusing, and the detrimental impact this anxiety can have on effective participation, for example: <ul style="list-style-type: none"> » Sense of unpredictable threat in any environment where the accused or those accused of serious offences are present » lack of signposting throughout a building » intimidating or uncomfortable environments when giving statements, undergoing forensic examination, re-reading their statements, and going to court; » witnesses and family members being required to sit in close proximity to the accused’s family members and friends in court; » the practical difficulties of trying to get food or drink during court breaks and lunch without meeting the accused in and around the court building 	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> • Identify and prioritise for review particular service elements that are most likely to risk re-traumatisation, or impair recovery or participation of witnesses affected by trauma. These could include adaptations to the following <p>Physical environments</p> <ul style="list-style-type: none"> • Review physical elements such as lighting, signposting and waiting areas. • Wherever possible avoid witnesses anticipating a chance encounter with the accused, for example by ensuring separate entrances, waiting and toilet areas for witnesses and accused. • Where this is not possible, ensure that systems and processes can enable collaboration with witnesses on the steps needed to support them to feel safe. • Ensure adequate signposting both within and to the building, and safe and well-lit places to wait.

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5

<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Service design and delivery Including:</p> <ul style="list-style-type: none"> • Environments • Communication • Processes and procedures • Scheduling • Partnership working <p>Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <p>Physical environments</p> <div data-bbox="539 427 1451 858" style="border: 1px solid #0056b3; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“</p> <p>Calm and safe looks like - well, somebody with you, for a start. The door shut, nobody walking past. See, when I was traumatised, I was on high alert all the time. So I would be trying to concentrate, somebody would walk past the window and I'd be like, that's my concentration gone. I couldn't tell you what the conversation was before that person walked by the window. So calm - a space where there's no distractions.</p> <p>Witness ”</p> </div> <p>Communications</p> <ul style="list-style-type: none"> • Effective communication encourages people to take part in the justice system • Providing regular and accurate information about the process and timescales involved creates a sense of predictability and safety • The impact that unexpected scheduling changes can have on a witness's mental health and ability to take part • The importance of following the writing principles in current guidelines, which are: <ul style="list-style-type: none"> » empathetic - putting people's needs at the heart of communications to show kindness and compassion, 	<p>Where relevant to their role, leaders and managers can:</p> <p>Physical environments</p> <ul style="list-style-type: none"> • Solicit and regularly review feedback from witnesses with lived experience of trauma about their experiences of the physical environment and the extent to which it feels safe and comfortable. <p>Communications</p> <ul style="list-style-type: none"> • Review IT systems to give people greater choice and control over when and how they access information about the case and any updates they receive. • Ensure that systems and processes enable staff to discuss at an early stage how the person wants to be communicated with, so that where possible communications are anticipated and predictable, and witnesses are able to choose - or at least be aware of - what communications they'll receive and when, in person, by phone or in writing.

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5

<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Service design and delivery Including:</p> <ul style="list-style-type: none"> • Environments • Communication • Processes and procedures • Scheduling • Partnership working <p>Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <p>Communications</p> <ul style="list-style-type: none"> » easy - making everything clear and non technical to make justice easy to understand and access, recognising the impact of trauma on processing information » empowering - giving clear options and guidance so people can make their own choices, • Making sure communications are sent out with accurate details (e.g. name spellings, addresses) to build trust in the system, apologising for mistakes and correcting them. <div data-bbox="539 786 1451 1305" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 10px;"> <p>“</p> <p>The staff seemed to follow the justice department’s protocol which was very clinical and straightforward. So, I can’t really blame individuals, but the system as a whole needs a refresher on how to interact with victims. For example, I kept getting emails with the offender’s name as the subject line...It’s little things like that which probably fall to the wayside that make it even harder to be a victim...they need to think their actions through and realise that little things like a name in an email can be upsetting.</p> <p>Witness</p> <p>”</p> </div>	<p>Where relevant to their role, leaders and managers can:</p> <p>Communications</p> <ul style="list-style-type: none"> • Review and adapt any standard written communication in line with any current guidelines, to make sure they are easy to understand and not technical, empathetic where this will help the person, and empowering, so they can make their own choices • Review all standard correspondence and communications, and edit, where possible, any language identified as coercive or disempowering in line with current guidelines. • Review across the organisation as a whole ways to avoid systemic approaches to language / details that are known to actively risk re-traumatisation – for example, using the accused person’s name in the subject line • Create systems that prevent or minimise errors, and where errors happen, routinely review their causes and make improvements.

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5

<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Service design and delivery Including:</p> <ul style="list-style-type: none"> • Environments • Communication • Processes and procedures • Scheduling • Partnership working <p>Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <p>Processes and procedures</p> <ul style="list-style-type: none"> • The ways in which current service design and delivery may potentially affect the aims of this framework in terms of risking re-traumatisation, reducing effective participation and quality of evidence or interfere with recovery. • The ways in which service design and delivery can be viewed through a trauma informed lens, and adaptations made to limit re-traumatisation where possible, promoting a sense of safety, choice, collaboration, trust and empowerment, supporting recovery and aiding effective participation and better evidence. <div data-bbox="539 810 1453 1129" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“</p> <p>I was promised support for after the court case but then it turned into a [plea] deal and because my name wasn't mentioned I was then not [eligible] to get the support because I was a witness and not a victim.</p> <p>Witness</p> <p>”</p> </div> <ul style="list-style-type: none"> • The complexity involved in agreeing across all stakeholders adaptations to processes and procedures that can both uphold the rights of the accused and follow the rules and principles of the Scottish legal system, and meet the aims of this framework for witnesses. 	<p>Where relevant to their role, leaders and managers understand:</p> <p>Processes and procedures</p> <ul style="list-style-type: none"> • Use an understanding of the impact of trauma on witnesses and the aims of this framework to examine relevant processes and procedures through a trauma informed lens. For example; <ul style="list-style-type: none"> » when and how a physical examination is carried out, » the protocol governing the timing and questioning of an initial interview to get best evidence, » the use of special measures to reduce unfamiliarity and unpredictability associated with the court environment, » the use of pre recorded evidence or evidence by commission. • Identify potential areas in which there are possible “pinch- points” – areas in which processes or practices that actively risk witness re-traumatisation or hinder recovery or participation arise out of necessity to adhere to critical legal principles.

