

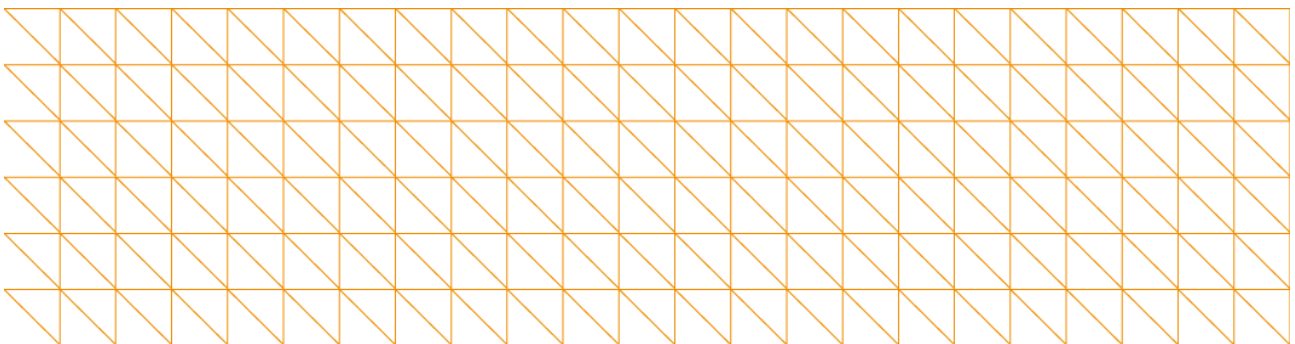


Ministry
of Justice

Improving the Code of Practice for Victims of Crime

Response to Consultation CP8(R) 29 March 2013

This response is published on 29 October 2013





Ministry
of Justice

Improving the Code of Practice for Victims of Crime

Response to consultation carried out by the Ministry of Justice

**This information is also available on the Ministry of Justice website:
<https://consult.justice.gov.uk/digital-communications/code-victims-crime>**

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Introduction and contact details

This document is the post-consultation report for the consultation paper "*Improving the Code of Practice for Victims of Crime*".

It will cover:

- the reform landscape underpinning the report
- a summary of the responses to the report
- a detailed response to the specific questions raised in the report
- the next steps following this consultation.

Further copies of the Victims' Code and the consultation paper (including requests for alternative format versions of this publication) can be obtained by contacting **Bola Fabunmi** at the address below:

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This report is also available on the Ministry's website: <https://consult.justice.gov.uk/digital-communications/code-victims-crime>

Foreword by Damian Green MP, Minister for Victims



As Victims' Minister it is clear to me that we must do more to give victims the support they need and deserve. For too long victims have felt they are treated as an afterthought in the criminal justice system. This must change. From meeting with some of the most vulnerable victims of crime, including victims of human trafficking, I know how important it is that victims get the right support. I am absolutely determined that victims are given back their voice and the Victims' Code is crucial to this. Written for victims and not the "system", the new Code sets out in plain English how to navigate an often confusing and intimidating criminal justice system, explaining what help victims can expect from the moment a crime is reported to support available after a trial.

Addressing the needs of victims of crime fulfils a key part of the wider work the Government is undertaking to improve the criminal justice system. In June this year, I set out my vision to reform the system in the "Transforming the CJS Strategy and Action Plan". A key part of this strategy is the Government's vision to improve the experience of victims and witnesses, by putting victims first and creating a more responsive system that is easier to navigate. I am therefore delighted to launch a new Victims' Code containing a package of proposals that will make a real difference to victims.

We received 197 formal written responses to the consultation, which we have carefully considered and held two consultation events: one in London and one in Leeds. The Department also conducted a survey and participated in a webchat with children and young people hosted by the NSPCC to get their views directly on the new section of the Code for under 18 year olds.

The information gathered from the consultation activities was enormously helpful and we are grateful to the insights and expertise offered by the respondents.

The new Code is based on the victim's experience when they come into contact with the criminal justice system. The Code provides an enhanced service to victims of the most serious crime, the most persistently targeted and vulnerable or intimidated victims.

There was strong support for proposals to strengthen the voice of victims by including the Victim Personal Statement (VPS) in the Code for the first time. We have gone even further by giving victims an opportunity to request to read out their statement in person in court before an offender is sentenced. The VPS will help victims to explain in their own words how a crime has affected them so their opinions are properly taken into account by those working in the criminal justice system.

