



Witness Impact:

A Solution to Engage Individuals in the
Criminal Justice System and Improve
Police Perception

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22 May, 2014

Abstract:

Witnesses play a vital role in the criminal justice system but their journey from incident to trial is disjointed and this lowers their perception of the police and does not encourage current and future involvement. The Witness Impact, or Wi, app offers a platform for providing all relevant information for these individuals in a convenient and intuitive way. This report shows the journey from research to final product. It begins with a description of how technology usage has affected police techniques and the success of the criminal justice system in the UK and continues with an investigation of how these developments affect officers in the field, victims and witnesses of crime, as well as the general public. It is discussed how each of these groups interact with each other and are reliant on new technologies to enhance collaboration and effectiveness. Some novel concepts of how to improve these processes are shown and the strengths and weaknesses of these designs are explored in order to demonstrate the evolution of the design brief. It becomes obvious that witnesses of crime are an important and often undervalued asset and that their journey through the system is usually fragmented and difficult. New designs to address this issue are evaluated and tested and the Wi system is created. Several iterations of Wi are created and tested in order to produce a design that is most effective in this difficult environment.

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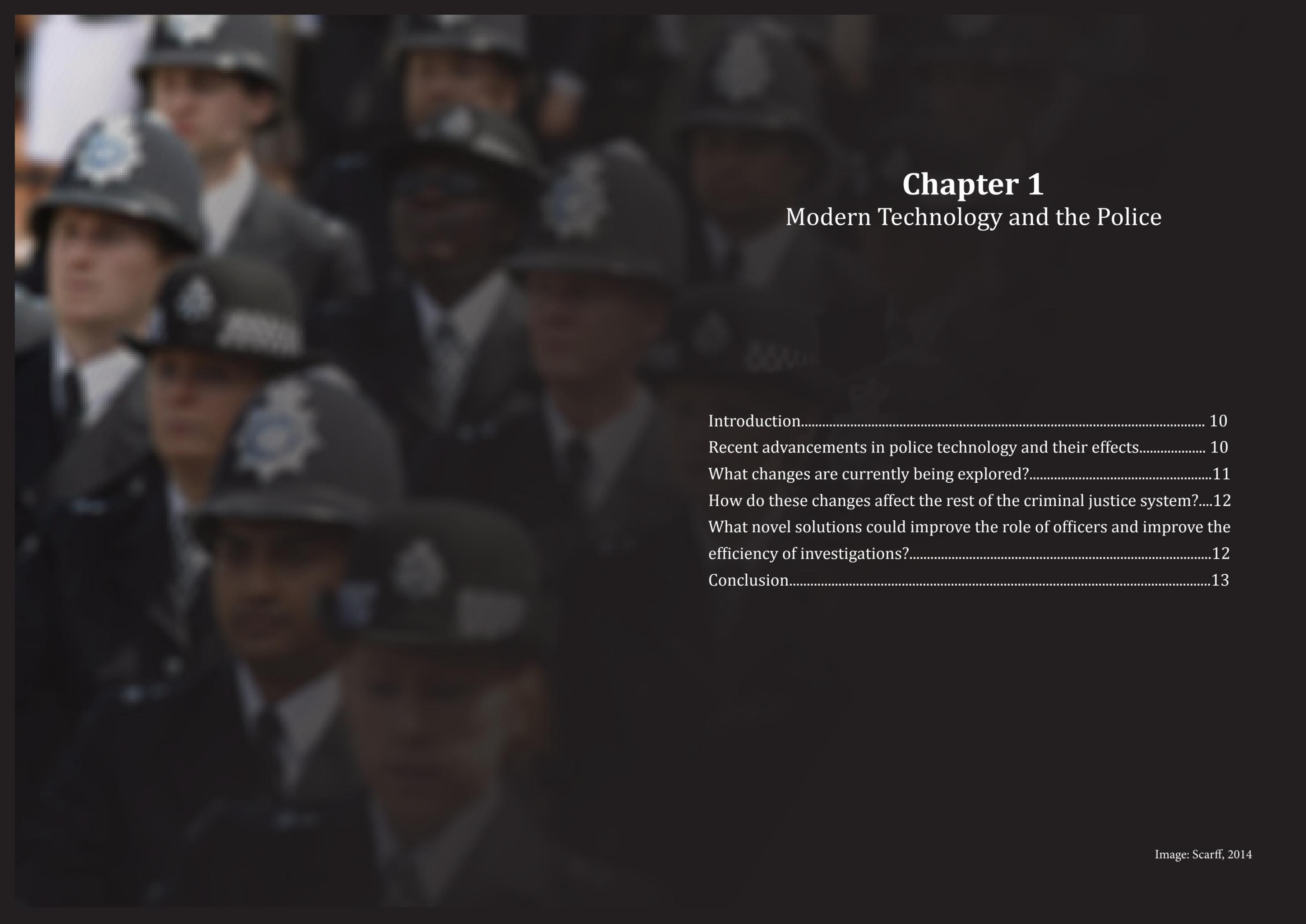
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Wi can't do it without you

Introduction:

Modern technology in the criminal justice system, particularly in association with the Metropolitan Police (Met), was chosen as the focus of this project due to the potential impact of an intervention in such a vital yet sensitive area. New technologies impact many aspects of policing, but are often implemented by an ineffective process, causing redundancies and inefficiencies. One of the best ways to improve effectiveness of the police and the criminal justice system is to improve public perception and involvement. To undertake this challenge, current technologies were assessed, and a brief was constructed. This brief was influenced by research and developed through the design and evaluation of novel solutions. It became evident that improving the journey of witnesses of crime would have a great impact on the prosecution of criminals as well as the perception and effectiveness of the Met. The accessibility of apps was considered in the context of the specified brief and the Witness Impact, or Wi, app was created. The solution was then evaluated in terms of the current judicial system, and in the context of a more complex future system.



Chapter 1

Modern Technology and the Police

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Introduction:

Accelerated by the mainstream adoption of the internet, improving technologies have had a great impact on all fields and this includes the criminal justice system. Computerized police records have increased the ability of different police forces to collaborate and link crimes in different areas, and new techniques such as fingerprinting and DNA analysis have increased the accuracy of investigations (Nunn, 2001, Essex.police.uk, 2014). However, technological advancements have also been linked to deterioration of efficiency in various aspects of policing (Metropolitan Police Service, 2014). Consequently, future technologies such as smart crime mapping, and cameras on officers are currently being investigated to improve both efficiency and effectiveness of the criminal justice system. In order to discover the most influential point of intervention, an investigation of current technology usage must be performed.

Recent advancements in police technology and their effects

One of the greatest resources for innovation is military research. Due to the fact that many of these technologies and systems are aimed at tracking and identifying subjects, they have a direct correlation to police and public safety applications. Recent advancements that have followed this path include photonics (the study of the behavior of light), thermal imaging, facial and behavioral recognition systems, remote monitoring by satellite, as well as biometric systems such as DNA testing and retinal scans (Nunn, 2001).

Some positive effects of these technologies and systems are undeniable such as an increase in



tangible evidence. The ability to certify through the use of forensic tools such as fingerprinting and DNA testing, with near certainty that a certain subject was at the scene of a crime, has dramatically increased the effectiveness of investigations and without it, it would be impossible to prosecute many offenders. This also decreases public spending on trials that are solely reliant on circumstantial evidence and witnesses who do not appear, and thus do not lead to prosecution. Another technological improvement is the digitization of records. This allows police departments in different jurisdictions to observe patterns and collaborate in the pursuit of serial offenders (Essex.police.uk, 2014). This will also decrease administrative errors and retains all files in a more secure format (Essex.police.uk, 2014).

These advancements have had a dramatic impact on the global criminal justice systems; however, they must be introduced at an appropriate rate in order to increase efficiency and effectiveness. Although these tools assist in the prosecution of criminals, there are negative impacts of imposing updates on the policing system without removing redundancies. Currently, in the Metropolitan Police Service (Met), officers are usually required to complete initial incident and arrest paperwork in the field by hand before entering it into the digital system at the station, where they will be required to enter the name of suspects and victims 10-12 times. There are approximately 3,500 PDA (Personal Digital Assistants) available within the Met and these have been shown to make officers approximately five times more productive in terms of arrests, but with approximately 31,000 officers, only 1 in 10 have access to these devices. Including these

examples, it is estimated that of digital information communication technologies (ICT's) within the Met, 70% are redundant (Essex.police.uk, 2014). The inability for officers to enter this type of information into the digital system quickly and easily in the field forces many to spend hours of their shifts in the station unnecessarily. This decreases the efficiency of the system and requires more officers to be hired in order to have enough on the beat at any given time and, as police services face budget cuts, this becomes a progressively larger issue.

Other issues for the police can also result from technological innovation when it is not embraced quickly enough. Criminals are not required to follow technology adoption protocols and therefore advance their personal technology much faster and more often than police forces. Inner city drug dealers adopted mobile phones and pagers very quickly and although they currently prefer "disposable" (cheap and prepaid) mobiles, as data protection laws begin to take form, protected smartphones are becoming the norm for all types of offenders (Nunn, 2001, ABA Journal, 2014). Many police agencies now feel they are "out-tech'd" not "outgunned" and police departments must be up to the same technological standards as criminals or it will be impossible for them to compete (Nunn, 2001). This became obvious during the 2011 riots in London, as rioters were able to contact each other using Blackberry Messenger, a technology with which the police were not equipped to interfere (Halliday, 2011). Due to these issues the Met and other police forces are exploring a variety of new technologies to improve their systems for the future.

What changes are currently being explored?

