

Criminal proceedings conclude

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1. Who is this document for?

This practice guide is for the police Officer in the Case, the Witness Care Unit, social workers and other professionals who are supporting the child¹ and their family when an investigation into child sexual abuse has resulted in an individual being prosecuted in the Crown Court.

It is also relevant to any other professionals involved in supporting and protecting children, to help them understand what happens when court proceedings conclude.

¹ In this document we use the term 'child' to refer to anyone under the age of 18. See [An introduction to the child sexual abuse response pathway](#) for more about terminology.

2. How may the court case end?

At this point, the criminal proceedings have reached their conclusion.

If the defendant **pleaded guilty** to all the offences with which they were charged, or the prosecution has accepted guilty pleas on a basis so that there will be no trial, the case will go to sentencing (unless there is a 'Newton hearing' – a form of mini-trial without a jury, where the defence and prosecution will present evidence to a judge who will consider some contested issues relevant to sentencing²).

If the defendant **pleaded not guilty** to some or all of the offences with which they were charged, a trial will have taken place (see our practice guide [The case goes to the Crown Court](#)). The trial will usually result in one of the following outcomes, if the case has reached the jury for a verdict:

- The jury finds the defendant guilty of all the offences charged.
- The jury finds the defendant guilty of some of the offences charged but not guilty of others, because they are not sure that the defendant is guilty of those offences. It may also happen that the jury cannot reach a verdict (whether unanimous or by a 10:2 majority) on those other charges, this is known as a 'hung jury'.
- The jury finds the defendant guilty of a lesser offence than the one originally charged. This may happen if the prosecution has not made the jury certain concerning the original charge, but has proved a lesser offence which the trial judge has left open to them.
- The jury finds the defendant not guilty of any of the offences.

Additionally, during the trial the defendant may have changed their plea to guilty for some or all of the offences. Or the trial judge may have stopped the trial at the close of the prosecution case and directed an acquittal, on the basis that the case was too weak to call for a response from the defence ('no case to answer') and to go to the jury for a verdict; the acquittal may be on only some of the offences charged, with other charges going to the jury for a verdict, but it can be particularly devastating for the child if the entire trial is stopped.

If the defendant pleads guilty or is found guilty of any offences, they are **convicted** of those offences and will be **sentenced** for them. The sentencing might take place immediately, but will usually be adjourned for a period of weeks to allow for the preparation of pre-sentence reports on the defendant. The defendant will usually be remanded in custody pending sentencing.

² [What Is a Newton Hearing? Understand the Basics | Magistrate Review](#)

If the defendant is found not guilty (**acquitted**) of *all* the offences, they are free to leave the court.

3. How may the child be feeling?

The end of a trial is typically a very emotional time for the child: they are likely to have gone through the stress of giving evidence (often many months previously if they were cross-examined in the section 28 pre-trial recorded hearing procedure) and will be anxious to know the verdict after their long journey through the criminal justice system. When that verdict is reached, they may experience a range of unexpected emotions.

If the defendant is found guilty of some or all of the offences, the emotions felt by the child and their family may include relief, anger and fear. They may feel that the verdict has brought them 'closure', or be disappointed that it has not brought the closure they hoped and expected it would. Sometimes the child may feel guilty that the defendant has been convicted.

If the defendant is acquitted of all the offences, or the most serious offences, the child will be upset; they may also feel scared, and/or let down by criminal justice agencies.

"It was positive to get some closure on it all, you know? I couldn't say anything bad about it, the service. It took about two and a half years for it all to be settled like. From when I did the video. It's a long time to have to deal with it." (1)

"You have that time when you think it's OK 'cause you feel the relief, and then you start to dip. They think they've done their job 'cause they're in prison or whatever, but it's not over." (2)

"For me, after the sentencing was the worst time. I don't know why, but during the investigation you always have something on your mind to distract you ... Once it all ends you only have that to think about and it overwhelms you and everyone's trying to get on with their life and you're still stuck in that moment." (2)

"Just the fact that he got away with it ... we really need to sort that out ... it's like letting a murderer get away ... People like that shouldn't be on the streets, simple as that. 'Cause he's done it to other girls as well, after me." (3)

"The judge just said that it wouldn't be a fair trial so he got let off. So now I have to live with that every day knowing that I feel like it's my fault because I wasn't well enough to go ahead with it." (4)

"You're constantly trying to watch your back and you don't have any support from the police or anything ... You don't know what's going to happen when

they do get out. You think, ‘Will they [the police] remember or will they just forget and not inform me and stuff?’” (2)

4. How can you best help the child?

This section explains what you can do to help the child:

- while awaiting the jury’s verdict
- when the jury reaches its verdict
- if the defendant is found guilty of, or pleads guilty to, any of the offences
- if the defendant is acquitted of some or all offences
- after the trial.

The actions indicated in this section are typically for the Witness Care Unit or the Officer in the Case, but should be supported by all professionals. Where the child is also subject to early help support, child in need, or child protection planning, any actions will need to link into existing work and support for the child.