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5

<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Service design and delivery Including:</p> <ul style="list-style-type: none"> • Environments • Communication • Processes and procedures • Scheduling • Partnership working <p>Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <p>Processes and procedures</p> <div data-bbox="539 427 1451 963" style="border: 1px solid #0056b3; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“</p> <p>... one thing I found really helpful was I got - before we went to court, I got a phone call asking if I wanted a tour of the court, to go in and show where I'd be standing and sort of ask a couple of questions and things. And that - I wasn't scared about going to court but I'm glad I did it... Just being able to go up on the day (...) it just made me feel like somebody's thinking ahead before I'm even aware that I might be processing like, where do I go, what's going to happen, what's it going to look like, what's it going to sound like. Somebody's already thought of that for me.</p> <p>Witness ”</p> </div> <p>Scheduling</p> <ul style="list-style-type: none"> • The anxiety and sense of “life on hold” that can build for witnesses when awaiting any procedure or communication, including meetings, phone calls, interviews, court diets, or examinations linked to traumatic events. 	<p>Where relevant to their role, leaders and managers understand:</p> <p>Processes and procedures</p> <ul style="list-style-type: none"> • Where relevant to organisation and their sphere of work and influence, and in partnership with identified key stakeholders, examine each area of pinch-point carefully: <ol style="list-style-type: none"> 1. identify clearly the legal principle being upheld 2. examine each potential element that risks re-traumatisation / recovery / reduced participation 3. identify any changes to practice that are possible without interfering with fundamental legal principles. <p>Scheduling</p> <ul style="list-style-type: none"> • Where possible, and depending on the individual case, facilitate the capture of evidence from a witness to the fullest extent at the earliest stage of proceedings, to reduce the time scale for their direct involvement in the justice process and the impact of subsequent waiting, delays and changes on them and their recovery.

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<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Service design and delivery Including:</p> <ul style="list-style-type: none"> • Environments • Communication • Processes and procedures • Scheduling • Partnership working <p>Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <p>Scheduling</p> <ul style="list-style-type: none"> • The sense of unpredictability and consequent risk of re-traumatisation and reduced participation engendered by postponements or re-scheduling of court dates and other procedures that have been anticipated with anxiety. • The practical impact of delays or postponements of court dates on witnesses, family members or friends who arrange time off from work, childcare or education to attend, and the impact of this on subsequent participation. • The detrimental impact of long delays between reporting and the case going to trial on a witness’ ability to recall details at court, and on their capacity to recover during the period in which they await giving evidence. <div data-bbox="539 916 1451 1230" style="border: 2px solid purple; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ Almost everything we do as an organisation is impacted by and impacts on other organisations within the system so changes and improvements in [our organisation] will have limitations (...) unless there are complementary improvements in other organisations. Justice Leader ”</p> </div> <p>Partnership working</p> <ul style="list-style-type: none"> • The range of different partner organisations that may have contact with a witness through the course of their justice journey, including those in health, education, childcare, other recovery supports, and parallel justice processes (e.g. civil justice contact procedures). 	<p>Where relevant to their role, leaders and managers understand:</p> <p>Scheduling</p> <ul style="list-style-type: none"> • Review policies and systems governing the scheduling or timing of any procedure that is likely to cause anxiety. • Where at all possible, work together with partner organisations to schedule trials in which witnesses may have experienced traumatic events as fixed in date, enabling a sense of predictability. Where this may not be possible due to factors out with the organisation’s control, acknowledge the impact and limit the sense of unpredictability and loss of control through effective and efficient communication and collaboration with witnesses. • Communicate with witnesses at the earliest possible stage any changes to court dates and other processes. <p>Partnership working</p> <ul style="list-style-type: none"> • Work with partnership organisations to develop a shared understanding of how and where to work together to ensure the aims of this framework are met across the entirety of a witness’s justice journey.

LEADERSHIP AND MANAGEMENT OF ORGANISATIONS AND SYSTEMS SUPPORT AIMS 1-5

<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Workforce knowledge, skills and confidence Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <ul style="list-style-type: none"> ● The positive relationship between workforce resilience & wellbeing, and capacity for effective implementation of trauma informed training into practice. ● The limited impact that training alone can have on increasing trauma informed practices in the absence of <ol style="list-style-type: none"> 1. attention to the wellbeing of the workforce, and 2. organisational support to implement training into practice. <div data-bbox="539 759 1453 1094" style="border: 2px solid purple; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ ...the training would have to allow people to recognise if they are getting too involved in the circumstances or situation and actually how do they protect themselves from the trauma being shared, if you like, if that’s possible. Justice Leader”</p> </div> <ul style="list-style-type: none"> ● The broad and far-reaching consequences of the impact of trauma on witnesses, and potential impact that any person witnesses have contact with, directly and indirectly can have in reducing the risk of re-traumatisation and in supporting their ability to effectively participate in legal proceedings. 	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> ● Ensure the minimum of disruption to external supports that will support the recovery of a witness during and after their justice journey for example in education, childcare, or healthcare. ● Prior to the delivery of training in relation to this framework, establish that the workforce has the required resilience and wellbeing for effective implementation, and that the organisation is within its “window of tolerance”. ● Complete a workforce needs analysis in relation to this Knowledge & Skills Framework to identify who needs to know and do what in their role, with consideration of the ongoing implementation support that will be required once training is rolled out. ● Support managers to identify for each group of workers the knowledge and skills they already have, and the additional knowledge and skills they require to meet the aims of this framework within their own role.