One of the most potentially influential systems currently being introduced to the Met is the use of cameras on police officers' uniforms. These cameras will be used to record all interactions between officers and any member of the public. They are designed to be obviously visible and, when activated, initiate a flashing light and display the camera's view for 30 seconds to indicate to observers that they are currently being recorded (see image at right)(Stockley, 2014). The officers must activate the cameras but they include an audio-free pre-event video buffer, which is a result of the camera continuously recording and deleting video, allowing the most recent 30 seconds prior to camera activation to be saved. This gives the officer a period to react to an incident. This system has been evaluated in a study performed by Tony Farrar, the chief of police for Rialto, California and published in association with Dr. Barak Ariel, a teaching associate in the Police Executive Programme at Cambridge University. The study proved dramatic improvements caused by this introduction such as an 88% decline (from 24 to 3) in the number of complaints against



Metropolitan Police officers trial audio and video recording devices in ten London boroughs in 2014 (Mok, 2014,)



officers over 12 months compared with the previous year; even with only half of the officers wearing cameras (Stross, 2014). The findings also showed that use-of-force incidents reduced by over 50%, which indicates that both officers and suspects behave less forcefully when they are aware of being recorded (Farrar, 2013). The Met began piloting this technology in ten London boroughs in April 2014 and intend to expand the system when it is proven to be effective in these areas (The Evening Standard, 2014, BBC News, 2014). The Met has adopted this technology to accelerate the process of achieving justice for victims, especially those of domestic violence. Met commissioner Sir Bernard Hogan-Howe believes that “Body-worn video will not only help us fight crime and support victims but help the Met to be more accountable [and] that people are more likely to plead guilty when they know we have captured the incident. That speeds up justice, puts offenders behind bars more quickly and protects potential victims.” (The Evening Standard, 2014)

Smart Crime Mapping has also been adopted by a variety of police forces worldwide including the New York Police Department (NYPD). This technology is based on knowledge of past crimes and the variables involved in their occurrence such as location, weather, time, police presence and events nearby (28). This information is used to create maps showing the probability of incidents occurring in different areas in real time. These maps are constantly updated and allow the police to focus resources on places where crimes are most likely to occur at times when they are more likely to occur (28, Metropolitan Police Service, 2014). This technology can be used to inform decisions such as seasonal hiring and locations for new police stations.

How do these changes affect the rest of the criminal justice system?

These technological improvements increase tangible evidence and this has carry-on effects beyond the police investigation. Forensic evidence such as DNA, fingerprints, and facial recognition systems provide evidence in court that removes doubt and increases appropriate convictions. This improved evidence decreases the court’s sole reliance on witness statements, which reduces the responsibility of the witnesses. 75% of cases overturned by the addition of DNA evidence, were originally prosecuted using unreliable witness identifications, but these two sides of criminal investigation must coincide in order to create the highest probability of a successful prosecution (The Innocence Project, 2014). Digital records increase the amount of evidence available in certain cases by showing patterns of serial offenders and Smart Crime Mapping can be used in areas where budgets are being reduced to maintain crime fighting effectiveness.

What novel solutions could improve the role of officers and improve the efficiency of investigations?

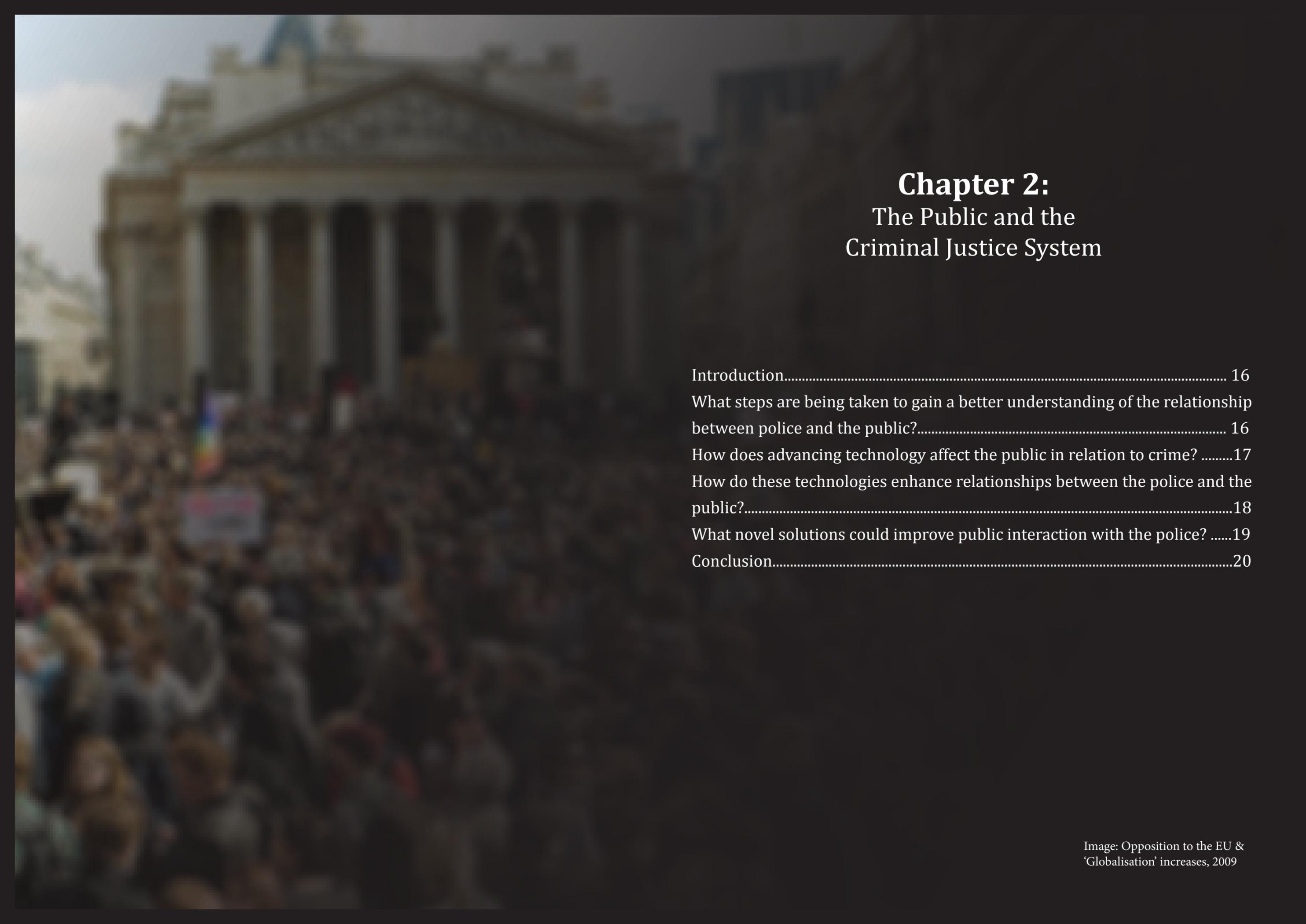
A broad brief was developed to direct the design process and this was: to improve the effectiveness and efficiency of the police and the criminal justice system. Some novel solutions that would improve the police officers’ toolset by taking advantage of available new technologies would include automatic systems to speed up the processing of police reports when on the go. This could be facilitated by either greater mobile technology for officers or by embracing the technology adoption of civilians. As taking witness statements in chronological order, often due to the initial omissions of many witnesses, can be a

challenge for new officers, redesigning the current format for taking a witness statement could improve the efficiency of the process as well as the experience of the officer. Another solution would be to incorporate ways to process videos from officer’s cameras into usable evidence more easily through voice-activated file organization or alternative activation such as classifying all videos as moving violations when they coincide with acceleration, sudden braking, and/or siren activation in a police vehicle. These solutions posed particular challenge in enforceability as policing protocols are very rigid. Therefore, a more public route was chosen, as it is a more influential point of intervention

Brief 1:
Improve the effectiveness and efficiency of the police and the criminal justice system by taking advantage of available new technologies

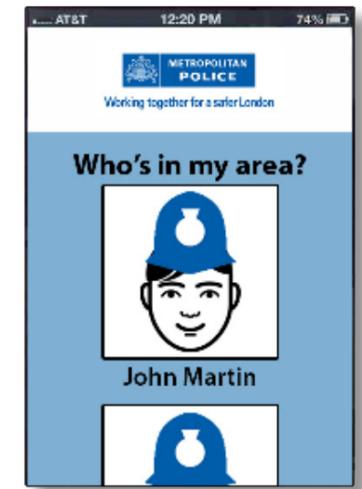
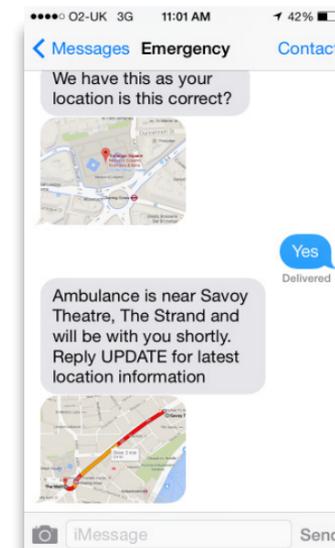
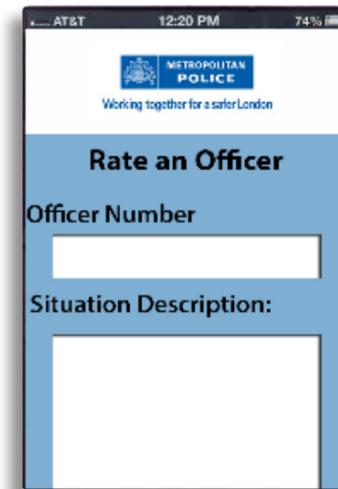
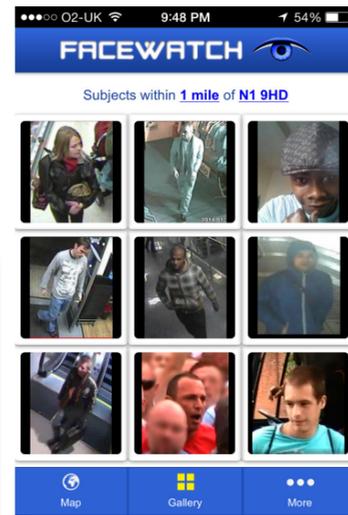
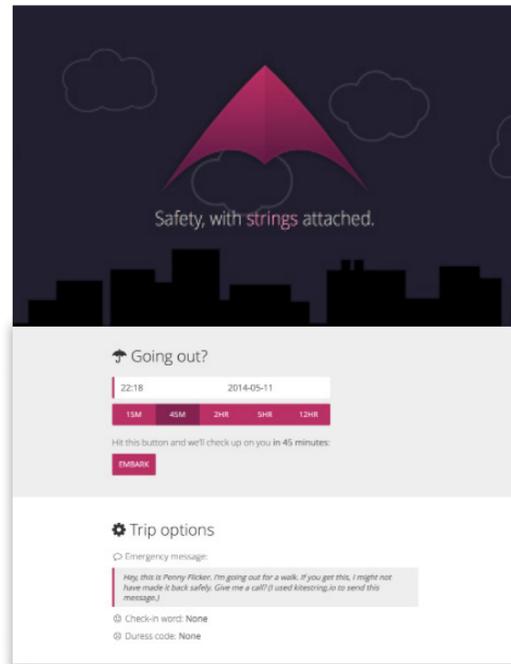
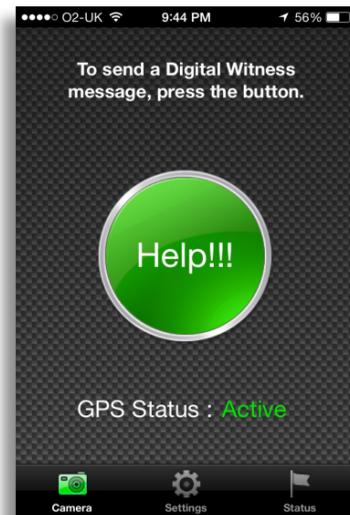
Conclusion:

Increasing digital technology has had a dramatic impact on policing as changes are made to the processes used by both officers and offenders. These advancements affect policing procedures through investigations and into criminal prosecutions but they have been shown to decrease the efficiency of the police if they are not adopted in an effective way. The public’s perception of the police also has a large impact on the success of law enforcement and criminal justice, and technology advancements influence and adapt the way that civilians interact with crime and investigations.