Respondents wanted an automatic right of referral to services for victims to make sure victims and witnesses get consistent and immediate access to the support services they need and deserve. We have listened and done that.

We are also giving more recognition to businesses and enterprises such as charities who are victims of crime. Crimes such as theft and neighbourhood violence can be the difference between a business generating a profit or struggling for survival. From now on

all businesses will have their voices heard and will be able to submit an 'Impact Statement' to allow them to explain how a crime upon them. We are particularly thankful to the Association of Convenience Stores and British Retail Consortium who have offered their assistance in the creation of this guidance for when the Code comes to force later this autumn.

The new Code also includes an entitlement to information on Restorative Justice for victims of adult offenders for the first time. This forms part of the CJS Action Plan on Restorative Justice, published in November last year, which sets out victim-focussed actions to bring about a step change in the delivery and provision of restorative justice across England and Wales.

The success of this new Code is dependent on two key things: raising awareness of the Code among victims, victims' organisations and criminal justice agencies and making sure that victims can hold criminal justice agencies to account if things go wrong. That is why we will be working extremely hard to raise awareness of the Code and why we have committed to improving the means of redress for victims. As part of our wider reform of the Criminal Justice System we are exploring with the Cabinet Office how the existing powers of the Parliamentary and Health Service Ombudsman could be reformed. We are also looking at the important role that Police and Crime Commissioners already play as local victims' champions to ensure a high quality local service for victims which meets their duties under the new Code and how we can support this excellent work.

The new Victims' Code provides an opportunity to put victims at the centre of the criminal justice system, and to give them a louder, clearer voice. I believe that the new Code will make sure victims know what help and support they are entitled to and can hold the criminal justice system to account to get the help and support they need.



Damian Green
Minister for Victims

October 2013

The reform landscape – Improving the Code of Practice for Victims of Crime

The consultation paper *'Improving the Code of Practice for Victims of Crime'* was published on 29 March 2013. It invited comments on a revised Code of Practice for Victims of Crime (known as the "Victims' Code") and a series of reforms aimed at improving the experience of victims and witnesses in the criminal justice system.

The Victims' Code was introduced in 2006. Its purpose is to set out the services to be provided to victims of crime in England and Wales by criminal justice agencies.

In the responses to the "Getting it Right for Victims and Witnesses" consultation in 2012, it became clear that the Victims' Code needs updating to reflect changes already in force and to set out in simple terms what victims can expect from the services criminal justice agencies must provide. It was considered that the Code was too process-orientated and inaccessible for victims as it was written with criminal justice agencies as the target audience. In the Government's response to this consultation, a commitment was made to consult on a new Code in 2013.

In order to publish the final version of the Victims' Code, we have considered the representations we have received in consultation with the Home Secretary and the Attorney General in accordance with the requirements of the Domestic Violence, Crime and Victims Act 2004.

The revised Code also transposes part of the EU "Victims' Directive"¹ which lays down the minimum standards of support member states must provide to victims of crime within its jurisdiction. The Directive complements the Government's reforms to the Victims' Code and existing practice in the UK. The Directive comes into force on 16 November 2015.

The Code will also be used to transpose parts of other EU Directives relating to victims – on Human Trafficking and Child Sexual Exploitation² – to ensure victims of these crimes are treated in a sensitive and appropriate manner by criminal justice agencies.

Reforms to the Victims' Code

The Victims' Code sets the framework for the information and services that victims can expect from criminal justice agencies in England and Wales. It is a statutory Code underpinning a set of entitlements that criminal justice agencies must provide to victims.

The 2006 version of the Code does not work as it should. It was a breakthrough document at that time, but is now out-of-date and inappropriate for its most important audience: victims of crime. It was described by respondents to the 2012 "Getting it Right for Victims and Witnesses" consultation as being prescriptive, leaving the police and other criminal justice agencies no flexibility in the way they deal with a variety of victims. The 2006 Code was perceived by many as having been written for practitioners rather than for victims.

¹ 2012/29/EU.

² 2011/36/EU and 2011/92/EU.

Furthermore, organisations representing victims thought that the Code was not an accessible document for guiding victims through the help and support they should receive from criminal justice agencies.