As at all points in the criminal justice and child protection process, your response should take account of the child’s individual characteristics and circumstances: their age and stage of development; their sex; their ethnicity, religion and culture; their social class; any disabilities or learning difficulties they have; and their sexual orientation and gender identity. See our practice guide [Taking account of diversity](#) for more information.

You should also adapt your response to the context of the case – the emotions and needs of a child whose parent³ has been on trial will be different from those of a child in a case of grooming and exploitation by a group outside the family network, or where a child has been sexually harmed by a sibling or peer.

a) While awaiting the jury’s verdict

When all the evidence has been presented and the judge has summed up, the jury will be asked to consider its verdict.

Make sure that the child and any family members present understand what is going on, and how the jury reaches its verdict:

- The jury is a group of 12 people who have listened to the child and all the other witnesses; they have also listened to the arguments made by the prosecutor and the defence lawyers. This is a podcast that will inform parents

³ By ‘parent’ we mean someone in a parental or principal care-giving role to a child; this may be their biological parent, step-parent, adoptive parent, foster parent or other relative fulfilling that role.

and older children about the Judicial system, providing them with more information [From Summons to Service: Your Complete Guide to Jury Duty – Inside HMCTS](#).

- The jury members now leave the courtroom and go to a private room to decide whether they are sure **beyond reasonable doubt** that the defendant committed the offences with which they have been charged.
- The verdict is the decision that the jury makes. The jury members agree together whether the defendant is guilty or not guilty of the offences.
- When making their decision, they must be sure 'beyond reasonable doubt' (the level of proof required in a criminal court) that the defendant has committed each offence with which they have been charged.

Explain too what the possible outcomes are for *each* offence:

- **Guilty** – this means the jury (10 or more of the jurors) is sure beyond reasonable doubt that the defendant committed the offence.
- **Not guilty** – this means the jury cannot be sure that the defendant committed the offence, because the weight of evidence presented in court (under the legal rules allowing such evidence to be heard) was insufficient to reach the high standard of certainty required to convict them or they could not achieve a verdict or a majority verdict (a majority verdict' means that the judge is content to receive a verdict if 10 or more of the 12 jurors are in agreement. A 'not guilty' verdict does *not* mean that the child wasn't sexually abused. It is important that this is made clear to the parents and the child.
- **The Jury could not reach a verdict** – this means that the Jury could not agree or considered that the evidence was not sufficient to reach a verdict or a majority verdict, the trial will conclude without a verdict. This is called "a hung jury". The accused will not be acquitted or convicted, and a retrial may be held. This will be discussed with the child and their family, as well as any other supporters, by their legal team and the Crown Prosecution Service. There may be considerable delay to organising a retrial with a new jury.

b) When the jury reaches its verdict

It is not necessary for the child and/or their family members to be present at court when the verdict is given, and professionals should consider carefully whether they might benefit from being present. They should never be encouraged to attend if they are reluctant to do so.

If any or all of them want to be present for the verdict, make sure they have **support** from, for example, their independent sexual violence adviser (ISVA) or social worker. This person can come into the court with them for the verdict.

Verdicts are always returned in open court, and the defendant's supporters are likely to be present.

If the child and their family choose *not* to be present in court, it is the role of the Witness Care Unit (WCU), under the [Victims' Code](#), to tell the child of the trial's outcome. This must be done **within one day** of the WCU receiving the information from the court, which will be within five working days of the case's outcome. It may be appropriate for the Officer in the Case to consult the WCU about how to tell the child. Agree this with the child's non-abusing parent(s),⁴ and consider telling them about the trial outcome before telling the child. Remember that the child should be given **accurate, clear and straightforward/jargon-free information**, in line with their developmental and communication needs, ensuring they can understand. Think about preparing a response in advance for the different possible outcomes, so you know what you will say and how you will say it when the time comes. When discussing this with the child ensure they have a choice about a supporter being present, like their parent, social worker or their independent sexual violence adviser (ISVA) and that they will have support afterwards.

c) If the defendant is found guilty of, or pleads guilty to, any of the offences

If the defendant is found guilty or pleads guilty, the child and their family may experience a wide range of emotions, some of them unexpected.

The child may themselves feel guilty that someone they knew and even loved has been convicted. In that case, it is important for all professionals to remind the child that they are not responsible for the outcome – the responsibility lies with the person who harmed them.

Explain that the next step is for the offender to be sentenced, and that sentencing may be delayed for a few weeks while the Probation Service (or Youth Offending Service if the offender is under 18) completes pre-sentence reports to bring back to the court.

The child may find it helpful to have their voice heard in the criminal justice process by writing a Victim Personal Statement. This will be read to the open court (often by the prosecuting advocate) as part of the sentencing process, and will be taken into account in determining the appropriate, lawful sentence as prescribed by the Sentencing Council Guidelines; furthermore, the offender will hear about the consequences of their actions. The WCU should assist the child in

⁴ We use the term 'non-abusing' to mean a parent who *has not been prosecuted for the sexual abuse of the child*, even if they may have previously come to agencies' attention for other reasons.

writing the Victim Personal Statement. If they are very young, a member of their family might offer one instead, containing observations about the offence's impact on the child. The [Joint Agency Guide to the Victim Personal Statement](#) explains how to help the victim decide whether to provide a statement, and what to include in it. The victim has the option of reading their own statement to the court, or in a case involving a young child a parent can read the statement for them.