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Novel solutions: Officer rating app (left), responsive text messaging service (centre), Officer information app (right)

The *Digital Witness* app (above left), and *Kitestring* system (above centre) assist individuals to feel safer when they are in vulnerable situations. The *Facewatch* app (above right) has facilitated the exchange of relevant identification information between the public and the police. (Digital Witness, 2014, Metropolitan Police Service, 2014, Kitestring 2014)

The Facewatch app was introduced after the London riots in 2011 and is used to involve the public in bringing the offenders to justice. Pictures were loaded onto the app and updated frequently. Users provide their postcode in order to be supplied with images of offenders they would be most likely to recognize. When they identify an offender they are then able to enter the name or any other information they may have into the app for use by the Met to investigate and prosecute as necessary. After the app became successful in identifying riot offenders, 2,000 more images of suspects related to other incidents were added later in 2011 for inspection by the public and due to its accomplishments thus far, continues to be updated and utilized (Metropolitan Police Service, 2014).

How do these technologies enhance relationships between the police and the public?

The technologies change the way the public objectively interacts with crime. Individuals may investigate actions taken toward crimes and where they are most prevalent, as opposed to relying on media news coverage. Individual safety-based apps allow individuals to take a more active role in ensuring their own safety, and the pursuit of justice if an event does take place. This increases evidence to be provided in court and will result in more successful convictions of criminals. An increase in prosecution of crimes that are lesser in severity but greater in frequency, such as nonviolent theft, will in turn improve both public safety and the public's perception of the police. Enhancing



Current Metropolitan Police Online Reporting System (Online.met.police.uk, 2013)

communication between these two parties will produce greater connections, more involvement and better results. Involving the public in identifying offenders outsources this aspect of policing and is incredibly valuable not only in increasing the chances of identifying offenders, but also in allowing a direct communication and involvement between the police and the public.

What novel solutions could improve public interaction with the police?

In response to these discoveries the project brief was developed further: to increase public perception of the police by increasing public involvement, and investigation efficiency and outcomes. Several novel solutions were developed in response with the aim of improving the public's perception of the police, encouraging them to report crimes, and improving their experience in doing so. These included enhanced ways to submit and track a police report, facilitated feedback of police officers, and a greater connection to emergency responders.

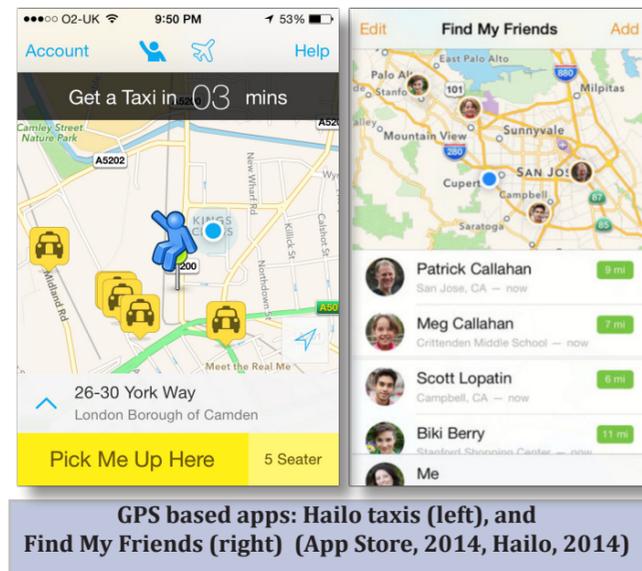
Brief 2:
Increase public perception of the police by increasing public involvement and investigation efficiency and outcomes

The current system for submitting a police report for a nonemergency crime, such as theft or criminal damage, consists of an online form (see image on left) that does not provide any personal contact or further information for the user (Online.met.police.uk, 2013). This way of reporting only encourages victims to report crimes for alternative gains such as to submit an insurance claim. Adjusting the reporting system could encourage more individuals to come forward in relation to a larger variety of crimes. Allowing individuals to track the progress of their own report or similar reports in a more intuitive and consistent way would allow them to see a connection between their lives and their community, as well as visualizing the progress of law enforcement. This solution is a system for indicating a specific crime or types of crime in a specific area, for users to track in a more passive way.

Other solutions that would improve the connection between the police and the public is a mobile platform for seeking information (currently available at Police.uk) about local officers, and submitting

feedback about interactions with officers (see images below). This would likely discourage officers from interacting with any members of the public in a negative manner, but would also provide the opportunity for more people to acknowledge a particularly positive experience they may have had, as there are currently no protocols in place for dealing with these kinds of comments (Renfrew, 2014). This would provide a forum for the community to interact with the police, and would allow the administrators of the police service to gain a greater understanding of the factors that are most important to their constituents.

Increasing interaction with emergency responders is also important for progressively more technology-reliant users. Users are becoming dependent on endlessly trackable data including deliveries, transportation such as taxis, and even their friends and families. This should be extended to emergency services such as police and ambulances. Having this real-time data allows users to meet responders in a secondary location if their location is difficult to access and to make appropriate decisions based on wait times, especially for medical attention. This could be available as an app or responsive text message service (see image on previous page).



Conclusion:

Public engagement is a vital tool in the criminal justice system and must be cultivated. Connecting residents with their local policing team and allowing them to gain an understanding of crime in their area is reasonably effective at building community ties, however this does not directly address the individuals who are most involved in the prosecution of offenders such as those who witness crimes. In the case of the Metropolitan Police service and the UK criminal justice system, the journey of a witness from crime to trial is often inconsistent and may result in witnesses removing themselves from the prosecution. In order to continue to improve the criminal justice system, the value of witnesses must be explored further to gain an understanding of how their experience could be improved.

Chapter 3: Witnesses

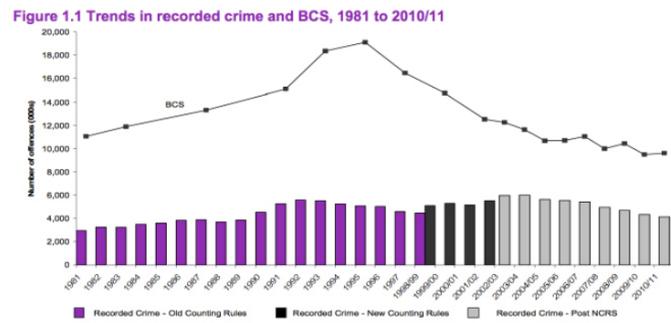
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Introduction:

During this examination of technology usage in the criminal justice system, several different paths were investigated in order to discover the most influential point of intervention. It became obvious that adapting the way witnesses interact with the criminal justice system would be the most influential point of focus to improve the perception of the police. Those who witness crime interact with police and assist in this process in order to make a difference and improve society; however, their involvement is rarely cultivated with care (Hufnagel, 2014). Aside from offenders and victims, the members of the public that engage the most with the criminal justice system in the most valuable way, are witnesses. They play a vital role in the pursuit of justice but are often undervalued in the service provided to them through the course of their involvement.

What is the current journey of a witness in London?

Currently, the journey of a witness in London is a fragmented, and unappealing process, which lacks interaction and engagement. After witnessing a crime, an individual may contact the Metropolitan Police or be contacted by them (App.college.police.uk, 2014, Pinkney 2014). They will then take part in an interview in person, over the phone, or both and may also be required to visit a police station and perform an ID check using a digital video lineup (App.college.police.uk, 2014, Pinkney, 2014, Memon et al., 2011). After this stage there is often a complete cessation of contact. The witness must simply wait to be contacted with notice that they are required to give evidence in court and when the expected trial date will be. This will come as their first interaction with the Crown Prosecution Service (CPS), the lawyer prosecuting the case



1. BCS estimates have been revised and may vary slightly from previously published estimates; see Section 8 of the [User Guide to Home Office Crime Statistics](#).

This graph shows the number of witnessed crimes reported in the British Crime Survey and the number that were prosecuted and recorded. (Criminal Justice Joint Inspection, 2014)

entitled to be informed of the outcome of a trial, yet this may not always occur, leaving them without the satisfaction required to volunteer for such an experience again in the future. This system has led to a large problem with witnesses reporting their presence at the scene of a criminal event.

This imperfect process can have detrimental effects on the witnesses and discourage their future involvement. A review performed in 2009 by the Criminal Justice Joint Inspection found that less than 86% of those who had been involved in a trial, as a witness, would be prepared to give evidence in the future (Criminal Justice Joint Inspection, 2014). This means that the downfalls of the system decrease the willingness of nearly 15% of individuals who had previously chosen to participate as a witness (Criminal Justice Joint Inspection, 2014). Inspectors believe that this modification of some individuals' motivation

to give evidence again is indicative of their differing experiences and levels of service received (Criminal Justice Joint Inspection, 2014).

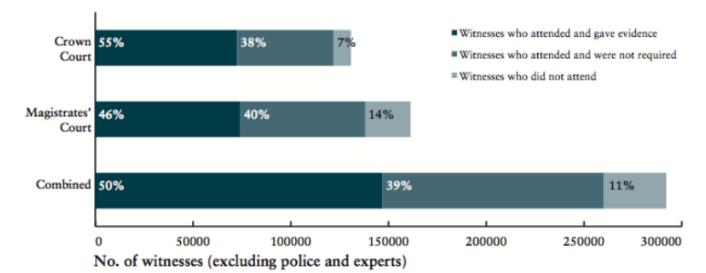
What has been done to improve the witnesses' experience?