The revision of the Victims' Code forms a key part of the Government's strategy to reorient the criminal justice system in favour of the victim to help make the system more responsive and attuned to their needs. The Code is now more victim-focussed. It has been rewritten with victims as the intended target audience. The language and structure of the document is more accessible. It sets out victims' entitlements, reflecting the services that must be provided to them, so they can clearly understand what they will receive from criminal justice agencies at all stages of their journey through the criminal justice system from reporting a crime onwards. The new Code is separated into the following sections:

- Introduction;
- Chapter 1: Enhanced Entitlements;
- Chapter 2, Part A: Adult victims – Victims' Entitlements;
- Chapter 2, Part B: Adult victims – Duties on Service Providers;
- Chapter 3, Part A: Entitlements for Children and Young People;
- Chapter 3, Part B: Duties on Service Providers for Children and Young People;
- Chapter 4: Businesses.

We have also included a glossary of key terms to aid understanding.

A uniform approach to providing services and support for victims is not appropriate. People react differently to the terrible ordeal of being a victim of crime depending on the type of offence and their personal circumstances. We believe it makes sense that victims should have services tailored to individual need. Victims who tell criminal justice agencies that they do not want or need any support should not receive it. Conversely, victims in the three priority categories (victims of the most serious crimes; persistently targeted; and vulnerable or intimidated victims – including victims under the age of 18) will be entitled to an enhanced service.

The Government recognises that there will always be victims with acute needs who require an individually tailored set of requirements. As part of providing an enhanced service for vulnerable and intimidated victims as one of the three priority categories, the draft Code includes a separate section aimed at victims under the age of 18 (raising this from those under 17 from the previous Victims' Code), their parents and guardians. The final version of the Code now includes more accessible language following direct feedback from young people and removes cross-referencing from the adult section of the Code so it can act as a standalone document for young victims. Specific entitlements are also included for those bereaved as a result of criminal conduct.

We have listened to the concerns articulated by a number of respondents to the consultation and decided to amend the revised Code to provide an automatic entitlement for all victims of criminal conduct under the National Crime Recording Standard to be referred to victims' service by the police, instead of just those victims that are in the three priority categories. This will ensure that consistent and immediate access to support services is provided to all victims.

The new Victims' Code also includes an entitlement for victims to make a Victim Personal Statement at the same time as making their witness statement. This brings an existing national standard onto a statutory footing for the first time. The final version of the Code now grants victims a new entitlement to say if they would like to read out their VPS aloud or have the CPS prosecutor read it out on their behalf in court before the defendant is sentenced. This gives victims a stronger voice in the criminal justice system by being able to explain the impact a crime has had upon them to the court. The Victims' Code makes it clear who the VPS is disclosed to when a case reaches court and provides additional information about how the VPS is processed for Court of Appeal cases. These reforms help to rebalance the Criminal Justice System in favour of the victim and give the victim greater choice in how they are treated by the system.

We are also introducing Restorative Justice (RJ) to the Victims' Code for victims of adult offenders for the first time. A previous study which considered both pre and post-sentence RJ approaches found a victim satisfaction rate of 85%³ from RJ conferences and a 14%⁴ reduction in the frequency of re-offending rates. The new Code includes an entitlement for victims to ask for RJ and the police and Youth Offending Teams to offer and signpost information on RJ to victims of adult offenders where it is available. The final version of the Code now includes stronger language to ensure rigorous safeguards are in place to prevent secondary victimisation and for RJ to be provided by trained practitioners according to national standards to give victims' certainty about the service they will receive.

All the entitlements for victims are set out in Chapter 2, part A and Chapter 3, part A of the new Code. The Introduction of the new Code makes it clear that the Code sets out a minimum level of service for victims. Chapter 1 explains that victims of the most serious crime, persistently targeted and vulnerable or intimidated victims are entitled to an enhanced level of service. However, the Code also provides flexibility for agencies to engage in a dialogue with the victim and agree upon a level of service falling below that set out in the Code if the victim feels that they do not want ongoing support.

These entitlements for victims are aligned to a clear set of duties on criminal justice agencies set out in Chapter, 2, part B and Chapter 3, part B of the Code governing the services they must provide to victims. These duties allow for a more tailored and flexible service for victims of crime. These duties will be underpinned by criminal justice agencies updating their practice guidance ahead of implementation of the new Code later this year. Their revised guidance will elaborate upon how these duties should be fulfilled in practice.

Businesses should also be entitled to receive the information and support they need following a crime. The revised Code includes a separate chapter for businesses who are victims of crime and an opportunity for businesses of all sizes to make an impact statement so that their voice is fully heard. Having considered the consultation responses, we have clarified the definition of a business for the purposes of the Code to include businesses or enterprises, such as charities.

