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Specially Trained Dogs in the UK Criminal Justice System

Dr. Elizabeth Spruin^{a*}

Department of Psychology, Canterbury Christ Church University

Dr Katarina Mozova^b

Department of Psychology, Canterbury Christ Church University

Address for Correspondence:

Dr. Elizabeth Spruin

Department of Psychology

Canterbury Christ Church University

Canterbury, Kent

CT1 1QU

England

E-mail: Liz.Spruin@canterbury.ac.uk.

Abstract

For over 20 years specially trained dogs have been used to help support witnesses throughout the criminal justice system in North America. Whilst anecdotal evidence has found these practices to be highly successful in comforting witnesses, to date, there has been no empirical research to support this evidence. Furthermore, this type of service has yet to be explored within a UK context. Recently however, researchers from Canterbury Christ Church University (CCCU) have been working to explore these benefits and provide the first global evaluation within the area. The current article explores the benefits of using specially trained dogs in the criminal justice system, along with introducing readers to the current research agenda being carried out, and highlighting some of the preliminary results from the research. Overall, building this type of evidence base could further open up these practices to a number of countries, including the UK.

Specially Trained Dogs in the UK Criminal Justice System

For those professionals working closely with victims and witnesses in the criminal justice system, it will come as no surprise that they often find the ordeal of giving evidence frightening and unsettling (Holton, 2015), despite new measures continuously put into place. This can result in negative outcomes for them (Dellinger, 2009). However, through investigating and prosecuting crime, witnesses and victims play a crucial role to the success of the criminal justice system process, as evidence provided by them is invaluable (Hart-Cohen, 2009; Holder, 2013; Parish-Plass, 2008; Sandoval, 2010). Providing avenues of support and improving the experiences of these individuals is therefore a key priority for the criminal justice system and UK Government (Criminal Justice Joint Inspection, 2009). One particular avenue of support that has been successfully introduced in a number of legal settings across North America is the use of specially trained facility dogs to help support and comfort witnesses throughout their criminal justice journey (Courthouse Dogs Foundation, 2017). These practices start at the initial stages of police statements and follow on to medical examinations, forensic interviews and support in court (Kaiser, 2015).

The rationale behind this lies in the prolonged use of dogs, generally, in other setting, for example prisons (Zimmer, 2014) or schools (Schubert-Anthrozoos, 2016), showing the bond between humans and dogs can provide emotional support and increase wellbeing. These specially trained dogs have been utilised in the criminal justice system with a variety of populations, including vulnerable adult victims (e.g., Ullman, 2007) and children of different ages (e.g., Parish-Plass, 2008). The conceptual underpinning of these practices is based on the notion that when a person is reliving a traumatic event, they experience physiological reactions similar to what they had when the event was taking place, so involving dogs to support these victims during this ordeal is a type of therapeutic jurisprudence that helps to calm witnesses and victims (Courthouse Dogs Foundation, 2015). As it has been shown that reliving such traumatic events can lead to secondary victimisation (e.g. Jordon, 2013), often observed in children (Roque, Ferriani, Gomes, da Silva & Carlos, 2014) it is key that support mechanisms are available to avoid this.

There has been much anecdotal support for these contentions, as specially trained dogs providing comfort for witnesses (Holder, 2013), reducing witness stress (Herzog, 2010), or increase relaxation and happiness (Dellinger, 2009; Holton,

2015). Further, animate touch, such as simply holding a dog's leash or petting a dog whilst providing evidence can to an increased sense of wellbeing, decreased anxiety, lower heart rate, increased speech and memory functions, and heightened mental clarity (e.g., Justice, 2007; Sandoval, 2010; O'Neill-Stephens, 2011). Whilst this anecdotal and subjective evidence is promising, to date, no empirical research has been produced (Spruin et al., 2016; Spruin & Mozova, 2017). Furthermore, this service has not been explored within the UK context, yet.

Recently, however, researchers from Canterbury Christ Church University (CCCU) have been working with local courts, law enforcement agencies and witness support services, to explore the benefits of using specially trained dogs across the criminal justice system. As the project will provide the first global evaluation within this area, it aims to provide criminal justice agencies and practitioners with evidence of how these dogs could benefit victims and witnesses throughout the criminal justice process. Building this type of evidence base could open up these practices in the UK where currently specially trained dogs are not used in the legal settings.

Our current research agenda is concerned with the empirical evaluation of the benefits specially trained dogs can have at various stages of the criminal justice process, from initial police investigations and interviews, to various phases of the investigation and prosecution process, including pre-trial visits, interviews, awaiting court and courtroom trials. The first study we conducted utilised a trained therapy dog in the waiting areas of a magistrates' courthouse where victims, witnesses, as well as defendants, and their supports, had the opportunity to engage with the dog whilst waiting to give evidence. The findings were overwhelmingly positive. Through short qualitative interviews with 104 court users, it was found that 96% of them perceived at least some positive impact, which ranged from the therapy dog simply providing a distraction to physically relaxing individuals. The clearest effect came from those individuals who showed visible signs of stress and/or anxiety (e.g. trembling or shaking), who upon interacting with the dog noticed physical changes to their levels of stress. Overall, a number of beneficial outcomes were found for court users, with no individuals reporting any negative impact.

This pilot is only the beginning of our research agenda, but provides the only empirical evidence globally on the benefits specially trained dogs can have on supporting court users. It further paves the way for more research to be conducted within the area, as the applicability of using specially trained dogs within the criminal

justice system is vast. Researchers are already collecting data on the effects of using a therapy dog during outreach cases for especially vulnerable victims and witnesses (e.g. children), as well as understanding the views of professionals on this service. It is important to note that, so far, we have utilised a therapy dog (which was specially trained by its handler) in our research. Whilst therapy dogs have been used in a variety of settings, due to their training and low levels of predictability, they can only be utilised during some stages of the criminal justice process (i.e. not whilst giving evidence) and only when specific criteria are achieved (e.g. proof of training, vetting of handler, appropriate socialisation training, etc). In the next stages of this project, the researchers have been working closely with the Courthouse Dog Foundation in America to acquire a specially trained courthouse facility dog from overseas. These dogs are classed as a type of assistance dog that have been purposely bred and professionally trained for a number of years by an internationally recognised Assistance Dog International (ADI) program. Once acquired, the courthouse facility dog will not only be the only one of its kind outside North America, but it will further be used to explore the benefits of having such a dog present during police interviews and whilst providing evidence, as this is not something which can be achieved utilising a therapy dog.

Although there is still much more that needs to be explored, as evidenced in the US and in the preliminary findings in the UK, the overall impact of the project has the potential to be far-reaching, both nationally and internationally. This might best be observed through a quote from one witness: 'My stomach was in knots for the last hour and since stroking her, the knots have gone!' This knowledge will aid in advancing practical knowledge and support for victims and witnesses. These advancements support the radical improvements called for by the Ministry of Justice and the Home Office, but also inform the aforementioned long term implications for legal practice and policies within the UK. This is something that the courts in North America have already recognised and it is time the UK follows.

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