Witness Care Units (WCU's) were introduced in all areas of England and Wales

in 2005 and provide a single point of contact for a variety of support for witnesses such as providing information about the progress of their cases and minimizing the stress of attending court (Criminal Justice Joint Inspection, 2014). They are jointly staffed by the police and the Crown Prosecution Service, allowing a fully informed portal for information relating to all aspects of the case (Criminal Justice Joint Inspection, 2014). They provide guidance from the charging of the defendant through the conclusion of the trial. Their services include communicating with victims and witnesses to inform them of the case outcome or trial result, offering post-case support, a continuous review of victim and witness needs during the trial, dedicated witness care officers to guide and support individuals through the criminal justice process and to co-ordinate support and services, and providing special care to victims and witnesses that require assistance to ensure they are able to attend court and give their best evidence (Criminal Justice Joint Inspection, 2014). Under the Code of Practice for Victims of Crime, WCU's have a legal obligation to: tell you if you will be required to give evidence, tell you the dates of the court hearings, give you a copy of the 'Witness in court' leaflet (see appendix A) or other relevant leaflet, if you are required to give evidence, and tell you about court results and explain any sentence given within one day of receiving the outcome from the court (The Crown Prosecution Service, 2014).

The introduction of these units improved the experience of victims and witnesses in court but this will not continue as well due to the fact that they have a progressively more limited reach. Since 2010 they have experienced a 57% decrease in staff. In January 2012 there were 80 WCU's with a total of 131 employees, and in January 2014 there were only 54 WCU's with a total of 100 employees (McClenaghan, 2014). The CPS claims that this decrease is due to the police taking on greater responsibility for supporting victims and witnesses (McClenaghan, 2014). However, police forces are also experiencing budget cuts with the Mayor's Office for Policing and Crime (MOPAC) challenging the Met to reduce its net budget by 20% (around £500 million) by 2016 (London Assembly: Budget and Performance Committee, 2014). As WCU's decrease in effectiveness, witnesses will be less supported and will become less likely to attend court. 16% of all ineffective Crown Court trials between January and September 2013 failed due to the absence of prosecution witnesses handled by the WCU, which was an increase from 7% in 2007 (see graph above), and without alternative support, this problem will worsen (McClenaghan, 2014).

Table 2: Estimated numbers of witnesses and the proportion required to give evidence in 2007



This graph shows the levels of witness attendance and utilization in court in 2007 (Criminal Justice Joint Inspection, 2014)

**Final Brief:
Increase the efficiency, effectiveness,
and public perception of the
Metropolitan Police Service and
the criminal justice system by
communicating with witnesses of crime
in a more engaging way**

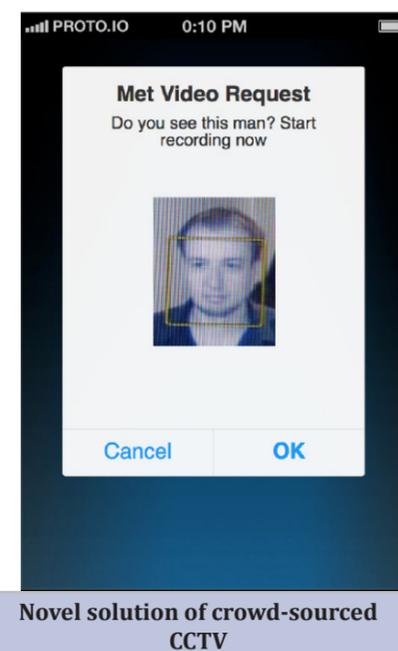
**What novel solutions would change a witness's
experience?**

A more specific brief was then developed: To increase the efficiency, effectiveness, and public perception of the Metropolitan Police Service and the criminal

justice system by communicating with witnesses of crime in a more engaging way. Several novel concepts were considered as solutions to this brief including facilitating a virtual presence of witnesses who are unable to be present in court, and crowd-sourcing video surveillance.

Currently, if a child must be called as a witness in a trial, they will usually not need to visit the courtroom, as a video of their testimony will often be considered sufficient. If questioning must take place, changes are occurring where this may be performed via video calling in court to spare the child the experience of being questioned in a courtroom. This technology could be extended to include international tourists who may have witnessed a crime and returned home, as well as witnesses who are hesitant or unable to attend court for other reasons. In the future this could be advanced to display holograms rather than videos as this would provide a more tangible presence for jurors.

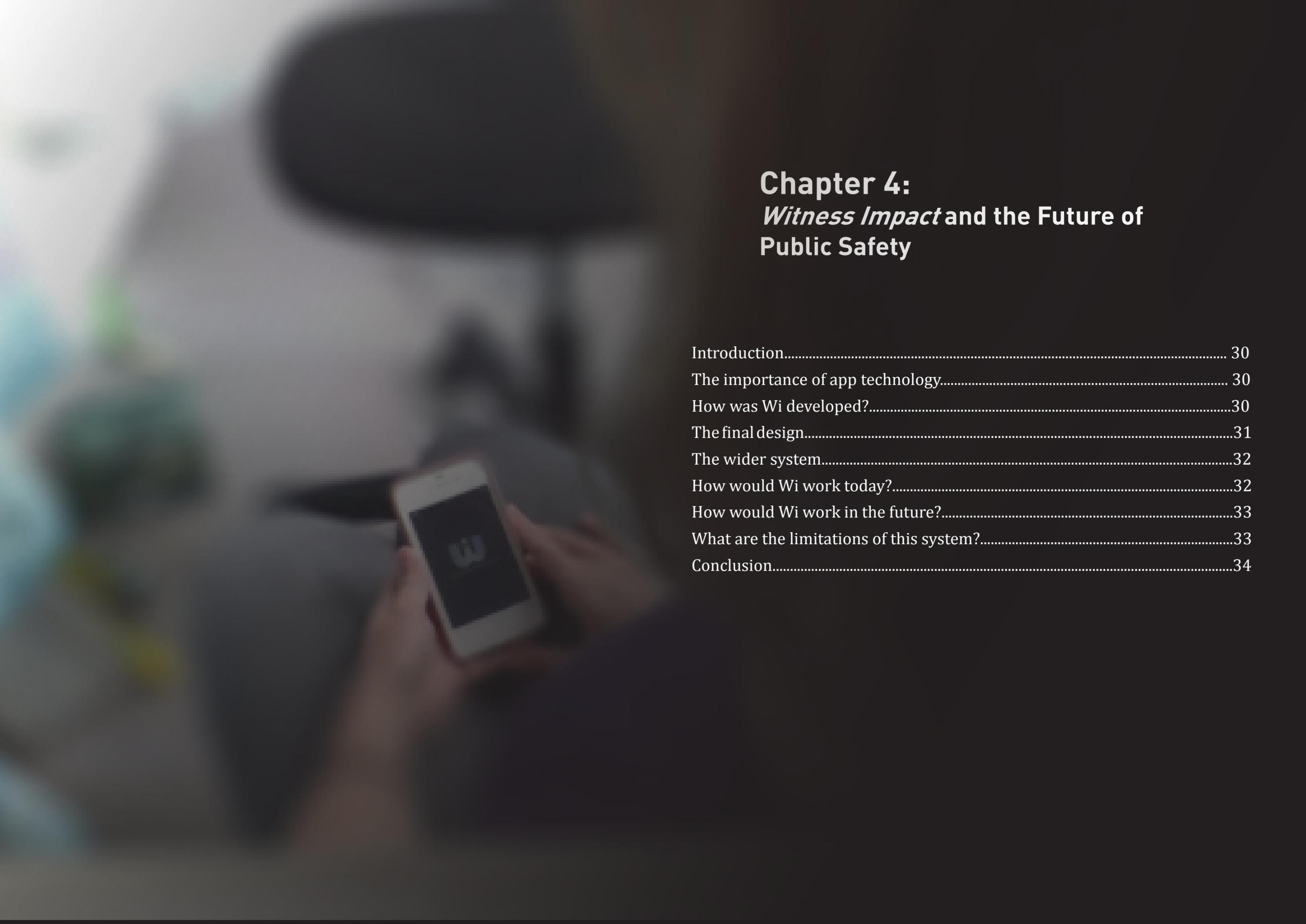
Another solution, which would influence the experience of witnesses and improve public safety, would be crowd sourcing video surveillance. Users could volunteer when witnessing a suspicious act, or be prompted by an app, to begin filming a certain area with their smartphones. This would possibly give law enforcement officers multiple closer, more directed and objective views of an individual or event. This would mean that offenders could not simply avoid installed cameras to avoid detection.



These solutions have value in improving the effectiveness of policing through the expanded engagement with witnesses; however, they were not progressed due to the fact that they do not improve the experience of a witness who is required to engage with the criminal justice system. A solution that would support these individuals through their entire journey was then explored and developed.

Conclusion:

The criminal justice system would be unable to function effectively without the assistance of civilians as witnesses but the value of this role is rarely communicated effectively to the individuals. Witness Care Units were established to improve witness retention rates and provide a higher degree of service but as their resources, and therefore influence, decreases the experience of these individuals will continue to discourage involvement in cases of minor crimes, where the impact is less obvious than it is in more serious crimes. The product, Witness Impact, was developed to address this problem.

A blurred background image of a person holding a smartphone. The phone's screen displays a white Wi logo on a dark background. The person's hands are visible, and the background is out of focus, showing what appears to be an outdoor setting with some greenery.

Chapter 4: *Witness Impact* and the Future of **Public Safety**

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Introduction:

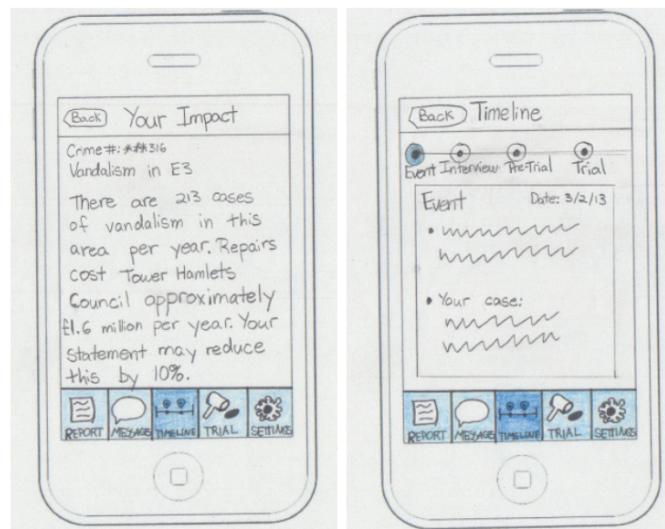
The influence of witnesses on the criminal justice system is vast but as individuals, their needs are often neglected and this causes a follow-on effect, damaging criminal prosecution. As Witness Care Units decrease in quantity and staff, and police forces have minimal resources to absorb the responsibility, it is necessary that a new solution be made accessible to everyone. The Witness Impact (Wi) app is a solution that provides a platform for communicating case information to victims and witnesses without the necessity of greater staff involvement. It allows the users to stay informed about the investigation and trial in a more self-sufficient way. Other changes including parallel apps for the other stakeholders involved, such as CPS lawyers and policemen, and syncing with individual reporting apps, to complete the Witness Impact system.