³ Shapland, J., Atkinson, A., Atkinson, H., Chapman, B., Dignan, J., Howes, M., Johnstone, J., Robinson, G. and Sorsby, A. (2007) Restorative justice: the views of victims and offenders. The third report from the evaluation of three schemes. Ministry of Justice Research Series 3/07

⁴ Ministry of Justice (2010) Green Paper Evidence Report. Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders.

The current process for making a complaint under the Victims' Code does not provide victims with an effective means of redress when things go wrong. Evidence suggests that only 32%⁵ of victims whose cases resulted in a charge recalled being informed as to how to make a complaint should they wish to. The consultation responses made it clear that victims should not have to ask for information about making a complaint and they should have greater certainty about when they are likely to receive a response. That is why the revised Code puts the onus on criminal justice agencies to provide information to victims' about their complaints procedures. There is now a clear duty under the Victims' Code for agencies to provide, within 10 working days, either a substantive response or an acknowledgement of the complaint setting out the likely timescales for receiving a full response, where appropriate. This simplifies and unifies the approach to complaints across all service providers for the first time. The Code sets out a duty for agencies to provide victims with a mechanism to provide feedback on the service they receive and to provide information about the role of the Parliamentary and Health Service Ombudsman in the complaints process. This is part of the wider cross-Criminal Justice System reforms that the new Victims' Code will support to improve collaboration between agencies through the criminal justice system so victims do not fall through the cracks.

In addition to the commitments made to improve the complaints system for victims by reforming the Victims' Code, the Government made a commitment in the Transforming the CJS Strategy and Action Plan published on 28 June 2013 to investigate the case for an independent complaints ombudsman for the whole of the criminal justice system to improve redress for victims. We are working with the Cabinet Office to look at how we could make the Parliamentary and Health Services Ombudsman work better for victims of crime, as part of the Cabinet Office's wider work on the role of the ombudsman. We are also looking closely at how Police and Crime Commissioners could be more involved as local victims' champions in ensuring that victims in their area receive the services and support that they are entitled to from their local criminal justice partners. This would build on the excellent work already being led by PCCs across England and Wales.

We have laid the Code before Parliament and expect to lay a statutory instrument to bring the Code into force later this year. The consultation period closed on 10 May 2013 and this report summarises the responses, including how the consultation process influenced the final shape of the Victims' Code.

The Impact Assessment accompanying the consultation was updated to take account of evidence provided by stakeholders during the consultation period and feedback received from the Regulatory Policy Committee. The updated Impact Assessment can be found at <https://consult.justice.gov.uk/digital-communications/code-victims-crime>

The final Equality Statement is found at <https://consult.justice.gov.uk/digital-communications/code-victims-crime>

A Welsh language version of this paper and the Victims' Code can be found at <https://consult.justice.gov.uk/digital-communications/code-victims-crime>

A list of respondents is at Annex A.

⁵ Franklyn (2012) Satisfaction and willingness to engage with the Criminal Justice System.

Summary of responses

1. A total of 197 responses to the consultation paper were received from a range of organisations, including criminal justice practitioners such as police forces, local criminal justice boards and youth offending teams; the judiciary, legal professionals and voluntary organisations. Two public consultation events were held: one in London on 15 April 2013 and one in Leeds on 30 April 2013. During these events we held discussions and sought feedback on our key proposals. We posted a blog about the first consultation event and responded to the comments we received. In addition, a survey on the proposals in the consultation document was conducted with children and young people, as well as a web chat hosted by the NSPCC to get a better understanding of what young people really think about the children and young person's section of the Code. All of this information was enormously helpful in fine-tuning the final version of the Code. The following table breaks down the type of respondents to the consultation:

Category	Number of Respondents
Criminal Justice Practitioners	68
Judiciary	7
Government/Public Sector	11
Voluntary Organisations	57
Legal Practitioners	6
Academic Sector	4
Specialist	4
Members of the public	28
Independent Commissioners	3
Businesses and Business Representative Groups	6
Media groups	3

2. As well as answers to the specific questions, we have considered fully respondents' overall views on the proposals. This included their general thoughts and feelings on how victims of crime are treated by the criminal justice system.
3. Not all the respondents chose to answer all the questions and some respondents opted to submit their response in the form of a more general extended letter or article. In these cases, where comments appear to be in response to particular questions in the consultation paper, these contributions have been treated as answers to those questions for the purposes of analysis.

