

FACTSHEET: Pre-trial Therapy for Child Witnesses

The Practice guidance for Pre Trial Therapy is primarily for the assistance of child care professionals and lawyers involved in making decisions about the provision of therapeutic help for child witnesses prior to a criminal trial. The guidance makes it clear that the best interests of the child are paramount when deciding whether, and in what form, therapeutic help is given. The decision making process should enable children who need therapy to receive it at an appropriate time and support them to give their best evidence in criminal proceedings.

Section 47 Enquiries

During any Section 47 Enquiry, where there is a Joint Investigation between the South Yorkshire Police and Sheffield Children's Social Care, there will be a number of points at which criminal proceedings will be considered. A Child or Young Person may be interviewed in order to provide their Witness Statement under the provision set out in the guidance 'Achieving Best Evidence in Criminal Proceedings' (2011).

The initial joint investigative interview with the child, including any visually recorded interview, should be undertaken prior to any new therapeutic work in order that the original disclosure is not undermined.

Decision for therapy

The decision for therapy should normally be made following a professional assessment of the child's need for therapy, and should be taken in an Initial Child Protection Conference. If the child is not subject to child protection processes a multi-agency meeting should be arranged to consider the decision.

The decision should be followed up by a referral made by a GP, Doctor, Social Worker or Educational Psychologist. The professionals providing the therapy must be familiar with the national guidance 'Provision of Therapy for Child Witnesses' and the implications for the criminal process relating to disclosure and contamination of evidence.

Therapy

An assessment for therapy should be undertaken by an experienced and knowledgeable therapist, who will explain the implications for confidentiality issues to the child and the parents/carers. There needs to be confirmation that therapeutic intervention is in the best interests of the child, including taking into account the child's right to justice. An agreement about the parameters and nature of any proposed therapeutic support needs to be made to ensure that the process is subject to regular review and carefully recorded.

Crown Prosecution Service

The South Yorkshire Police will inform the Crown Prosecution Service of the commencement of the therapy and reach agreements about recording formats.

Lines of regular communication between the professionals involved with the Children will need to be agreed.

The professional who will provide therapeutic support should be given sufficient information about the nature of the abuse alleged by the child to be able to judge if the child begins to make new or additional allegations within a session. Any new disclosures must be reported to the relevant South Yorkshire Police officer and the social worker.

For further details see **chapter 3.5.1** in Sheffield Children Safeguarding Partnership Procedures.