The importance of app technology

This system is based on apps due to the accessible nature of this platform. In order to provide a dense quantity of information to a large number of people, the solution needed to be easy to obtain and engage with, while also providing a level of personalization. In 2012 60% of mobile phone users in the UK owned a smartphone and this has increased to 68% of UK residents in 2014 (Ratcliff, 2014, We Are Apps, 2013). This shows an increasing market and illustrates that this will be the quickest, easiest, and most efficient way to inform a large number of people. It allows the CPS, the police, and WCU's to take a more passive role by providing a more active role for the users. Instead of being forced to wait to be contacted by one of these authorities or actively pursue the information in regard to investigation process or trial date, it will be delivered to their mobile devices for convenient access. This provides a greater service to the witnesses, without the expense of continuing or expanding WCU's.

How was Wi developed?

After speaking to several police officers, lawyers, and witnesses several iterations of the Witness



First Iteration: the home pages for the “Your Impact” and “Timeline” tabs of the POP prototype.

Impact app were developed and tested in order to distill the most important factors to create the best solution. The first iteration prototype was sketched and then animated using Prototyping on Paper (POPAPP, 2014). It included tabs devoted to initiating the connection with the app by inputting a new report or connecting one that has already been filed, messages from and amongst various trial stakeholders, a timeline of the process, information about the trial, and adjustable security settings. This was introduced to general users and policemen and the feedback from this process led to the creation of the



Second iteration: The home pages for the “Your Impact” and “Timeline” tabs of the Proto.io prototype (Proto.io, 2014)

second iteration. This was developed using Proto.io and provided more intuitive and engaging visual cues (Proto.io, 2014). The initial interaction with this prototype prompts the user to create an account using their name and crime reference number. The app then includes tabs dedicated to the individual's impact and information on local crime, messages, trial information, a timeline, and changeable security and profile settings. This iteration also included new interactions such as submitting requests for a pretrial visit to the court, and travel compensation in order to receive a voucher for travel before the trial, directly through the app. More extensive user testing was performed with this iteration to gain greater knowledge of the app's usability and the how it could be improved. Users were asked to locate and in some cases activate or deactivate certain functions and the time they required for this was recorded. Users were also asked for general feedback. In these tests it was found that it took users an average of 35 seconds to perform the initial task but an average of less than seven seconds to perform each subsequent task. This shows that the app has been designed in an intuitive and comprehensible way that delivers the information simply without any previous experience with this product. Feedback from users was generally positive but specific concerns were brought forward such as the flow of the timeline tab and the wording of the security settings page. These iterations and the analysis gained from the user testing led to the development of the final design of the Witness Impact app.

Task 1	35.8
Task 2	11.0
Task 3	8.3
Task 4	6.7
Task 5	4.0
Task 6	6.3
Task 7	3.8
Average	10.8
Average after Task 1	6.6

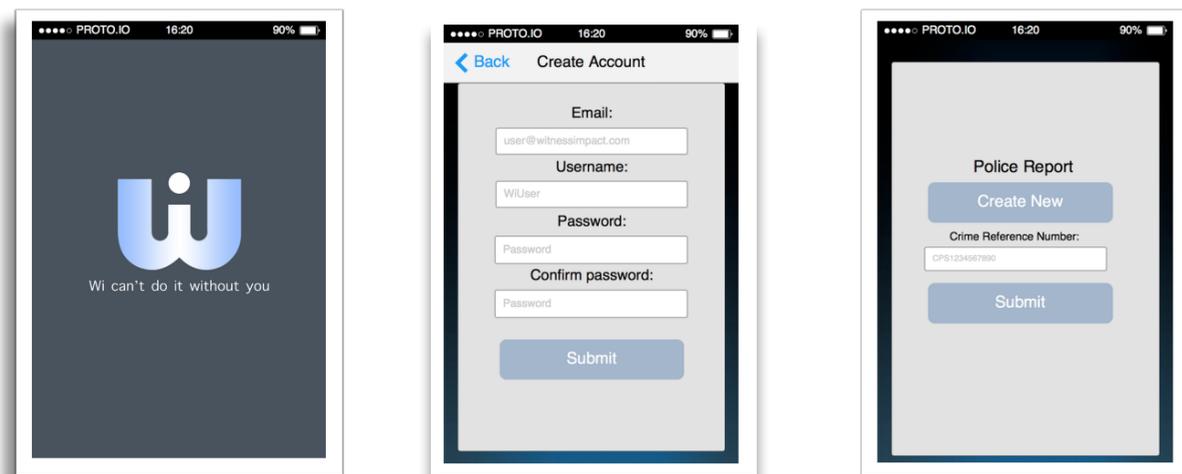


Table and graph indicating the average time in seconds that the users required to complete each task

The final design

The final design of Wi applies the knowledge gained through research as well as the iterative process. It is similar to the previous prototype but has been influenced by user feedback and graphics research. The new design is based on the visual identity of the Metropolitan Police website, including colour-scheme and image placement (see images on following page). It is user-friendly, intuitive and informative. It assists the user in engaging in the process from incident to trial as well as remaining

informed after the trial. It has been designed to blend seamlessly into the greater system of digital resources for public safety and the criminal justice system.



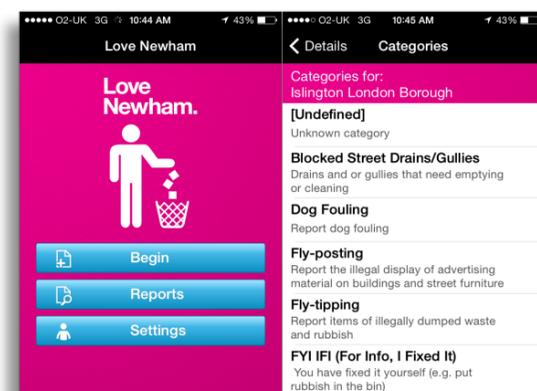
The wider system

Although the Wi app for witnesses is the centre of this system, other surrounding applications can improve its effectiveness. These surrounding projects would include apps for other stakeholders, apps for children, and syncing Wi with other reporting apps, such as Love Newham, a borough-specific app which allows users to report both crimes and positive events and items in their area (See image below) (Love.newham.gov.uk, 2014). By syncing Wi with reporting apps, it allows the witness to experience a more streamlined system. An experiment inspired by a study performed by the University of Illinois at Springfield and the California State Polytechnic University at Pomona, which showed the difference between an interactive and non-interactive witness statement retrieval system, was performed to understand the importance of taking a witness statement as soon as possible. Ten users were shown two different videos depicting crimes of theft. After one of these videos they were asked to fill in a digital witness statement form and after the other video, users were asked to wait 20 minutes while participating in other activities before being asked the same questions orally. The videos were chosen from a selection of five and the order of procedure was alternated for each individual. The results of this experiment showed a 40% increase in details recollected during the immediate reporting and a 10% increase in the accuracy of these

statements. This shows that allowing witnesses to report crimes immediately after viewing an event will result in more thorough and more accurate statements.

How would Wi work today?

If introduced to the current system, the Witness Impact journey would begin during the first contact with police when reporting a crime. Non-emergency, nonviolent crimes may be reported directly from within the app, or



Love Newham: An app for reporting crimes as well as positive events in the Newham area (Love.newham.gov.uk, 2014)

a crime reference number may be entered to connect with a preexisting document. In the near future, as they begin to carry approved smartphones and tablets, when responding to an incident, police officers would be able to provide a mobile wifi signal for witnesses to download the app immediately. The users will then use the app to stay informed about the progress of their case. They will be notified quickly if they are required to attend court and will have access to an estimated court date as soon as they start using the app and would be updated to the official date when it becomes available. They would be informed of the impact that their contribution can make on the local society, which may increase the probability that they will remain motivated to be involved in the prosecution of the offender.

How would Wi work in the future?

In the future, Wi would ideally encourage various changes in the current system for reporting and prosecuting crime. These changes would include some of the novel solutions discussed earlier in this report such as crowd-sourced CCTV, and GPS tracking of emergency responders but in more tailored ways. During an emergency phone call, the operator would have the ability, with the permission of the user, to activate the camera on the user's phone. This would allow the operator to gain a greater understanding of the scene and then stream the same video to responding officers. This would allow the officers to be better informed about the scene they are entering and have quicker reaction times upon arrival. At the scene, officers with smartphones would be able to send the file for the app to witnesses' phones via close range signals such as Bluetooth (Computer Weekly, 2014). Additional versions of Wi would be developed for the various stakeholders such as police officers, and CPS lawyers. This would allow everyone who is involved in this process to organize and communicate using the same platform.

What impact will Wi have?

This solution will affect the criminal justice system greatly both directly and indirectly. Directly, this app will greatly improve the experience of witnesses. If witnesses are more comfortable and engaged in the journey from crime to trial and beyond, they will be more likely to attend court and assist in the prosecution of criminals. Indirectly this app will bring about a more extensive social change. An improved experience will make witnesses more willing to accept this responsibility again if necessary and to encourage others to do the same, resulting in a higher rate of witnesses reporting their knowledge of crimes. This will increase the rate of prosecution of offenders guilty of minor crimes and this will improve the perception of both the police and the rest of the criminal justice system.

What are the limitations of this system?

Wi will improve the journey of many witnesses as they assist in an investigation and trial but it is not intended to replace staff that are trained to care for fragile or vulnerable individuals. Witnesses of violent crimes, for example, would likely still require more support and a consistent personal interaction. Also, the system will only reach its full potential if it is embraced by all necessary stakeholders. Although much of the information transferred in this setting is public and will be automatically generated, certain factors such as the official trial date, pre-trial visit requests, and messages from and amongst agencies, will only be of

value to the user if all parties acknowledge their importance and transfer the relevant information.

Conclusion

The process of being a witness in a criminal trial is currently disjointed, uninspiring and disengaging. Negative experiences in this system result in fewer witnesses coming forward, and a portion of those that do, failing to repeat it. The Witness Impact app is a low-cost alternative to inconsistent Witness Care Units or the use of valuable police resources. It provides the opportunity to improve the public perception of the police, and increase the connections between users and the pursuit of justice. Wi is beneficial to the police and the criminal justice system because it assist in reiterating to individuals the value of their involvement in being a witness.

Conclusion:

The analysis of current policing and judicial processes initiated an investigation into the most influential point for intervention to improve police effectiveness and efficiency. As it became evident that increasing public perception would have a dramatic effect on policing outcomes, specific ways to engage with individuals were explored. Enhancing the involvement of witnesses became the focus of the brief and provided a foundation for the design of Witness Impact. The current inadequacies of the system in regard to witness support and engagement inspired the development of this product and it became obvious that a platform for continuous interaction between the witness and information relevant to his or her case would improve their experiences greatly. The Wi app and future system enrich the witness's journey from initial involvement, through the trial, and beyond by providing a consistent and streamlined solution.