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<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Workforce knowledge, skills and confidence Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <div data-bbox="539 384 1453 751" style="border: 1px solid purple; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>“ ...everyone involved in the process needs to be trauma informed and to understand the way that evidence is presented, the way the evidence is told, the way that people behave, the language that you use, the environment that you create in order to allow them to give evidence. Justice Leader ”</p> </div> <ul style="list-style-type: none"> • The implementation supports required to support the translation and implementation of training into routine trauma informed practices. <div data-bbox="539 1078 1453 1350" style="border: 1px solid purple; border-radius: 15px; padding: 10px;"> <p>“ ...trying to find the time for people to be able to upskill and reflect and all the rest of it is a constant challenge. Justice Leader ”</p> </div>	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> • Identify high-quality trauma training in line with this Knowledge & Skills Framework and the Training Plan¹⁹, including identifying how witnesses with lived experience of trauma have been or are involved in the training development and delivery. • Consider how to integrate trauma training into the existing workforce training plan, ensuring this includes systems to both deliver training and evaluate its effectiveness in terms of increasing worker knowledge, skill and confidence. • Prior to the delivery of any training, ensure necessary implementation supports and structures are in place to support workers to put new learning and skills into practice, for example ongoing observation, feedback, coaching or supervision. • Ensure workers have the time and space to attend training required to support them to implement the aims of this framework into their own role.

19 <https://transformingpsychologicaltrauma.scot/media/5lvh0lsu/trauma-training-plan-final.pdf>

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<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Workforce knowledge, skills and confidence Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <div data-bbox="539 384 1451 762" style="border: 1px solid #0056b3; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ So, when you’re calling out about the same thing, you have to tell your story again and again and again and again from the beginning and they’ll deal with it in different ways. There’s a big inconsistency in the way that [justice professionals] deal with these sorts of traumatic incidents. Witness ”</p> </div>	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> ● Use evaluation processes to establish effectiveness of training and implementation in terms of <ol style="list-style-type: none"> 1. observed systematic changes in workforce practice and 2. improvement in experience and participation of witnesses
<p>Workforce care, support & resilience Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <ul style="list-style-type: none"> ● The ways in which workload, balance of work type (including exposure to vicarious trauma) and working conditions contribute to the wellbeing and resilience of the workforce. ● The ways that the trauma informed principles of safety, trust, choice, collaboration and empowerment in a working environment can support wellbeing of workers, and enable them to more effectively deliver the aims of this framework. ● What is meant by the “window of tolerance” when applied to systems and services, how to support the organisation to remain in their window of tolerance, and how to use this framework to consider when change/ training etc would be helpful or harmful to workforce wellbeing. 	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> ● Ensure that workers are adequately trained and equipped for their role and job ● Develop processes to routinely review working conditions through a trauma informed lens, identifying the extent to which within their working environment and relationships workers experience the principles of choice, collaboration, safety, trust and empowerment appropriate to their role and remit. ● Collect and regularly review workforce feedback and make changes based on this where possible. Where changes cannot be made, explain why.

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<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Workforce care, support & resilience Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <div data-bbox="539 384 1453 762" style="border: 1px solid #004a99; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>“ I felt like lots of [justice professional] I met with were burnt out... If the impact of assault and the work on [them] is not addressed or acknowledged, then that gets passed on to witnesses - they shut down from what happened to them – so how could they see what happened to me as important. Witness ”</p> </div> <ul style="list-style-type: none"> ● The organisational mechanisms and factors that can increase and mitigate risk for vicarious traumatisation, compassion fatigue, burnout, PTSD and work-related stress. ● The ways that exposure to traumatic events directly (for example attending the scene of a traumatic death) and indirectly (for example viewing images films or narrative accounts of traumatic offences and their aftermath, or viewing other related evidence) can create risk for both direct and vicarious traumatisation, and the range of different ways that this can affect mental health. 	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> ● Identify and enable the working conditions that are necessary to proactively support the wellbeing of the workforce. Where it is identified that staff are routinely exposed to traumatic material, take a proactive stance in creating working conditions and systems designed to protect them from risk of psychological consequences such as vicarious traumatisation. ● In collaboration with the workforce, create an environment in which everyone experiences the trauma informed principles at work including a sense of safety, trust and collaboration with colleagues and managers. ● Ensuring that the risk of vicarious traumatisation, chronic stress or burnout to workers is mitigated through routine proactive prevention measures, for example: <ul style="list-style-type: none"> » paying attention to the nature and frequency of exposure to traumatic material and excessive workload

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<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Workforce care, support & resilience Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <div data-bbox="539 384 1456 651" style="border: 1px solid #004a99; border-radius: 15px; padding: 10px; background-color: #e6f2ff;"> <p>I think more training, more awareness and more checking in with staff that they're OK. Witness</p> </div> <ul style="list-style-type: none"> The indicators that a member of the workforce may be showing signs that they are affected by vicarious traumatisation, compassion fatigue, burnout, PTSD or work-related stress. 	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> for all workers exposed directly or indirectly to toxic or traumatic stress in the workplace, enabling routine access to reflective spaces like regular reflective practice, peer support or other management structures creating and implementing effective action plans and / or protocols in place for how to respond to critical events that may be experienced as traumatic by workers (for example attending a traumatic death). <ul style="list-style-type: none"> Identify and respond to additional needs of workers who are showing sign of vicarious traumatisation, burnout or chronic stress with a clear evidence based policy and plan for supporting recovery.

