

ABOUT RAPE AND SEXUAL ASSAULT

What happens when you report to the police?

- It is totally your decision about whether to report to the police, whether immediately or some time - even years - after the event. If you are also in touch with your local rape crisis centre, we will support you in whatever decision you feel is right for you.
- If you have decided to report the incident to the police it might be a good idea to take a friend or relative with you for support.
- If the incident has just happened, try not to wash or change your clothing as this can destroy evidence. The police will probably keep what you are wearing, so take a change of clothes with you.
- Depending on where the incident took place, the police may want to gather additional evidence, e.g. bed clothes.
- The police will take a statement from you. Remember to read it before signing to make sure it is accurate. This is confidential. In the event that someone is charged and a court date is pending, the accused's solicitor / precognition agent would be given your name and contact details (this will be down as c/o the Police and they will contact you.) This is so you can be called to precognition (this is voluntary).
- If the assault is recent you will be given a medical examination by the police surgeon. Photographs of any injuries will be taken and you may be asked to go back the next day, as some bruising does not show up immediately.
- It is advisable to write your own notes on what happened when you leave the station. It could take up to a year for a case to go to court, and your notes will refresh your memory about what you said.
- If you remember anything after you have left the station, call the investigating officer and let them know what you have remembered.

What happens next?

- If the attacker is traced and then charged, a report is passed to the Procurator Fiscal (P.F.). The P.F. will decide whether or not to take things further. It is the P.F. who actually brings the charges, not you. If the P.F. decides there is a case for the accused to answer, you

cannot then decide to withdraw. If you do you can be charged with wasting police time.

- The attacker, in most cases, will get bail. He will be warned not to approach you. If he does, contact the police again and let them know.
- At some point, the P.F. will ask you to go for "precognition". This is when the P.F. will question you and anyone else involved, in order to see how strong the case is against the accused. You can take someone with you for support. The accused's lawyer will also want to question you before the trial. You do not have to do this, but you may be asked what your reasons for this are. If you do agree to this, you can insist that it takes place somewhere of your choice and that a friend, relation or someone from the Centre be with you. The accused will not be there. The information gathered from precognition may lead to the solicitor recommending the accused pleads guilty i.e. if the case is very strong.

What happens when it gets to court?

- Cases of rape and other serious sexual offences are heard in the High Court. Other offences, for example attempted rape, are dealt with in the Sheriff Court. The difference between the two is the power they have for sentencing.
- In court you are the Chief Witness for the prosecution and you are not represented by a lawyer
- It is hard to say how long the case will last, and it may be postponed, but you only have to be there to give your evidence. Often there are long periods of waiting and confusion. If you made your own notes, read them through before you go. If the accused pleads guilty you will not have to appear, but this may not happen until the last minute. Be prepared for a number of people to be present in court when you give evidence. Members of the public will be cleared from the court while you give your evidence and the press will not publish your name or address. The accused will be present in court while you give evidence.
- If the accused is found Guilty he will be sentenced. There is a three year maximum sentence in the Sheriff's Court, but no upper limit in the High Court. You should receive a letter from the PF asking if you want to opt into the Victim Notification scheme. This means that you would be informed when your attacker is released from prison. You

can opt into this scheme at any time although they strongly suggest you do so as soon as possible. You can also opt out of this scheme at any point.

- If he is found Not Guilty he will then be released. You cannot appeal against this decision.
- If the verdict comes back as Not Proven this means there has not been enough evidence to convict him and he will be released.
- You may be entitled to claim compensation from the Criminal Injuries Compensation Board. Our Centre has copies of the form or you can contact them direct at www.cica.gov.uk

No man has the right

No matter what the outcome, many women find the legal process very distressing. The Law may call it "rape", "assault", or nothing at all. If you feel that you have been raped and need someone to talk to, our service is free and confidential.

HELPLINE SUPPORT

You can telephone our helpline for support or information on 01738 630965. We also have a 24 hour answering machine, so that at any other time messages can be left and will be returned discreetly, as soon as possible.

Write to: WRASAC P & K, P.O. Box 7570, Perth, PH2 1BY

Email info@perthshirerapecrisis.org

USEFUL CONTACTS

Samaritans	(01738) 626 666
Genito-Urinary Clinic	(01738) 473 220
Police Family Protection Unit	(01738) 892 911
Perthshire Women's Aid	(01738) 639 043
Victim Support	(01738) 567 171

Criminal Injuries Compensation Board (0141) 331 2726

Citizens Advice Bureau (01738) 624 301

Bristol Crisis Service for Women (0117) 925 1119

Childline (0800 1111)