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**Appendix 1:
Witness in Court Leaflet**

Witness in Court



01 What does it mean to be a witness?

Why would you be asked to be a witness?

You may be asked to be a witness if you:

- know something about a particular crime, incident or dispute, for example, because you saw it happen;
- have specialist knowledge on a subject that would be useful in deciding the facts in a trial (you will then be an expert witness); or
- you know one of the people involved in a case (you will then be a character witness). You would be asked to answer questions about, for example, how well you know the person and whether he or she is trustworthy.

What is it like to be a witness?

You may not know what to expect if you are called as a witness – or you may find it very different from what you expected.

This leaflet will help prepare you for what will happen. It explains:

- where to find more help and advice on being a witness;
- where you will give your evidence – the different kinds of court;
- who's who in the courtroom and what some of the legal language means;
- what happens before you go to court;
- what happens when you are in court; and
- what happens after you give evidence.

If you are asked to be a witness in a trial or hearing in court, you play a vital part in delivering justice.

By making a solemn promise to tell the truth and by giving your evidence in court, you make it possible for the magistrates (or the judge and jury if you are called to be a witness in the Crown Court) to understand what really happened.

Before the courts can find someone guilty or not guilty of a crime, they need to hear and consider the evidence – and witnesses are the people who provide the evidence.

Thank you for your time and effort.

Remember: If you have given a statement and are then asked to go to court to give evidence, you must do so.

If you have any problems or concerns about going to court, you must let the person who asked you to go to court know as soon as possible. If you have to go to court but the court does not think that you will go voluntarily, they may issue a witness summons against you. If you still fail to go to court without a good reason, the court could find you 'in contempt of court' and issue a warrant for your arrest.

02 Where can you find help and information about giving your evidence?

It is not unusual for people to feel anxious about giving evidence in court. Perhaps you are not sure if what you say, or how you say it, will help make sure that justice is done.

People who work in the criminal justice system know the experience can be new or strange for you, and will do what they can to make sure you are treated with respect and sensitivity.

The Witness Service

You can talk to a trained volunteer from the Witness Service before you go to court, and a volunteer will be at the court to help you. They cannot discuss evidence or give legal advice, but they will be a friendly face who will show you around the court and tell you what will happen.

There is a Witness Service in every criminal court in England and Wales. This service is run by the independent national charity, Victim Support, and helps victims and witnesses (both prosecution and defence), and their families and friends, before, during and after the trial. The Witness Service sends a leaflet to witnesses before the court hearing to offer its services.

Trained volunteers provide a free and confidential service including:

- general information on court proceedings;
- personal support before, during and after the hearing;
- someone to go with you into the courtroom if you have to give evidence; and
- a visit to a court before you give evidence so it will not seem strange to you.

You can find their details in the phone book under the name of the court.

Or, you can contact the Victim Supportline on 0845 30 30 900.

More information

There is a charter for the Crown Court called the 'Charter for Court Users', which sets out the important standards which you can expect when you come to court. You can get a copy from the Court or by phoning 020 7189 2000. Many magistrates' courts have their own local charter, which you can get from the court.

You can get this leaflet in a range of other languages. Contact your local police station or Witness Service office for details.

You can get general information about the Criminal Justice System (the police, the courts and the Crown Prosecution Service) and more information about being a witness from www.cjsonline.gov.uk

(UK Online offers access to the internet for free or at low cost in approximately 3,500 centres throughout the UK. Call 0800 77 1234 to find your nearest centre.)

03 Where will you give your evidence?

There are three kinds of court where you might be called to give evidence.

- **Magistrates' court**
- **Crown Court**
- **Youth court**

The person or organisation who writes to you telling you when and where you will be needed as a witness will include details of which kind of court the case will be heard in.

Magistrates' court

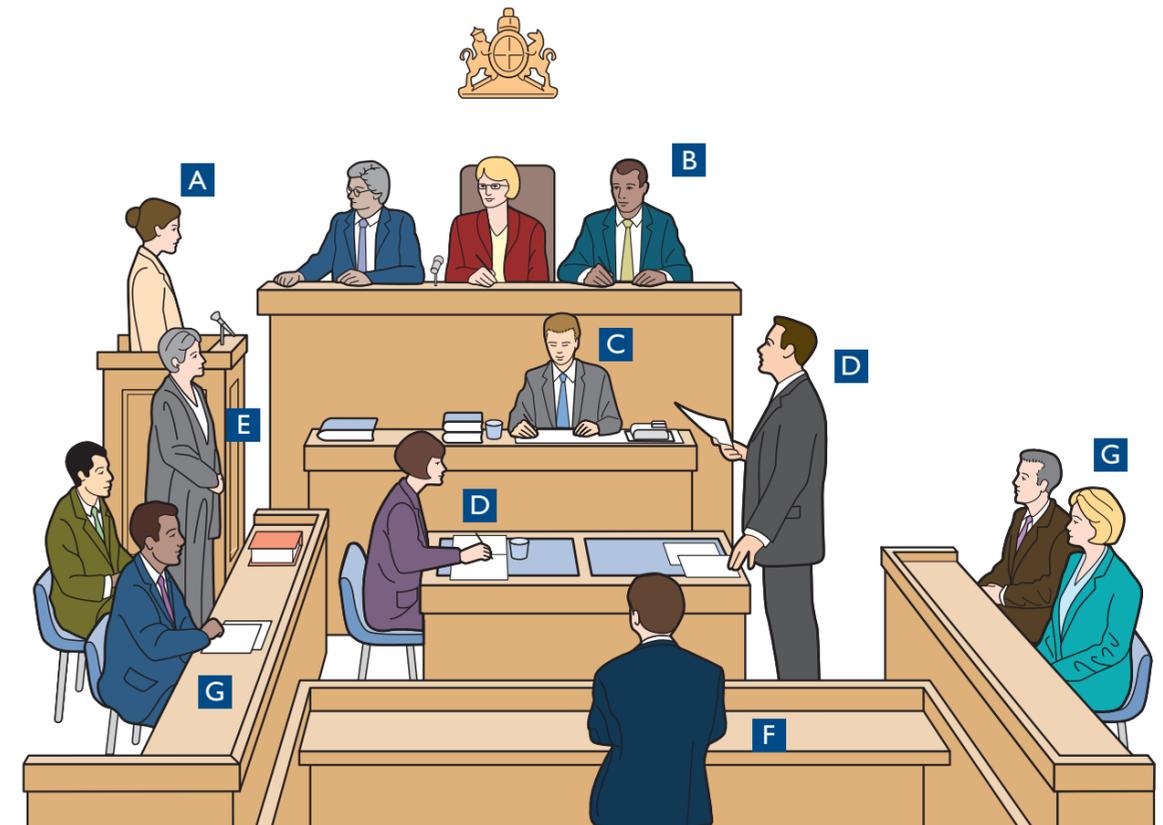
Most criminal cases that come to court are tried in magistrates' courts.

Magistrates listen to all the evidence – including the statements that you and any other witnesses give – and decide whether the person accused of the crime (the defendant) is guilty or not. If the defendant is found guilty or admits he or she is guilty, the magistrates usually decide the sentence.

The magistrates may be three local people (sometimes called justices of the peace or JPs), supported by a legally trained advisor, or there may be just one magistrate (called a district judge, who is a lawyer). No one in a magistrates' court wears the white wigs often seen on judges or lawyers in films or on TV, and only the ushers wear black gowns.

There will be a lawyer (or a team of lawyers) who speaks for the prosecution. In most cases, another lawyer (or team of lawyers) speaks for the defendant – who is also known as 'the accused'.

The picture shows a typical magistrates' court. The magistrates sit behind a raised bench and the witness box is usually to one side near the front of the court.



Key: A Witness B Magistrates C Clerk of the court
 D Lawyers for the prosecution and the defence
 E Court usher F Defendant G Others

Crown Court

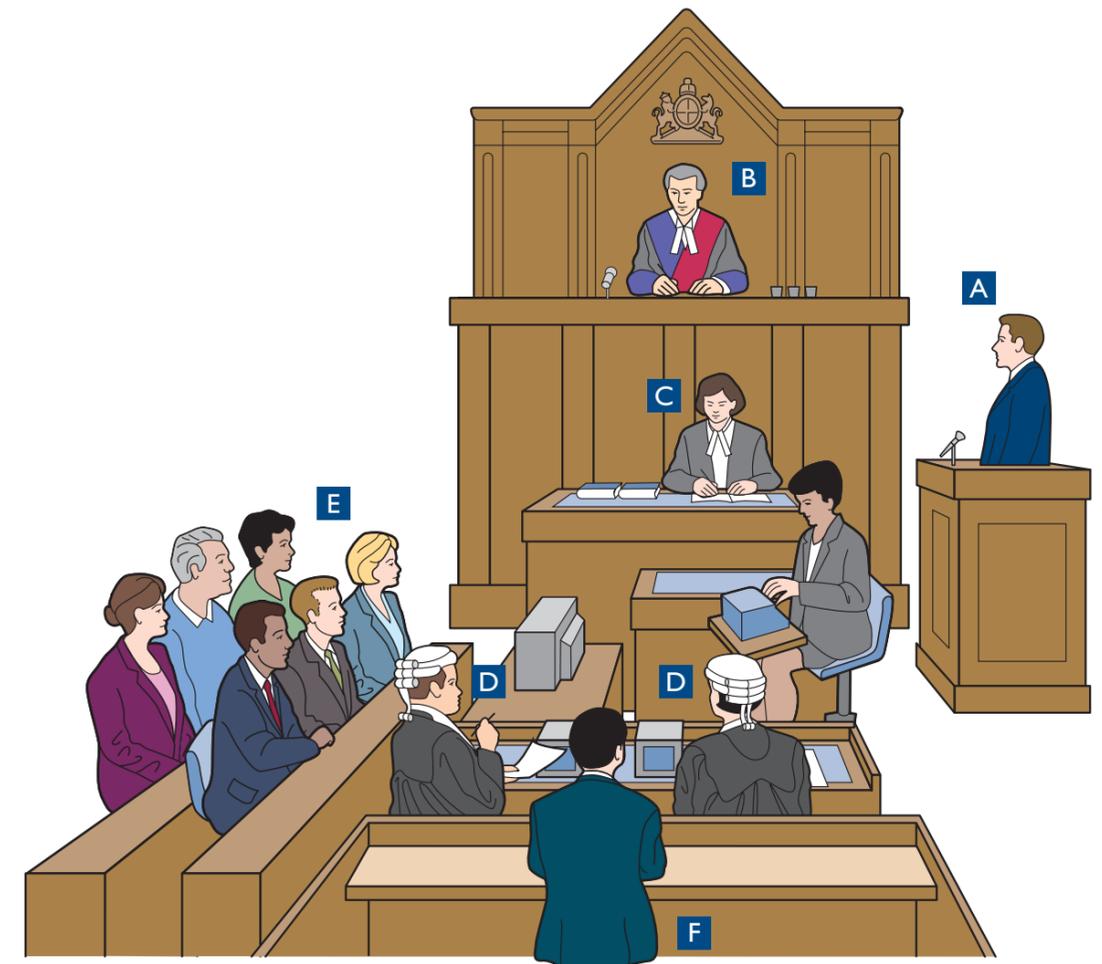
Trials before a judge and jury in the Crown Court are usually only for very serious crimes, or where the defendant has asked to have his/her case tried by a jury. Magistrates may send a case to the Crown Court if they feel they do not have the power to set a sentence as severe as the crime deserves, if the defendant is found guilty.