4. Two public consultation events were held: one in London on 15 April and one in Leeds on 30 April. During these events we held discussions and sought feedback on our key proposals. We posted a blog about the first consultation event on the Department's website and responded to the comments we received. Officials from the Ministry of Justice participated in a webchat on 18 April hosted by the NSPCC, with support from the Ministry of Justice, to listen directly to the views of children and young people on the revised Code. This was accompanied by an online survey produced by the NSPCC with support from the Government seeking views from young people on the accessibility of the children and young person's section of the revised Code. This feedback was considered when refining the final version of the Code.

Chapter 1 – Victims’ Entitlements

5. The current Victims’ Code reads as a guidance manual for criminal justice agencies rather than telling victims what they should expect from the criminal justice system. Improving the Code helps to develop a more flexible service which responds to the particular needs of all victims of crime.
6. The criminal justice system may appear confusing and difficult to navigate. Victims may feel they do not know who to turn to. The revised Code sets out what information, services and support victims are entitled to at each stage of their journey throughout the criminal justice system. In order to increase understanding of the process, we also included a flow diagram of the victim’s journey in the revised Code.

We asked:

Q1: Do you think that the approach taken to restructure the Code is the right one?

Q2: Do you think that the categories of persons entitled to receive enhanced services under the Code are appropriate?

7. Out of 130 respondents to question 1, 100 out of 130 (77%) agreed with the new structure of the Code, with 9 (7%) disagreeing. 21 (16%) of responses did not indicate whether they agreed or disagreed with the approach to restructure the Code.
8. Out of the 130 respondents to question 2, 84 (65%) agreed with the categories entitled to enhanced services; 18 (14%) disagreed and 28 (22%) neither agreed nor disagreed.
9. The respondents who agreed with the structure and purpose of the Code highlighted that the new format is easy to follow and that the concept of the flowchart was helpful. However, it was considered by some that the flowchart should be redesigned in order to simplify the content so it is more accessible for victims.
10. 48 of the 55 (87%) criminal justice practitioners and 24 out of 36 (67%) voluntary organisations that responded to question 1 considered that restructuring the Code was the correct approach to meet victims’ needs.
11. 16 respondents expressed concern about the length of the Code compared to the 2006 document. This was counterbalanced against a number of requests to include more information in the document on a number of themes, such as information on special measures and specific information for certain categories of victim, such as bereaved close relatives, victims of sexual violence or domestic abuse. Victims do not need to read the Code in its entirety. Certain sections apply to the particular audience, whether adult victims, children and young people or criminal justice agencies. We consider also that it is necessary to have a comprehensive set of entitlements for victims. To ensure that this level of detail is understood, we will ensure that this information is communicated effectively to victims. More information about how we are seeking to raise awareness of the Code is outlined later on in this paper at Chapter 8.

12. 15 respondents to questions 1 and 2 outlined concern over the prospect of moving away from automatic referral of all victims to victims' services and only requiring the police to automatically refer victims of the most serious crime, persistently targeted and vulnerable or intimidated victims to victims' services.
13. To recognise the views raised in the consultation responses, particularly from police forces and victims' organisations, and in order to ensure consistent and immediate access to support services is provided to victims, we have decided to retain an automatic referral of all victims to support services with the exception of domestic violence and sexual violence cases in which the victim will have to give explicit consent for the police to do so. This is the position outlined in the existing Victims' Code (paragraph 5.4) and therefore will not impose any additional burdens on the agencies involved.
14. Nevertheless, the Government still feels that it is appropriate to target resources to those most in need. That is why Chapter 1 clearly sets out the enhanced entitlements that are available to three categories of victim most in need: victims of the most serious crime, persistently targeted and vulnerable or intimidated victims. The introduction of the Code clearly states that the Code sets a minimum standard for service provision to victims of crime. Not all victims necessarily want or need the level of support available to them and the new Code makes it clear that the victim can agree with the service provider to receive support and services below this standard as best meets their individual needs.
15. Some respondents requested more clarity on the three definitions of those victims eligible for enhanced services, particularly for victims of the most serious crime and persistently targeted victims. Other suggestions for inclusion in the three categories were transgender victims, those with learning disabilities, the elderly and victims of road traffic collisions, stalking and hate crime.
16. We have sought to tighten these definitions, whilst retaining flexibility to enable criminal justice agencies to tailor services according to individual need. The definition of serious crime now includes the following groups: close relative bereaved by criminal conduct, a victim of domestic violence, hate crime, terrorism, sexual offences, human trafficking, attempted murder, kidnap, false imprisonment, arson with intent to endanger life and violent crime such as causing grievous bodily harm with intent. Some victims, such as victims of domestic violence, may fall within two of the priority categories as they are both a victim of serious crime and may be vulnerable or intimidated. This is an inclusive list and service providers have the discretion to provide other victims of crime with enhanced services depending on the nature of the offence and their individual circumstances.
17. The definition of persistently targeted victims has been amended to include reference to victims of stalking to ensure these victims receive the support they need but it remains intentionally broad rather than basing the definition on a particular number of instances of criminal conduct to give criminal justice agencies discretion over who to provide these services to.
18. The new Victims' Code will be underpinned by operational guidance which will be written and used by criminal justice agencies to ensure they meet their obligations under the Code. This will provide more information about how criminal justice agencies assess whether victims fit into the three categories, but will allow for discretion so they can tailor services to individual need.