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<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Working in partnership with witnesses to construct trauma informed systems change Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <ul style="list-style-type: none"> That creating trauma informed systems change without collaboration with and input from witnesses with lived experience of trauma is unlikely to lead to full understanding of what trauma informed justice for witnesses looks like, and successfully creating trauma informed change. <div data-bbox="539 906 1451 1203" style="border: 1px solid #4a7ebb; border-radius: 15px; padding: 10px; margin-top: 20px;"> <p>“ The justice system can also be coercive. If people have already been a victim of coercive control, then to have a coercive justice is devastating. Witness ”</p> </div>	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> Collaboratively create processes that ensure any structures (such as steering groups or change processes) have safe active and meaningful membership and participation by witnesses with lived experience of trauma. Identify current examples of good practice around collaboration with witnesses with lived experience of trauma in the organisation to scope opportunities and gaps. Embed safe and meaningful processes for collaboration about the what, how and why of trauma informed change. Create clear, safe processes for witnesses affected by trauma and their perspectives to influence change at a systems level, taking into account the impact of trauma on relationships and power dynamics

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<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Data, feedback loops and continuous improvement Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <ul style="list-style-type: none"> That no system can be truly trauma informed if it is not informed by people with lived experience of trauma, and that change is most likely where feedback and data from witnesses is welcomed, meaningfully analysed, and used to inform decision making and changes <div data-bbox="539 571 1456 885" style="border: 2px solid #00728f; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>“ No one was beside her in the interview in the police station. It all defeats the purpose of staying away from strangers, when she had to spend the whole time explaining herself to strangers. I think that’s wrong in my opinion. Mum ”</p> </div> <ul style="list-style-type: none"> The current strengths and areas for improvement in the organisation in terms of feedback processes. This could include: <ul style="list-style-type: none"> » Review of current processes and tools for gathering routine feedback from witnesses and workers, and how / where it is formally used to make changes; » Review of current policies for responding to unsolicited feedback or comment from witnesses, including whether this is welcomed, how it is recorded, and if it is used for change planning. 	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> Consider what data and feedback needs to be gathered by whom and from whom, when and for what purpose in order to understand the extent to which the aims of this framework are being met in the eyes of both witnesses and workers. Ensure that witnesses and workers with lived experience of trauma feel safe and confident to give feedback about their experiences of the organisation. Identify processes to routinely gather brief feedback from witnesses (in an easily accessible manner). Ensure information and feedback from witnesses is routinely collected, collated and robustly analysed, and unsolicited approaches from witnesses about their experiences equally welcomed as further sources of information. Support teams to review and develop meaningful feedback loops and methods of evaluation.

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<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Data, feedback loops and continuous improvement Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <div data-bbox="539 384 1453 671" style="border: 1px solid purple; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p>“ ...it is about almost checking, within the organisation, that you’re still delivering what you anticipated you would be delivering and things haven’t sort of slipped. Justice Leader”</p> </div> <p>» Review of data the organisation currently collects that could help measure the contributions and impact of trauma informed change over time on witness experience and participation.</p> <div data-bbox="539 858 1453 1225" style="border: 1px solid blue; border-radius: 15px; padding: 10px;"> <p>“ ...see if the [justice professional] had accepted the mistake and apologised, I would have drawn a line under it. But, by not doing that, it increases my trauma because I think, these people just - you know, they’re making it worse here. What else are they going to do...? Witness”</p> </div>	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> • Ensure there is an accessible and effective complaints process for witnesses developed in line with the trauma informed principles that is implemented and executed in a timely manner • Learning from analysis of data and feedback is discussed by decision makers and influences changes and improvement in the organisation • Changes as a result of feedback/data are clearly communicated • Explain and illustrate how the organisation has responded to feedback to create trauma informed change

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<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
Policies Support aims 1-5	<p>Where relevant to their role, leaders and managers understand:</p> <ul style="list-style-type: none"> • Current existing policies and legislation that are relevant for the implementation of trauma informed systems and processes. For example: Victims’ Code for Scotland, Victims Rights (Scotland) Regulations 2015; Section 271 of the Criminal Procedure (Scotland) Act 1995; Victims and Witnesses (Scotland) Act 2014; Vulnerable Witnesses (Criminal Evidence) (Scotland) Act 2019; and the Standards of Service for Victims and Witnesses. • The ways in which guidance, policy and legislation can either facilitate or limit achieving the aims of this framework. 	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> • Ensure that witnesses’ rights under existing policies, guidance and legislation are effectively communicated to witnesses and are upheld. • With partners / steering group, identify and prioritise the policies for review that are most likely to affect the implementation of the aims of this framework. • Review and re/design policies prioritised above in partnership with stakeholders who are most likely to be affected by the policy or any changes to it (there will likely need to be different stakeholders involved for different policies). • Make recommendations for change in line with the aims of this framework, balancing these with the requirement to maintain and uphold the rights of the accused and other legal principles.

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<i>Outcome</i>	<i>What leaders know (knowledge)</i>	<i>What leaders can do (capacity/skill/ability)</i>
<p>Budgets and finance Support aims 1-5</p>	<p>Where relevant to their role, leaders and managers understand:</p> <ul style="list-style-type: none"> The potential long-term savings of investing in a trauma informed approach that reduces harm and supports recovery of witnesses. <div data-bbox="539 491 1451 879" style="border: 1px solid purple; border-radius: 15px; padding: 10px; margin: 10px 0;"> <p>... it's important that you do no harm where you can... if you're asking people to retell a really traumatic experience. I think it would be naïve to say that you can never cause any kind of re-traumatisation but you want to have a system which minimises the risk and reality of that as much as it can do. And, therefore, increases access to justice.</p> <p>Justice Leader</p> </div> <ul style="list-style-type: none"> Potential costs associated with implementing the aims of this framework across physical environments, processes and procedures, allocation of time and resource for training, coaching and/or reflective / restorative practice for staff, remuneration for the contribution of those with lived experience. 	<p>Where relevant to their role, leaders and managers can:</p> <ul style="list-style-type: none"> Keep the aims of this framework on the budget agenda and allocate /award/ agree/apply for resources accordingly. Ensure that commissioners, decision makers in finance, and those awarding funding/contracts within and across organisations are members of the implementation group and have access to relevant trauma training. With the steering group, identify key priority areas for trauma informed change and determine the in/direct costs and resources required to implement and sustain these changes. Review relevant financial processes through a trauma informed lens, including commissioning framework, procurement processes and budget processes.