After listening to all the evidence, the jury tells the judge whether they find the defendant 'guilty' or 'not guilty'.

The judge decides on matters of law. If the defendant is found guilty or admits he or she is guilty, the judge also decides the sentence.

In court, there will be a lawyer (or a team of lawyers) who speaks for the prosecution, and a different lawyer (or team) who speaks for the defendant.

The picture shows a typical courtroom of the Crown Court. Judges and some lawyers wear wigs and gowns. The court clerk also wears a gown and, in some courts, a wig, too. There is also an area for the jury to sit.



Key: A Witness B Judge C Clerk of the court
 D Lawyers for the prosecution and the defence
 E Members of the jury F Defendant

Youth court

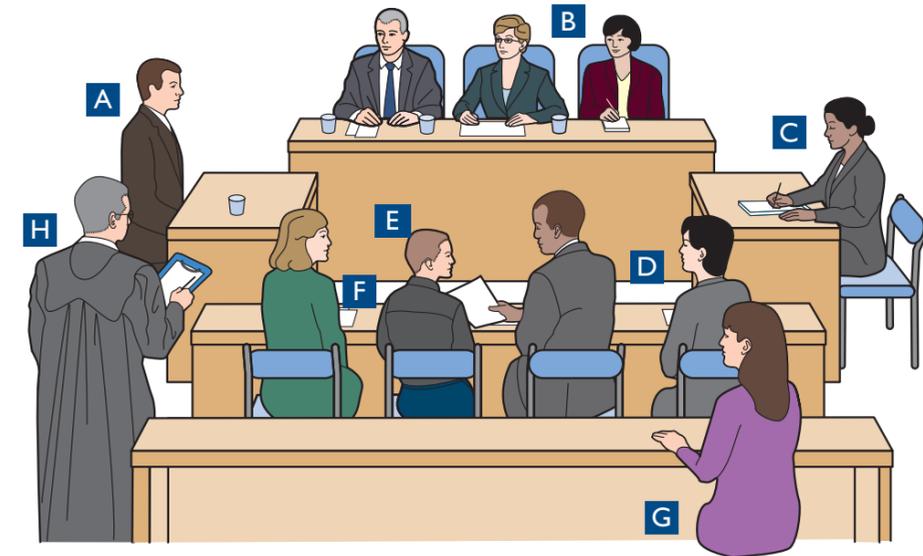
Most defendants under 18 are dealt with in the youth court by specially trained magistrates or by a district judge. There is no jury in these cases. Unlike the adult magistrates' courts and the Crown Court, which are usually open to the public, the law restricts access to the youth court to:

- members and officers of the court;
- both sides involved in the case and their legal representatives;
- witnesses;
- other people directly involved in the case; and
- members of the media and other people who the court has authorised to be present. (The media may report the proceedings but may not normally name any young people involved in the case.)

A child or young person will not be tried in a youth court if he or she is charged:

- with murder or manslaughter (these cases always go to the Crown Court for trial);
- with a very serious offence, such as robbery, and the youth court considers the greater sentencing powers of the Crown Court may be needed; or
- jointly with an adult (a person aged 18 or more) – these cases are heard in the adult magistrates' court or the Crown Court.

The picture shows a typical youth court. The magistrates usually sit on the same level as everyone else in the court.



Key: A Witness B Magistrates C Clerk of the court
 D Lawyers for the prosecution and the defence E Defendant
 F Parent G Youth Offending Team Worker H Usher

04 Who's who in the courtroom?

- **Defendant**
- **Lawyers**
 - **Prosecution**
 - **Defence**
- **Witnesses (including you)**
- **Magistrates, district judge or judge**
- **The jury (only in the Crown Court)**
- **Clerk of the court**
- **Court usher**
- **Other people**

Defendant

The defendant (also known as 'the accused') is the person who is charged with an offence.

Lawyers

One lawyer (or team of lawyers) will speak for the prosecution and one will speak for the defence. If there is more than one defendant, there may be a different lawyer for each defendant.

Most prosecutions are carried out by the Crown Prosecution Service (CPS) on behalf of the Crown (the Queen). This is why you will see or hear the case talked about as *R v 'defendant's name'* where 'R' means 'Regina' or the Queen. The CPS decides whether or not to prosecute cases the police have investigated and, if so, what charges to bring against the defendant.

Both lawyers try to persuade the magistrates or jury how the evidence shows the truth of what really happened.

Witnesses (including you)

There are usually witnesses for the prosecution (whose evidence is used to try to prove the defendant is guilty) and for the defence (not guilty).

Whether you are called as a prosecution witness or a defence witness will depend on which side thinks your evidence is most helpful to their case.

Magistrates, district judge or judge

A magistrate, district judge or judge may ask you questions about your witness statement. In a Crown Court trial, the jury can write down questions which they pass to the judge. The judge then asks the witness.

If the defendant is found guilty (convicted), the magistrates, district judge or judge decide the sentence (what happens to the defendant, such as a fine, community service or a prison sentence).

The jury (only in the Crown Court)

A jury is made up of 12 people who, as far as possible, represent 'the general public'. As jurors are chosen at random, they are likely to reflect a representative mix of people of different ages, from different cultural backgrounds, and doing different jobs.

Once the jury has heard all the evidence, including what you (and other witnesses) say, they talk in a private room about what they have heard. They discuss the evidence. If they are sure that they have heard proof that the defendant committed the crime, they will find the defendant guilty. If the jury is not sure of a defendant's guilt, they must find him or her not guilty.

One member of the jury is chosen to be the 'foreman' and tell the court what all 12 have decided. This is the verdict. Everyone in the court hears the verdict.

Sometimes, all 12 people cannot agree whether they find a defendant guilty or not guilty, even if they talk about it for days or even weeks. If this happens, the judge will tell the jury that a verdict can be given if at least 10 of them agree (a majority verdict). If a majority verdict cannot be returned, the prosecution must decide if it wants to ask for a retrial, which means the whole case will be heard again before a different jury. If the prosecution decide not to ask for a retrial, the defendant will be found not guilty.

Clerk of the court

The clerk of the court makes sure that all the people who should be in court are there, and that what is supposed to happen happens on time and in the right order. He or she may also look up the records of what happened in other trials if the judge needs the information. In magistrates' courts, the clerk, often called the legal advisor, also gives magistrates advice on legal matters.

Court ushers

When the lawyer says in court that they want to call someone as a witness, the usher is the person who actually goes outside the court and calls them in.

Other people

Other people you may see in the court include police officers, probation officers, members of the Witness Service and journalists. In some courts, members of the public are allowed to come and watch what happens from the public gallery. This can include friends and relatives of the people involved in the case.

05 What happens before you go to court?

If you are a prosecution witness, you will normally receive a 'witness warning' letter from the police or from a Witness Care Unit. This tells you when and where you need to go to court to give evidence. You will probably not be given more than about two weeks' notice of the date of the trial. A lawyer should be able to let you know that your case will be heard this week or next week, but often no one knows the exact starting day until the afternoon before.

If you are a defence witness, the defence lawyer should contact you to let you know when to go to court.

When the police or the defence lawyer took your statement, they will have asked you when you are available to go to court. The court will do all it can to set a trial date that is convenient to everybody involved in the case. But witnesses also need to do everything possible to rearrange anything that could clash with them giving evidence.

Time off work

If you need to take time off work, you should show your employer your witness warning letter as proof that you have to go to court. Your employer does not have to pay you for time off work when you appear as a witness. But if you do lose pay, you can claim a witness allowance for loss of earnings (see page 22 for more details about claiming expenses). The loss-of-earnings payment may be less than your actual loss of earnings.

Holidays

You are expected to go to court even if the date clashes with your holiday plans. You could try to rearrange your holiday. Remember that late cancellation can mean you lose money. Your holiday insurance may not cover you if you had been told that booking a holiday before the trial or hearing was over could be a problem.

Health problems

If you are too ill to go to court on the day you have been called to give evidence, contact the clerk of the court or the lawyer who asked you to give evidence and explain.

You should ask your GP for a medical certificate and send it to the person who asked you to come to court. If you get the certificate on the day of the trial, you could call the court and then send or fax the form as soon as possible.

If your illness seems likely to last for a few days or longer, contact the prosecution or defence lawyer and ask what other arrangements they can make for your evidence to be heard in court. For example, the court may agree that your earlier statement can be heard instead.

Other problems

If there are any other reasons which mean that you cannot go to court, you should contact the court as soon as you can.

What you need to do

The person who asks you to come to court should send you information about how to get to the court and the facilities it has. Crown Court centres also have a Customer Service Officer who you can ask about facilities. You can find the number of the court in the phone book under 'Crown Court'. The Witness Service can also help you with this information.

You should tell the person who asked you to come to court if any of the following apply to you.

- You have a disability or other special needs which means you will need help in getting to the court or moving about in the court building. Courts are covered by the conditions of the Disability Discrimination Act 1995, and must make reasonable adjustments.
- You think you will need an interpreter.
- You would like to visit the court before the trial starts. You can also arrange this with the Witness Service or the Crown Court's Customer Service Officer. Or, you can go on-line for a 'virtual' witness walk-through at the Criminal Justice System website (www.cjsonline.gov.uk).

You should also contact the Witness Service if you think you may need:

- personal support;
- someone to go with you into the courtroom; or
- information about what happens at court.

