

Child Sexual Offence Evidence Program

Information for families during the court process

The Child Sexual Offence Evidence Program aims to reduce the stress and trauma experienced by children and young people who are complainants and prosecution witnesses in sexual offence cases.

The program involves the early pre-recording of evidence to reduce the time spent in court and addresses their communication needs by providing witness intermediaries.

It operates in Sydney and Newcastle District Courts, and Central Metropolitan, South West Metropolitan and Hunter Child Abuse Units.

What is a witness intermediary?

A witness intermediary is an accredited professional from one of five primary disciplines - speech pathology, social work, psychology, teaching or occupational therapy.

They are independent and impartial officers of the Court whose role is to assess the communication needs of children and young people - and inform police and the court of the best ways to communicate with them.

What does a witness intermediary do during the court process?

Before the pre-recorded hearing, witness intermediaries meet with the child to assess how they communicate. Witness intermediaries write a report that is provided to the court outlining their communication needs and the best ways to communicate during the pre-recording of evidence so they can give their best evidence.

Witness intermediaries can be present during the pre-recording of evidence and may sit in the remote witness room with the child. Witness intermediaries can interrupt questioning if the recommendations provided in their report are not complied with.

How is evidence pre-recorded?

The pre-recording of evidence includes examination, cross examination and re-examination of the child complainant or prosecution witness. This takes place before a judge and lawyers, with no jury present.

The child can give their evidence from a remote witness room, so that they do not have to be in the same room as the accused. This can happen many months before the trial.

Who has access to a witness intermediary?

The program is available at Newcastle and Sydney (Downing Centre) District Court, where a Judge has made a court order for inclusion in the program.

Witness intermediaries are appointed by the Judge for children under 16 years of age. For young people 16 to 18 years old with communication difficulties, a witness intermediary may be appointed by the Judge or upon request.

What does Victims Services do?

Victims Services maintains the panel of witness intermediaries, including their training and accreditation.

When the court requests a witness intermediary, we match the request with someone who has the right skills and qualifications to assist the child or young person. We contact the family to organise a communication assessment.

Who should I contact to find out more?

Victims Access Line: 1800 633 063 | **Aboriginal Contact Line:** 1800 019 123

Business hours: Monday to Friday 9am to 5pm (excluding public holidays)

Email: csoep@justice.nsw.gov.au **Website:** www.victimsservices.justice.nsw.gov.au