

# Special measures advisor

Creation of the special measures advisor, a role which identifies relevant cases, discusses options with victims, and submits quality applications for special measures prior to the first court hearing.

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## Key details

<b>Stage of practice</b>	Evaluated locally
<b>Purpose</b>	Prevention
<b>Topic</b>	Violence against women and girls Domestic abuse Criminal justice
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<b>Region</b>	Wales
<b>Partners</b>	Police Criminal justice (includes prisons, probation services) Voluntary/not for profit organisation
<b>Stage of implementation</b>	The practice is implemented.
<b>Start date</b>	October 2021

## Key details

<b>Completion date</b>	March 2024
<b>Scale of initiative</b>	National
<b>Target group</b>	Adults Children and young people Victims

## Aim

To increase the quality and volume of Special Measures applications (in qualifying cases).

## Intended outcome

The intended outcomes were:

- an increase in the quality of applications\*
- an increase in the volume of applications made overall
- an increase in the volume of applications for domestic abuse cases
- a reduction in victim attrition between charge and court
- an increase in early guilty pleas

\*Quality was determined based on the appropriateness of measures applied for, as assessed by the Special Measures Advisors. As well as examining the detail of Special Measures applications.

## Description

The annual report of the Victim's Commissioner identified that special measures were not being applied for in relevant cases, and that victims were being let down. This conclusion was re-enforced by joint inspections in relation to the 'Police Response to Violence Against Women and Girls' and the joint thematic inspection of the police and Crown Prosecution Service's response to rape phase 2. The application for special measures to be granted is drafted by the police and presented by the Crown Prosecution Service (CPS).

Responding to this, a pilot was initiated in 25 forces across England and Wales, with at least one special measures advisor appointed in each participating force (within the witness care unit). A witness care unit is generally operated by the police. The unit provides updates to witnesses who are required to attend court. A special measures advisor is a specialist role focused on ensuring that witnesses are provided with the opportunity to make special measures applications in court, and that the applications are completed to a high standard.

- The special measures advisors were either recruited internally (as a secondment), or externally (as a temporary contract). The advisors were either police officers or staff depending on the preference of the force.
- The role was predominantly full-time, although could potentially be part-time (depending on demand in the force in question).
- The role was either performed by police officer at the rank of constable, or staff generally at the same grade as the witness care unit (SC2/3 – SC56).

Funding was received from the Home Office (as part of the witness care relief fund), a portion of which was utilised by the National Police Chiefs' Council Victim and Witnesses portfolio for sustainable innovation. The funding covered on average £24,000 per force for one year.

The special measures advisors worked with the CPS and His Majesty's Court and Tribunals Service to design and deliver training to operational officers on creating special measures applications and how special measures are delivered in practice. The training packages were delivered as a mixture of videos and presentations, and were well received by operational officers.

After the training, the special measures advisors have access to the case management system, which shows when cases are listed for court. Through this, the advisors can examine each case before the first hearing and the special measures applications attached to these.

The advisors triaged cases relating to violence against women and girls as priority in response to the His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) thematic inspection. The triage process consists of the advisors examining cases due to appear in court to assess whether the cases have special measures applications attached. If they do, the quality of the application is reviewed. If there is no special measures application, the advisor will examine the case's circumstances to assess if there are any vulnerabilities present that indicates a special measures application would be appropriate. If they deem that a special measures application would

be appropriate, they contact the witness to offer an application. Despite there being a priority on violence against women and girls and sexual violence cases, the advisors had access to the entire case management system and still examined applications for any relevant case.

Data was collected by individual forces involved in the pilot. The data collection involved volumes (number of applications made), case types such as domestic abuse, and conversion rates (the percentage of cases where an application was made after a special measures advisor contacted a witness). The overall project was run by the Head of Criminal Justice in South Wales, but every force also nominated a project lead, which was either a witness care unit manager or the head of criminal justice/victims lead.

## Evaluation

The evaluation utilised:

- data from participating forces
- examples of practice from participating forces
- testimony from individuals involved in the project
- over a trial period of one year

For more information see the full [special measures advisor evaluation report](#).

## Key recommendations

- Forces engaged in the project should consider extending the role of the special measures advisors. This will enable them to retain the benefits of the role, and the experience of the advisors which are currently in place.
- Forces who were not involved in the project should consider the role and whether this would be beneficial to the provision of special measures within their force area.

The NPCC victim and witnesses portfolio should consider commissioning further work (perhaps through a task and finish group) to improve communication between the CPS and witness care units, to provide timely updates to the victim or witness on the result of the application for special measures.

## Overall impact

The evaluation was conducted by the South Wales Police project lead and provides detailed findings from the project. The evaluation showed that the intervention had a positive impact on the quality and volume of special measures applications.

The following findings are of note:

- The project demonstrated that the special measure advisor role significantly increased the number of special measures applications made. In South Wales two dedicated roles were created. This investment increased overall applications for special measures by 33%.
- A large proportion of the victims supported by the applications were victims and survivors of domestic violence and rape or serious sexual assault, crimes which are known to have a proportionally higher victim attrition rates.
- Over the course of the project (which is still running across all forces currently), over 1,500 applications were made for victims of crime. It is worth restating that these are cases which had already had the file of evidence completed, and the MG2 (application for special measures) was either absent or of poor quality. Without the intervention of the special measures advisor, this would either not have been granted or would have been granted at a late stage in proceedings (thus increasing the anxiety and attrition rate of victims directly involved).
- It was found that in the applications completed by the advisors, a nuanced victim focused approach was taken, rather than a "tick-box" or standardised approach to the completion of applications.

## Learning

- There is no consistent collection of data nationally in relation to the applications and use of special measures in court. Due to this, there was no centrally comparable data to assist the evaluation.
- Measuring whether applications made resulted in special measures being delivered in court was difficult, as the witness management system was unable to produce an overview of this data, and there was a significant delay in cases having special measures approved and the case appearing in court.
- The different approaches of forces to the implementation of the role meant that amalgamating the data sets was problematic. Additionally, the different start times of forces in the project made the analysis of data sets more difficult.

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