

WHAT HAPPENS WHEN YOU REPORT TO THE POLICE?

- 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.
- Incidents that have occurred in the last two weeks are dealt with by CID. You can ask to speak to a woman officer. You have the right to leave the police station at any time.
- Incidents that have happened over two weeks ago would be dealt with by the Family Protection Unit (number on back of leaflet).
- 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 Tayside 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. This can be done at a time and place of your choice (If you refuse to

speak to them, they can apply to the court for precognition to happen under oath). 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's 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.
- The case can last for a couple of days, 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 five 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. The Centre has copies of the form or you can contact them direct (phone number on the back of this leaflet.)

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.

USEFUL CONTACT NUMBERS

Angus Women's Aid	(01241) 439457
Samaritans	(08457) 909090
Genito-Urinary Clinic	(01382) 425542
Police (Family Protection Unit)	(01382) 223200
Criminal Injuries Compensation Board	(0141) 331 2726

LEAFLETS AVAILABLE

- Sexual harassment at work.
- Information about the police and court.
- Information for friends and family of survivors.
- Information for survivors of rape or sexual assault.
- Information for adult survivors of child sexual abuse.
- Information for women who would like to volunteer.
- Information for workers.
- Information on ritual abuse for survivors and supporters.
- Survivors and flashbacks.
- Survivors and self-harm – self-injury.
- Suicidal feelings
- Useful contact numbers
- Personal safety
- W.R.A.S.A.C service information. (Also available in Urdu, Punjabi, Bengali and Chinese)

All the above leaflets are available in large print, Braille and on CD.

HOW TO CONTACT US

WRASAC P.O. Box 83, Dundee, DD1 4YZ

Helpline: (01382) 201291

Mondays 12pm - 2pm, Tuesday 10am-12pm, Thursday 2pm-4pm

Wednesday and Friday 7pm - 9pm

Answering machine at all other times

Business Line : (01382) 205556

email : wrasac@btconnect.com **Website:** www.wrasacdundee.org

The Women's Rape and Sexual Abuse Centre is a registered charity number SC009070. The Centre is also a Company limited by guarantee – Company number SC241372 the registered address of the Company is Blackadders Solicitors, 30 to 34 Reform Street Dundee DD1 1RJ. Please note this is not our office or address for correspondence.

WOMEN'S RAPE AND SEXUAL ABUSE CENTRE

A free and confidential service

INFORMATION ABOUT THE POLICE AND COURT