

Written evidence submitted by Rape and Sexual Assault Counselling Centre - RSACC (CCB0009)

Introduction

RSACC offers specialist services and support to survivors who have experienced any form of sexual violence in Darlington and County Durham. We provide a range of support services, including an ISVA service (Independent Sexual Violence Advocate) to support victims/survivors who have chosen to report their experiences to the police and go through the court process. As such, our ISVA team works every day within the court system, supporting victims of rape and sexual assault. There are wider structural challenges within the court system that specifically impact our clients, including:

- the adversarial nature of cross-examination,
- the intimacy of the crime itself, and the perception of the 'he said, she said' nature of the crime,
- the lack of specialist staff throughout the process,
- the prevalence of rape myths and a lack of understanding in the wider public around rape and sexual assault.

Many of our clients find the court process as traumatic as the crime itself, if not more so, and the issues caused by the court backlog only compound this. We have highlighted some of the specific challenges of the court delays below and would be happy to be contacted for further information.

Impact on Clients

Two of our clients recently met with the Victim Champion within the OPCC (Office of the Police and Crime Commissioner), supported by their ISVA, to detail their experience of court impacts. Both clients had significant mental health issues and fed back that news of last-minute court delays had left them suicidal and with significant mental health needs.

Many clients share their concerns that each court delay means their perpetrator is free to commit further offences, bringing up feelings of blame and guilt within the victim. Many also feel an injustice that the perpetrator is able to 'get on with their lives as normal' whilst the victim may need to change every aspect of their life while they wait for court—managing who they talk to, where they live, where they go to school, and where they socialise.

Impact on Staff

A practical challenge that our ISVAs face in managing their calendar and workload is not knowing until very short notice whether a trial or court date is going ahead. Building trust with victims of sexual violence is core to our success, and this means reliably and consistently attending appointments. When court dates are moved, very often on the day they are due to go ahead, ISVAs have to cancel or move other clients. While this is undesirable in any client-supporting role, victims of sexual assault can find this very traumatic as they may struggle to trust professionals and may feel let down both by the justice system and their ISVA, who is not able to prioritise their appointments.

There is also a significant impact on staff morale, as they invest a huge amount of time and effort in ensuring their vulnerable clients attend court dates, only to be left picking up the pieces when there is a delay. Practice has improved recently, but our team is still often not told why something has been postponed or cancelled, and still hears of sexual assault trials being listed as 'floating' trials or 'back-up' trials, which is against best practice. As one team member recently put it, 'I just assume that a court date isn't going ahead anymore.'

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There is also a risk that the challenges in the court system encourage a level of cynicism amongst staff, whose central role is to improve the attrition of victims within the system and reduce dropouts. If ISVAs do not see justice being done for their victims, who are repeatedly let down by the system, how much harder will it be for them to provide our clients with an impartial and supportive service?

For example, there is a perception locally, although have not received confirmation, that cases where our clients have completed a Video Recorded Interview are being targeted for relisting, due to the perception that it's 'easier' to manage. VRIs are designed to support particularly vulnerable clients, so staff are very concerned about the impact this might have.

Impact on Service

The most acute impact of court delays is the length of time that a client remains in our service. On average, we have seen the number of weeks a client spends in our service rise from 47 weeks in 21/22 to 58 weeks in 23/24. More recently, in December 2024, we have had several clients given court dates in summer 2026. These delays mean we are unable to onboard new clients who have requested our support, during a time at which we see an increase in clients being referred for ISVA support (in part due to the successes of Operation Soteria work). As our waiting list grows longer, we are challenged by our commissioners (the local Police and Crime Commissioner) to reduce the time on our waiting lists, but we have limited options.

Of course, the impact on clients on our waiting lists is also significant. Given that we are the only specialist service for victims of sexual violence in our area, we do what we can to support those waiting for our service through our Emotional Support Line and Support Groups, but we hope that one day, service provision will match demand so all victims receive the support they need immediately.

This issue also raises questions about how best to design our service offer and maintain the Essential Elements of ISVA support as outlined in the government guidance of September 2017. With clients waiting over a year for a court date, they may need very little support (and, in fact, may not want regular contact with an ISVA as that can be triggering or retraumatising). Others may want a high level of support but may draw ISVAs into providing support outside their remit, particularly around mental health.

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