GLOSSARY

Adverse Childhood Experience (ACE)	<p>This is a group of traumatic and adverse experiences in childhood which significant research has suggested can lead to increased risk of long-term impacts on physical and mental health as well as social consequences for some, particularly when several of these experiences are part of someone’s early life. They include experiences traditionally understood as traumatic, but extend to include additional experiences of adversity which may not necessarily be experienced as traumatic. ACEs include: physical, emotional and sexual abuse; physical and emotional neglect; parental/key caregivers’ substance misuse, mental health difficulties or incarceration; witnessing domestic abuse or violence in the household and parental divorce.</p>
Affective markers of credibility	<p>Displays of emotion which may be (inaccurately) interpreted by decision-makers to indicate that a person is credible and trustworthy, or conversely is not credible and trustworthy. For example, a witness who displays sadness while recounting traumatic events during the trial may be inaccurately deemed more credible than a witness who displays no emotion</p>
Behavioural markers of credibility	<p>Behaviours which may be (inaccurately) interpreted by decision-makers to indicate that a person either is credible and trustworthy, or conversely is not credible and trustworthy. For example, a witness who avoids eye contact whilst giving their evidence, or a victim who experienced tonic immobility during an assault and therefore could not run away may lead to inaccurate judgements that they are not telling the truth.</p>
Biopsychosocial development	<p>A person’s biological, psychological and social development</p>
Burnout	<p>Burn-out is defined in ICD-11 as follows:</p> <p>“a syndrome conceptualized as resulting from chronic workplace stress that has not been successfully managed. It is characterized by three dimensions:</p> <p>feelings of energy depletion or exhaustion;</p> <p>increased mental distance from one’s job, or feelings of negativism or cynicism related to one’s job; and reduced professional efficacy.”</p>

GLOSSARY

Children and Young People	We have taken a flexible approach to using the term children and young people. Workers and services can apply this in a way that makes most sense to their area and role. Children is widely used for anyone under the age of 18 years. Children and young people could include people up to the age of 25 years. The terminology of children and young people is used, given the evidence base regarding the developing brain and additional systemic needs that can be required.
Complex trauma	This term refers to traumatic events which are repeated, interpersonal and often (although not always) occur in childhood, with significant potential risk of developmental impact. The most commonly studied example of complex trauma is childhood sexual abuse, but other examples would include domestic abuse or repeated gang violence.
Cognitive	Relates to the mental processes involved in knowing, learning, thinking, reasoning and understanding things. This includes mental processes relating to the acquisition, storage, manipulation, and retrieval of information in memory
Cognitive markers of credibility	Cognitive (see above definition) processes which may be (inaccurately) interpreted by decision-makers to indicate that a person is credible and trustworthy, or conversely is not credible and trustworthy. For example, a witness who struggles to remember all the details of an offence, or struggles to produce a coherent account of what happened due to the impact of trauma may be inaccurately judged as less credible than someone who can describe every detail in perfect linear order.
Compassion Fatigue	A term used to describe the emotional and physical exhaustion which can develop as a result of working with and supporting people affected by trauma or illness and can lead to a diminished ability to empathise or feel compassion for others
Family	We recognise that families can come in many forms. In this document the term ‘family’ includes parents, caregivers –including kinship/ foster/ residential carers, siblings and wider family members who may be involved in a child or young person’s life through their journey through the Justice context. It also recognises that in their roles, workers could potentially work with a range of family members.
Gender Based Violence (GBV)	In 1993, the UN Declaration on the Elimination of Violence Against Women, offered the following definition of GBV: ‘any act which is likely to result in physical, sexual or psychological harm or suffering to women including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life’. This is understood as resulting from power inequalities that are based on gender roles. This can take many forms such as intimate partner violence, sexual violence, child marriage, female genital mutilation and so-called ‘honour crimes’.

GLOSSARY

Intergenerational trauma	Trauma that gets passed down from those who directly experience an incident to subsequent generations, via various mechanisms which are still yet to be fully understood. The mechanisms being researched include the impact of trauma on parenting style, coping style, interpersonal style and genetics and the way in which these in turn affect the children, grandchildren and even great grandchildren of the person initially exposed to the trauma. Intergenerational trauma may begin with a traumatic event affecting an individual, traumatic events affecting multiple family members, or collective trauma affecting larger community, cultural, racial, ethnic, or other groups/populations (historical trauma)
Multi-modal	Using multiple “modes” to communicate a message, for example a combination of verbal, text-based, images, drawings, video, and audio
Neurobiological	Of or pertaining to neurobiology, the biological study of the nervous system and brain function
Traumatic Stress	The body’s normal stress response to experiencing or witnessing a traumatic event. Repeated or prolonged traumatic events can chronically elevate the body’s stress response, leading to harmful consequences for the person’s long-term health.
Trauma	This term is widely used but in this context refers to a “an event, a series of events or a set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening.” (SAMHSA, 2014, p. 7)
Vicarious Trauma	The exposure to the trauma of others. Vicarious trauma is an occupational challenge for the justice workforce due to the routine exposure to traumatic material (both direct and indirect) and people affected by trauma
Vicarious Traumatization (VT)	A negative reaction to vicarious trauma exposure and includes a range of psychosocial symptoms that professionals may experience. It can include disruptions in thinking and changes in beliefs about one’s sense of self, one’s safety in the world, and the goodness and trustworthiness of others including increased cynicism and suspicion of others’ intentions, as well as shifts in spiritual beliefs. Individuals may exhibit mental health difficulties that can have detrimental effects, both professionally and personally.