Intimidation

It is a criminal offence to intimidate (frighten) a witness, juror or anyone helping the police in an investigation. If you are harassed or threatened in any way before, during or after the trial, you should immediately tell the police or the representative of the Crown Prosecution Service (CPS) or other prosecuting authority at the court. If you are a defence witness, you should tell the defendant's lawyer or their representative at the court. If you are not sure who to tell at court, tell the court usher.

If you are worried about meeting the defendant, other witnesses, their friends or relatives, or anyone else involved in the hearing or trial, tell the Witness Service, the police, someone who works in the court or the lawyer who has called you as a witness. There should be a separate room where you can wait before and during the hearing.

Special measures in court for witnesses who are vulnerable or intimidated

Some people can find the process of giving evidence in court particularly difficult or daunting and may need extra help. There may be a number of reasons for this, such as their age, they might feel frightened or confused about the court process, or they may have seen something that really shocked or frightened them. Special measures are available to help these people (described as 'vulnerable or intimidated witnesses') give their evidence in the best way possible.

Do you qualify for special measures?

You may be eligible for special measures as a 'vulnerable witness' if:

- you are under 17 at the time of the court hearing; or
- the court thinks that you might need extra help giving your evidence because you:
 - suffer from a mental disorder;
 - otherwise have a significant impairment of intelligence and social functioning; or
 - have a physical disability or are suffering from a physical disorder.

You may be eligible for special measures as an 'intimidated witness' if your evidence is likely to suffer because you are afraid or distressed at giving evidence in the proceedings.

The court will decide if you qualify for special measures. They will get advice from the police, the Crown Prosecution Service or the defence lawyer, and take account of your views on whether you want special measures.

What are the special measures?

- Screens: A screen is placed around the witness box so that the witness cannot see the defendant.
- Live link: The witness sits in a room away from the courtroom where the case is being tried and gives evidence through a live TV link. The witness can see the judge, magistrates or district judge and lawyers, and people in the courtroom can see the witness.
- Evidence in private: The public gallery is cleared except for one member of the press.
- Removal of wigs and gowns: The judge and lawyers do not wear the formal black robes (gowns) and wigs that they usually wear in the Crown Court.
- Video-recorded evidence-in-chief: Before the trial, the witness is recorded on video answering questions asked by a police officer. The video is played at trial as the witness's evidence-in-chief (main spoken evidence before cross-examination).
- Aids to communication: Child witnesses under 17 or adult witnesses who are vulnerable because of their physical, mental or learning disability or disorder are allowed to use a communication aid (for example, an alphabet board) to help give their evidence in court.
- Intermediary: An approved independent intermediary can help child witnesses under 17, or adult witnesses who are vulnerable because of their physical, mental or learning disability or disorder, to communicate with legal representatives and the court.

06 Going to court

Expenses

You can claim certain expenses for travelling to court, and an allowance for meals and lost wages or other financial loss, such as childcare. The amount you can claim will depend on the length of time you have to be away from home or work to go to court. You can claim expenses only up to when the court says you are released.

If you are a prosecution witness, ask the CPS representative or court staff for a claim form when you get to court. If possible, you will be paid 5 to 10 working days after the CPS receive your properly filled-in claim form.

If you are a defence witness, ask the court staff for a claim form.

If you need help to fill in the form, ask the Witness Service or a member of the court staff.

In some cases, advance payments can be made for people who cannot afford to travel to court. You should contact the person who asked you to come to court if you need advance payment for travel costs.

Travel

Sometimes, people worry about things like whether they will be able to get to the court on time, if they will find a parking space or where to find public transport links. It can all get in the way of them feeling comfortable and confident when the time comes for them to give evidence.

The person who is calling you as a witness should give you practical details when they contact you about the day you are expected to give your evidence.

Ask for any more details you need, such as parking arrangements and charges, or whether any food or drink will be available. You may need to bring cash (including change) to cover costs like car parking and refreshments.

Friends and relatives

Check with the person who asked you to come to court if a friend or relative can come to court with you. In most courts, you do not need to ask permission. However, if you are a witness in a trial at the Old Bailey (the Central Criminal Court in London), you will have to let the court know in advance for security reasons.

If a friend or relative comes to court with you to keep you company, they will not be able to claim anything back from the court to cover their travelling expenses or money they spend on food while you are there. But if you need someone to come to court with you to help you, for example, to look after your child while you give evidence, or because you need help with your mobility, they may be able to claim expenses such as travel costs.

For more information about going to court visit: www.cjsonline.gov.uk

07 What happens when you are in court?

Sometimes, people worry about whether they will be able to find the building, or find their way around the building, or that they will talk to the wrong person. It can make it difficult for them to feel confident or calm when giving their evidence.

Being in court should not be a frightening or pressured experience. If you think it might be, help and support are available.

When you arrive

You will find clear signs to help you find your way around. All cases are listed under the defendant's name. Give the receptionist or usher the name of the defendant and show them the letter asking you to come to court.

The receptionist will tell you where to wait. There should be a separate room where you can wait before and during the hearing. If you are not already in touch with the Witness Service, you can contact them when you get to court. If you need to speak to the Customer Service Officer, ask at reception.

If you are a witness for the prosecution, a representative from the Crown Prosecution Service (CPS) will usually introduce himself or herself.

If you have made a statement and you want to see it before you give evidence, you will be allowed to do so. If you are a prosecution witness, ask the CPS for a copy. If you are a defence witness, ask the defence lawyer for a copy. If it would be helpful to you to have your statement with you when you give evidence, ask the lawyer if this is possible in your case.

The usher, Customer Service Officer or Witness Service will let you look in the courtroom before your case starts, if you want to. You can do this first thing in the morning or at lunchtime.

Before you give evidence

The courts will try to make sure you do not have to wait more than two hours before you are called to give evidence.

Do not talk to other people about your evidence before you go into the witness box. It could make the court wonder if you have made an agreement on what to say. You can speak to police officers and lawyers (both prosecution and defence) dealing with the case, although you cannot discuss your evidence with them.

If there is some time to wait before your case starts, you can sit in the public gallery of the courtroom and listen to other cases. If you do this, tell the usher where you have gone. Once your case starts, you must leave the courtroom and wait until it's your turn to give evidence. You must not hear the evidence that other witnesses give.

When it is your turn to give evidence

When your name is called to give evidence as a witness, an usher will show you to the witness box. In the Crown Court, this will usually mean that you are facing the jury.

You will be expected to stand up while you are giving your evidence, and you should let one of the ushers know if you think you will need to sit down. They will ask the judge or magistrate to allow it.

You will then be asked to take the oath (if you are 14 or over). This means you have to swear to tell the truth on the holy book of your religion. If you prefer, you can affirm (promise) to tell 'the truth, the whole truth and nothing but the truth'. The usher should ask you whether you want to affirm or swear on a holy book before you go into the courtroom.

He or she should also ask you about other rituals and practices you may want to observe before giving evidence.

Giving your evidence

Giving evidence in court is usually not the same as when you first made a witness statement. Instead, the lawyers will ask you questions – and they may seem to repeat questions or ask them in different ways.

Please remember the following.

- In most cases, the defendant will have pleaded not guilty. Your evidence will help the court to decide whether he or she is guilty or not.
- If you don't know or are not sure of the answer to any questions you are asked, say so. You can ask the magistrates, district judge or judge for advice.
- Don't worry if you are told you cannot say certain things when you are giving evidence. This is because there are some rules about the kind of evidence the court can hear.
- Take your time and speak slowly and clearly.
- Ask for questions to be repeated if you don't understand or can't hear.
- The magistrates, district judge or judge won't know everything about your case, so take care not to leave anything out of your evidence.
- Witnesses are sometimes called to give evidence even when the defendant has pleaded guilty. This happens when there is a disagreement about the facts of the offence.

If you are called as a prosecution witness, the prosecution lawyer will ask you questions. The defence lawyer will then ask you questions (cross-examine you). If you are a witness for the defence, the defence lawyer will ask his or her questions first, followed by the prosecution lawyer. When one lawyer has finished his or her questions, you will stay in the witness box. The judge (or magistrate) will invite the other lawyer to ask you questions. Many people are surprised or worried about the cross-examination by the other lawyer. It is important to remember the following.

- It isn't personal – it's the lawyer's job to make sure you have not made a mistake.
- You are not on trial. The lawyers are not trying to make people think you are stupid, or call you a liar. If the questions become too aggressive, the lawyer who called you as a witness has a right to ask the judge or magistrates to stop it. The judge or magistrates can also ask the lawyer to stop the questions.
- Our law is based on the idea that a defendant is innocent until proven guilty. Making sure a witness's evidence really proves something is an essential part of the process.

In most cases, the defendant will have a lawyer present and they will ask you questions. However, defendants do have the right to refuse legal representation and defend themselves, and this may mean that they will question you. This is extremely rare and normally only happens in very minor cases.

A defendant cannot cross-examine a victim, a child or a 'protected' witness (someone who has been a witness to the actual offence) in cases involving a sexual offence (or certain other offences involving a child). In these cases, a lawyer must ask the questions for him or her.

What happens after you have given evidence?

Both lawyers will tell the judge or magistrates that they have no more questions for you. The judge or magistrates will thank you for your evidence and officially release you. This means that you can leave the court. You can go home, or you can stay and listen to the rest of the case. However, if you are a witness at a trial or hearing in a youth court, you will probably not be allowed to stay after you've given evidence.

Most people are only asked to give evidence once in any trial or hearing. However, if there is new evidence that means asking witnesses different questions, you may be called back again.

08 After the trial

When you have given evidence in a trial, you may be interested in finding out what happens. You may already know if you think the defendant should be found guilty or not guilty – but that may not always be what the court decides.

How to find out what happened in the trial

If a Witness Care Unit asked you to attend court, it should inform you of the result. Otherwise, you can find out the result of the case by contacting the court or you can speak to the person who asked you to come to court.

Will you be asked to be a witness again after the trial?

You should not usually have to give evidence twice about the same crime or incident, but it might be necessary in the following circumstances.

- If a magistrates' court finds a defendant guilty and his or her lawyers appeal against the conviction, you may be asked to give your evidence again. This appeal will be in front of a judge in the Crown Court, but with two magistrates instead of a jury.
- Defendants convicted by a jury in the Crown Court have a right of appeal to the Court of Appeal. It is unusual, however, for the Court of Appeal to want to hear witness evidence again.
- If the jury in a Crown Court case cannot agree on their verdict, a retrial may take place and you might be asked to give your evidence again before a different jury. This does not happen very often.
- A retrial might also be needed if there is a problem with the trial and the judge or magistrate has to stop the case. You will be told why this has happened, when the retrial will be, and whether you should be there.



Criminal Justice System: working together for the public

**Appendix 2:
Second Iteration Flowchart**

