



Pre-Trial Therapy

Everything you need to know



Bluestar
PROJECT



What is pre-trial therapy?

Pre-trial therapy is any type of therapy that is accessed when a report has been made to the police, a criminal investigation is underway and before the case has gone to trial.

The choice to enter therapy before, after or during the criminal justice process is yours – this decision should not be made by the police or Crown Prosecution Service (CPS).

Your wellbeing is the most important factor in choosing when it is the right time to access services and your treatment should not be delayed because of the ongoing criminal justice process.

Accessing therapy pre-trial can be helpful in supporting you emotionally with what has happened, and the impact of the criminal justice process itself.



How is pre-trial therapy different?

When a criminal case is underway, therapy and specialist support services are required to work within the law – the Victims and Prisoners Act 2024 and the Victim Information Requests Code of Practice 2026. Your therapist follows these and you can [read them here](#). As part of the criminal justice process, the police or CPS may seek in very limited situations access to the notes we keep about your sessions.

If you want to talk about the incident under investigation, that is okay. Your therapist will record what you share with them carefully. This is good practice – it protects you and makes sure the information is accurate. Notes are only shared with the police in very limited circumstances. It does not happen automatically. If your therapist is worried about your safety or someone else's safety, they may need to share that information. They will always try to talk to you about it first.



Why would the police want access to my notes?

Therapy and support notes are sometimes seen as a form of evidence. The police and CPS have a responsibility to look at material that could 'point towards or away from the allegation' that has been made. Your notes can only be requested if they are likely to significantly add evidence (have substantial probative value), the request has been authorised by a Chief Inspector and requested with your agreement.

The police will not have access to all your therapy notes, only very specific pieces of information related to a new disclosure (or what they call 'a reasonable line of enquiry, necessary and proportionate' under the Victim Information Requests Code of Practice (2026)). In most cases, your therapy notes will not be requested at all.



What happens when the police ask for my therapy notes?

If the police ask us for access to your notes, we will always ask you first whether you want them to be shared. We will also offer to go through the notes together and share with you a copy of everything that is sent.

A first disclosure, where you tell us something for the very first time that you have never told the police or anyone else, is one of the few types of note that we might be asked to share.

You do not have to share your notes if the police ask for them and we as your service are under no legal obligation to do so.

Though this very rarely happens, it is important for you to know, that if we or you refuse to share notes, later in the investigation process the Crown Court can issue a Witness Summons to access them. If this happens, you and your therapist will be told, and your therapist will have the chance to respond before anything is decided.

The prosecution may need to release some of the information to the defence lawyer – this means that the suspect could have access to the record of your 'first disclosure' in very rare situations. Your therapist will always try to share as little as possible and will remove anything that is not relevant.



What happens in pre-trial therapy?

Like other therapies, you will meet with your therapist on a regular basis. The therapy will be designed to offer you emotional support with how you are feeling and what is going on for you.

You will be asked to sign a Client Contract which includes in it an agreement and understanding with the key points included in this leaflet.

Your therapist should offer you the opportunity to read through your notes each session to check you are happy with them and that everything is accurate.

It's okay to ask your therapist to go through the process for this with you. Sometimes reading notes about your sessions can be difficult, they can support you to work with them on this in a way that feels right for you.



Who can I talk to about this if I have any questions?

Your therapist will talk with you about this at your first appointment. Other members of the support service may give you information about this if you are in contact with them.

The service you are accessing will be able to talk through any questions you have.

You can also talk to your investigating officer (OIC), Independent Sexual Violence Advisor (ISVA Service) or Victim Support Services.

For more info visit www.bluestarproject.co.uk
or contact us on info@bluestarproject.co.uk



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