GLOSSARY

Window of tolerance	The Window of Tolerance is a metaphor founded in neuroscience initially developed by Dr Dan Siegal (Professor of Clinical Psychiatry) to describe the optimum state of ‘arousal’ or stimulation in which we are able to function and thrive in everyday life. When we exist within this window, we are able to learn effectively, make effective decisions, act with a calm and patient manner, and relate well to ourselves and others. However, if we move out of our Window of Tolerance, we can become hyper-aroused (this can include difficulties concentrating, irritability, anger and angry outbursts, panic, feeling easily scared or startled, self-destructive behaviour, difficulty thinking or accessing memories) or hypo-aroused (feeling shut down, detached, numb, dissociated, withdrawn, passive, unable to access thoughts and memories and sometimes unable to move physically) .
Witness	We have used the term “witness” to refer to anyone who may have been a witness to events that would constitute an offence in some way and hence have a role in the prosecution process. In this context it is intended to include anyone who could be considered a witness, a victim, or a complainer and, where they choose to give evidence, the accused. Please refer to the introduction for further information on how we settled on this term.
Workers	We use the term ‘workers’ throughout to refer to any staff, volunteers or people involved in the workforce and volunteer workforce of the justice sector

ACRONYM BANK	
Acronym	Full term
CSA	Childhood sexual abuse
GBV	Gender-based violence
PTSD	Post-traumatic Stress Disorder
RTA	Road Traffic Accident

BIBLIOGRAPHY

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APPENDIX 1:

EXAMPLES OF TRAUMA INFORMED PRINCIPLES IN PRACTICE

This appendix provides some examples of ways in which the trauma informed principles of safety, trust, choice, collaboration and empowerment can be implemented in practice across the various trauma enhanced tiers. Further resources which provide more information and examples of ways to implement trauma informed principles in practice across the various staff roles can be found in the Bibliography section, e.g. Center for the Prevention of Child Maltreatment(2021), International Association of Chiefs of Police (2020), Haskell & Randall (2019), Lonsway, K.A., Archambault, J. (2020), Mbaku, V (2020), National Child Traumatic Stress Network (2013), SAMHSA (2013), Trujillo & Moen (2019), US Office for Victims of Crime (2020), & Werner, E. M. (2021).

ADVOCACY/SUPPORT: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE		
Outcome	What workers can do (capacity/skill/ability)	Examples of Trauma informed Principles in Practice
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<ul style="list-style-type: none"> • Create a safe, predictable, consistent, and trusting relationship with a witness to resist re-traumatisation by applying the trauma informed principles of Safety, Trust, Choice, Empowerment and Collaboration within and across every interaction. 	<ul style="list-style-type: none"> • <i>Develop trust</i> by e.g., i) demonstrating patience and providing ample time and opportunity to develop rapport, allowing the witness to decide if and when they want to engage with support/ advocacy, and reminding them that they have a choice over with whom and when they engage; ii) clearly explaining the worker’s (possibly independent) role within the justice process and outlining any limits to confidentiality that may exist at the initial contact, revisiting this as appropriate to ensure they have properly understood the boundaries of the relationship; iii) Being transparent and honest in all communications, and doing what you said you would do when you said you would do it. • Foster a sense of <i>safety</i> by, e.g., i) recognising cues or signs that a witness is experiencing increased distress, acknowledge this and respond to minimise their distress; ii) Respond to a disclosure of trauma or other difficult experiences with empathy, validation and compassion; iii) make each step of the process as predictable, planned, transparent and understandable as possible; iv) collaboratively consider the impact of external factors such as the potential for released media coverage of the case (or other related cases) on the witness and support them to develop strategies to cope with this; v) maintain clear boundaries in terms of your role and relationship with the witness.

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		<ul style="list-style-type: none"> • <i>Empower</i> them by e.g., i) where appropriate to role and remit, explaining in plain language any legal terms or communication which may be difficult to make sense of to ensure they understand the process and what is being communicated; ii) clearly communicating their rights at each stage of their justice journey, ensuring they know their choices at each stage and the short and long-term implications of their choices (e.g., if a person is asked to be a character witness, explain the ways in which accepting this invitation may impact on their ability to engage with other aspects of the court process, such as being present during other parts of the trial).
EVIDENCE GATHERING: AVOID RE-TRAUMATISATION WHERE AT ALL POSSIBLE		
Outcome	What workers can do (capacity/skill/ability)	Examples of Trauma informed Principles in Practice
<p>Potential risk of re-traumatisation across the system is understood, identified, and avoided where at all possible.</p>	<ul style="list-style-type: none"> • Identify areas of own work with witnesses which may carry a risk of re-traumatisation and adapt these using the trauma informed principles (safety, trust, choice, collaboration, and empowerment) to minimise the risk of re-traumatisation 	<ul style="list-style-type: none"> • Foster a sense of <i>safety, trust and predictability</i> by for example i) always seeking informed consent for relevant activities and disclosures, e.g. prior to filing a police report with the intent to charge someone making sure the witness does want to pursue charges; ii) taking time to explain what and why you need to complete x or y process, for example when taking personal items for evidence, explaining clearly why you need to take them and giving the witness time to come to terms with this, before asking respectfully if they feel ready to let you take them; iii) keeping regular communication with witnesses regarding progress of their case, even if to tell them that nothing new has happened and work is ongoing so that they know their case has not been forgotten ; iv) ensuring the witness knows what is going to happen and when; v) paying attention to any potential physical, relational, sensory or environmental triggers during evidence collection (for example during forensic medical examination, ensuring the person is not asked to lie in a position similar to the one they were forced into during the assault); and vi) paying attention to their basic welfare and comfort needs by ensuring they have been offered something to drink, something to eat and regular toilet breaks if evidence collection is prolonged. • <i>Empower</i> witnesses by for example i) communicating their rights at each step of the process clearly and using plain language, so that they are aware of the choices they can take and do not feel