Reassure the child that they will be told when the sentence will be delivered, and they can return to court to hear it if they wish. Explain clearly what the different sentencing options available to the judge are, and make sure that all professionals supporting the child and their family understand this too. You can find information on sentencing options in the Crown Prosecution Service's [Sentencing guidance](#).

If the child or their family is concerned about what will happen when the offender has served a custodial sentence, you can tell them that the National Probation Service's Victim Contact Service will update them on the offender's sentence and progression through it (including the release date after a parole board hearing – and point out that they will have the opportunity to attend a parole board oral meeting and/or provide a Victim Personal Statement. For more information, see the Parole Board's [Guidance on Victims](#).

d) If the defendant is acquitted of some or all offences

If the defendant is found not guilty of *all* the offences, they will be free to leave the court with no restrictions on their liberty.

If this happens, or if they are acquitted of the more serious offences with which they were charged, the child's feelings of upset (and potentially fear) may be compounded by a sense that the criminal justice system has let them down.

The Officer in the Case, supported by other professionals, can try to address this by assuring them that a not guilty verdict does not mean the abuse didn't happen; it simply means that it was not possible to present sufficient evidence, admissible under the law, for the jury to be *sure* that the defendant was guilty of the offences with which they were charged. These are rules carefully designed and balanced to ensure that the defendant receives a fair trial. The outcome does not mean that the child's testimony was not credible, nor that the jury disbelieved it. All professionals should continue to support the child and remind them that they were not to blame for what happened to them or for the outcome of the trial.

The child may have concerns for their safety following an acquittal. Our practice guide [When criminal justice agencies are no longer involved](#) contains information about applying for civil orders and other actions to protect the child.

If the Jury cannot reach a verdict, this can be very difficult for the child. The child may feel responsible, and it is important as with an acquittal that they are

reminded that they were not to blame for what happened to them or for the outcome of the trial. The child will continue to require safeguarding and support, and as above any worries they have about their safety need to be addressed.

e) After the conclusion of the trial

Make sure that the child and their parents are told about any compensation that may be payable. The **Criminal Injuries Compensation Scheme** offers financial compensation to victims of violent crime, including sexual abuse. A number of criteria must be met, including the length of time since the crime took place. (For example, if abuse was reported to the police before the child turned 18, a claim can be made up until their 20th birthday.) You can help the family to make an application, or apply on their behalf; the Ministry of Justice has produced [guidance on applying for compensation under the scheme](#).

Regardless of the outcome, the child may experience conflicting emotions after a trial has ended, so think about what further support they and their family will need. Our wellbeing practice guides outline how you can support the child with:

- their [emotional health and wellbeing](#)
- their [education](#)
- their [physical health](#)
- their [relationships with family and friends](#).

You may also find it helpful to read our [Supporting Parents and Carers Guide](#).

5. Where next?

- [When criminal justice agencies are no longer involved](#).

Or [return to the response pathway](#).

Sources of quotes:

The quotations in this practice guide, from children whose cases have gone to court after they were sexually abused, illustrate how the child may be feeling at this point.

- (1) Marsden, H. (2017) [Journey to Justice: Prioritising the Wellbeing of Children Involved in Criminal Justice Processes Relating to Sexual Exploitation and Abuse](#). Barkingside: Barnardo's.
- (2) Beckett, H. and Warrington, C. (2015) [Making Justice Work: Experiences of Criminal Justice for Children and Young People Affected by Sexual Exploitation as Victims and Witnesses](#). Luton: University of Bedfordshire.
- (3) Skinner, T. and Taylor, H. (2009) ["Being shut out in the dark": Young survivors' experiences of reporting a sexual offence](#). *Feminist Criminology*, 4(2):130–150.

- (4) Warrington, C., Beckett, H., Ackerley, E., Walker, M. and Allnock, D. (2017) [Making Noise: Children's Voices for Positive Change after Sexual Abuse. Children's Experiences of Help-seeking and Support after Sexual Abuse in the Family Environment](#). Luton: University of Bedfordshire.

Procedures to be followed in cases of child abuse are set out in the UK Government's statutory guidance for England, [Working together to safeguard children 2026: statutory guidance](#) and in the [Wales Safeguarding Procedures \(2020\)](#).

*This practice guide outlines specific considerations for professionals working with children when there are concerns of child **sexual** abuse. It is underpinned by the above documents, and is not intended to repeat or replace them. It should be read alongside your local child protection procedures.*

This guide is part of our [child sexual abuse response pathway](#), designed to ensure that professional responses to concerns about child sexual abuse meet the needs of children and their families. It aims to bring clarity to key response points, helping you keep the child's needs and perspectives central.