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		<p>coerced into making a specific decision; ii) informing them of the short and long-term legal implications of any decisions they need to make, to help them make informed decisions that do not bring unexpected consequences, and iii) providing honest and realistic expectations about the justice process and timescales to make it as predictable as possible for them to support their recovery</p> <ul style="list-style-type: none"> • <i>Collaborate with and foster a sense of safety for the witness</i> by trying to foresee any justice procedures and processes relevant to remit that may exacerbate the witness' experience of trauma and prepare them for this, encouraging them to utilise support networks (either informal or formal) to manage this in advance of the process taking place.
EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS		
Outcome	What workers can do (capacity/skill/ability)	Examples of Trauma informed Principles in Practice
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<ul style="list-style-type: none"> • Develop a consistent, respectful, collaborative, trusting, professional relationship with a witness to know what is going to be helpful for them in terms of maximising their ability to provide best evidence, applying the trauma informed principles across and within every communication and interaction. 	<ul style="list-style-type: none"> • Foster a sense of <i>safety</i> and <i>trust</i> by demonstrating active listening skills; answering any queries with patience; taking a bias-free, non-judgmental stance; holding interactions which run at the witness' pace without making them feel rushed; providing adequate notice of any specific procedures which may be used (e.g. use of the video identification parade electronic recording system), with a full explanation of the process and by working effectively with advocacy/support workers to support the witness to engage effectively • Consider which special measures may further <i>empower</i> and enable the witness to give their best evidence, explaining them in detail to the witness so they can make an informed <i>choice</i> • When working with children and young people, approach them in a calm, open, welcoming way that <i>empowers</i> them and helps them feel <i>safe</i> to open up, spending time helping them to feel at ease by focusing on building a rapport, using appropriate language matching their developmental stage (not chronological age) and identifying the best most appropriate environments to do this in.

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EVIDENCE PRESENTATION AND INTERPRETATION: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS		
Outcome	What workers can do (capacity/skill/ability)	Examples of Trauma informed Principles in Practice
<p>Adapt practices to the impact of trauma so that witnesses can give the most accurate account of events in evidence and engage fully as a participant.</p>	<ul style="list-style-type: none"> Implement the principles of trauma informed practice (See Appendix 1 for examples in practice) and procedural justice throughout the process. 	<ul style="list-style-type: none"> Enhance a witness' sense of <i>safety and predictability</i> by, e.g. i) taking steps to prevent them from seeing the accused in the court building before or after the trial ii) ensuring there is a dedicated person who can accompany them into the courtroom when the trial is due to start so they are not doing this alone, iii) giving them the option to sit instead of stand when giving evidence in court, iv) take time to introduce yourself (and others if possible); v) establish regular eye contact with the witness; v) try to identify and minimise/remove any triggers as far as possible from the trial process; vi) explain any interruptions/decisions clearly to the witness and what they can expect to happen; vii) try to make sure there are no unexpected surprises, and that the witness has been adequately prepared for what is to happen during the trial (related to questions, cross examination, timings, people, places, special measures etc). Foster a sense of <i>trust</i> and <i>safety</i> by i) doing what you said you would do, when you said you would do it; ii) explaining delays, and providing realistic approximate timescales, iii) communicating respectfully using plain language instead of legal jargon, pacing questions and ensuring they know they can take time to think and respond, so that they do not feel overwhelmed; and iv) explicitly considering a witness' wellbeing when presenting evidence, for example by scheduling regular breaks during the trial and ensuring they know who to ask if they need to go to the toilet. <i>Empower</i> witnesses by clearly explaining how specific special measures will operate in practice to manage expectations, and providing them with ample time and opportunity to consider which special measures may be most helpful in supporting them to give evidence so that they can make an informed decision and prepare appropriately

APPENDIX 2:

EXAMPLES OF POSSIBLE INTERNAL AND EXTERNAL TRIGGERS TO RE-EXPERIENCING

Domain	Internal trigger examples	External trigger examples
Physical/ Sensory	<ul style="list-style-type: none"> ● Physical bodily sensations such as feeling sick or having physical pain which is a reminder of the same feeling of sickness or pain that occurred during the trauma, e.g. aching joints following a bone breakage, or hurting the same area again causing similar pain can serve as a reminder and act as a trigger ● Bodily sensations that mimic sensory sensations from the trauma but may be caused by other factors, e.g. tight chest and feeling unable to breathe (which may be a symptom of anxiety, for example about the impending court case or when being required to give evidence) can act as a significant trigger for someone who was e.g. strangled/ assaulted by their abuser or had a panic attack at the time of the trauma ● feeling that body is being violated (e.g. during forensic medical examination if not prepared for what to expect and why) 	<p>Environmental factors such as:</p> <ul style="list-style-type: none"> ● proximity of accused or their peers to the witness during the trial ● objects or pictures from the event in the form of evidence ● interpersonal space being invaded unexpectedly or uninvited/ unexpected touch. ● being asked to lie in the same position as during an assault (for the purposes of forensic medical examination) ● being asked to attend buildings or rooms that remind of the trauma or are close in proximity to where the trauma occurred (e.g. beside the school where the abuse occurred) ● receiving correspondence with the accused's name in the subject title ● personal items being removed during evidence collection without asking for consent or explaining why it needs to happen ● idiosyncratic smells that remind of the trauma e.g. aftershave, perfume, cleaning sprays, smoke, urine, etc. ● idiosyncratic sounds that remind of the trauma, e.g. certain music, certain pitch of voice or laughter, certain machine noises or animal noises such as dogs barking, hearing a clock ticking or a light-switch, footsteps passing in the hallway, & having to hear an audio recording of the incident in court. ● idiosyncratic visual reminders of the trauma, e.g. specific flowers (if e.g. the abuser bought flowers before or after abusive incidents); certain colours (e.g. if abuse occurred in a room painted blue, blue could become a trigger); certain pictures or paintings on the wall; certain clothing, etc.

APPENDIX 2:

EXAMPLES OF POSSIBLE INTERNAL AND EXTERNAL TRIGGERS TO RE-EXPERIENCING

<i>Domain</i>	<i>Internal trigger examples</i>	<i>External trigger examples</i>
Cognitive	<ul style="list-style-type: none"> Thinking about the trauma for the purpose of preparation before and during evidence collection, and the trial. 	<ul style="list-style-type: none"> Being asked to recount traumatic events and or repeat certain elements related to the trauma, for example the accused's name, the date of the incident, etc.
Emotional (witness's own internal states)	<ul style="list-style-type: none"> Emotions that mimic the emotions at the time of the trauma, for example feeling afraid, trapped, ashamed, powerless, out of control, confused, unsafe, anxious. 	<ul style="list-style-type: none"> External factors that can lead to the witness feeling the emotions listed on the left, e.g. unpredictable situations and processes; not being told what is happening or why; legal jargon which does not make sense to the witness; being interviewed in a room where the witness is furthest from the door and perceive that their exit is blocked; being subject to shaming or belittling questions during evidence collection or the trial; being required to ask to go to the toilet during evidence collection or a trial in a way that can feel humiliating and exposing
Interpersonal/ Relational (how others treat and interact with the person)	<ul style="list-style-type: none"> Feeling emotions in relation to others that mimic the relational context of the trauma, e.g. feeling powerless, not believed, out of control of the situation, coerced, unsafe, belittled, shamed, afraid, trapped, confused, anxious, mistrusting or that trust has been breached. 	<ul style="list-style-type: none"> Power imbalance often stark in a justice setting, leading to feeling a lack of control and feeling unable to ask questions/ challenge the process- often exacerbated by professionals using legal jargon that is not comprehensible and other ways of interacting that reinforce a sense that the witness is not an equal trust is breached due to people not following through with promises made; professionals setting unrealistic expectations which are not upheld; unpredictable and confusing processes and questioning questions that are asked in a way to convey disbelief and suspicion on the part of the interviewer being treated in a patronising, humiliating or belittling way further examples in above row

APPENDIX 3: EXAMPLES IN PRACTICE

TRAUMA INFORMED: SUPPORT RECOVERY FROM THE IMPACT OF TRAUMA WHERE POSSIBLE		
<i>Outcome</i>	<i>What workers can do (skill/ability)</i>	<i>Examples of Trauma informed Principles in Practice</i>
<p>The ways that processes, procedures or interactions (including questioning) can inhibit recovery from the impact of trauma are understood, identified, and where possible adapted to support recovery.</p>	<ul style="list-style-type: none"> ● Ensure justice processes allow witnesses to access their own natural support networks and support strategies when this is possible within the rules of evidence and rules of procedure, especially during particularly difficult or stressful events such as giving evidence. 	<ul style="list-style-type: none"> ● Ensure witnesses know they are able to have a chosen friend or supporter present or accompanying them when providing their statement to the police or providing other evidence such as during a Forensic Examination. Enable this to happen by ensuring someone has asked the witness who (if anyone) they would like present, and talking through what steps would be required to facilitate this, actioning the steps if at all possible. Research has revealed that often witnesses do not know they have a right to have someone with them at this stage of the process and wish they had been explicitly informed, as this would have made a significantly positive difference to their experience of giving evidence and to their recovery from the impact of trauma, which in turn would likely have led to them giving better evidence and increased their ability to participate effectively in the justice process. ● Research has revealed that positioning a witness' chosen supporter within the court room so that they are able to maintain eye contact with them throughout giving their evidence at trial helps them to feel more supported throughout the process and supports them to participate in the trial in a more effective way.

APPENDIX 3:

EXAMPLES IN PRACTICE

EVIDENCE GATHERING: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS		
Outcome	What workers can do (skill/ability)	Examples of Trauma informed Principles in Practice
<p>Witnesses are enabled to give the best quality evidence they can through practices consistent with neuroscience research on the impact of trauma on attention, memory and recall.</p>	<p>Support a witness to stay in their window of tolerance throughout any interview by:</p> <ul style="list-style-type: none"> ensuring that witnesses have as much control and choice over the process throughout, collaborating with them prior to any evidence collection as to what will help them feel safe before, during and after the process. Adapting the interview to an individual’s needs. 	<p>Example provided by a staff member of the Scottish Child Abuse Inquiry:</p> <ul style="list-style-type: none"> “At the Scottish Child Abuse Inquiry, we have found it very helpful to identify with witnesses what they need to feel safe in giving statements and evidence and tailoring it as much as possible to each individual. For example one witness was supported to bring in her therapy dog, another was allowed to bring in a personal item to help ground her whilst giving evidence. The specific requirements were discussed at length prior to the first meeting and again before giving evidence. We have also found it useful to help people develop self-soothing techniques with a recognition that internal states of anxiety associated with a formal legal process can trigger intrusive experiences”.
EVIDENCE PRESENTATION AND INTERPRETATION: ENABLE EQUAL AND EFFECTIVE PARTICIPATION IN THE LEGAL PROCESS		
Outcome	What workers can do (skill/ability)	Examples of Trauma informed Principles in Practice
<p>Practices avoid misinterpreting or misrepresenting the impact of trauma on a witness or their evidence.</p>	<ul style="list-style-type: none"> Identify and where appropriate challenge practices that are likely to lead to the misinterpretation of the impact of trauma and affect perceptions of witness credibility or reliability. 	<ul style="list-style-type: none"> Ensure that all decision makers understand there is no set reaction to look for when analysing the evidence of a complainer. To illustrate, there is propensity in cross-examination of complainers, particularly in sexual offences trials, to say to them something along the lines of “You say x happened but you returned to work the next day and continued to work with the alleged perpetrator”, or “you say x happened but you did not leave the school band and continued therefore to engage with the alleged perpetrator”. These questions have the potential to encourage juror bias. The literature shows there are no set responses following a traumatic event including sexual assault, and this should be made clear to all involved in the decision-making process during the trial.

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