19. The new Code includes additional information for victims about the role of prosecutors and the court in ensuring a fair and just trial and reflects the existing CPS prosecutorial pledge to seek the court's intervention where cross-examination is considered by the prosecutor, in all the circumstances of the case, to be inappropriate or oppressive. As part of the Transforming the CJS Strategy and Action Plan, we have agreed the piloting of Section 28 of the Youth Justice and Criminal Evidence Act allowing vulnerable witnesses to be cross-examined before the trial and we will review how we might reduce the stress caused to some victims by cross-examination.
20. In order to create a more responsive criminal justice system that puts victims first, the new Code includes an entitlement for vulnerable or intimidated victims to ask the police or relevant service provider for special measures they may need to help them give their best evidence in court, alongside a new duty for the police to explain special measures clearly to the victim. The CPS will then take the views of the victim into account when deciding whether to make a special measures application to the court. The Code also clarifies victims' entitlements regarding meetings with CPS prosecutors and a new entitlement for victims to be notified by the Criminal Cases Review Commission if there is a reasonable prospect of a review coming to the victim's attention and a presumption that the victim will be informed if the case is referred to the courts.
21. Two respondents believed the Code should outline support to victims of crime abroad. The Victims' Code only extends to England and Wales under the Domestic Violence, Crime and Victims Act 2004. The Government has agreed to the European Union Directive establishing minimum standards on the rights, support and protection of victims of crime. This Directive aims to drive up standards across Europe and must be implemented by Member States by November 2015. This will mean that someone from the UK who is a victim of crime, or who has a family member whose death was caused by a criminal offence, elsewhere in the European Union enjoys rights similar to those from which they would benefit at home.
22. The Foreign and Commonwealth Office provides Victim Support England and Wales with an annual £100k grant to enable them to provide support for UK residents bereaved by homicide abroad. The Foreign and Commonwealth Office also has agreements with Victim Support Scotland and Northern Ireland.
23. The Foreign and Commonwealth Office will continue to develop its policies around support when a British National dies abroad as a result of murder, manslaughter or infanticide, and so enable UK authorities to ensure they can provide an appropriate standard of assistance for the bereaved.
24. Other recommendations made by consultation respondents included adding more information about existing entitlements for victims of crime, such as available special measures and the role of Registered Intermediaries, as well as more information and support for vulnerable victims or victims of sexual offences. We have included dedicated sections on special measures and on the role of Registered Intermediaries in the Introduction to the Code.
25. The revised Code also contains a series of new entitlements for victims including translation of information such as the date, time and outcome of a court hearing in a language the victim can understand if English is not the victim's first language.

26. The post-trial section of the Code now includes the entitlement for victims of sexual offences to submit representations to the police if the offender in their case was made subject to the notification requirements for registered sex offenders (known as the 'sex offenders' register) indefinitely and applies to have this requirement discontinued. The removal of an offender's notification requirements will not be automatic: offenders can only apply for review a set period of time after their first notification, and each application will be subject to a robust risk assessment by the police before notification requirements can be discontinued. Offenders who continue to pose a risk will remain subject to the notification requirements and will do so for life if necessary. The Code also includes the entitlement to request a Serious Further Offence Victim Summary Report if the offender in their case has committed a certain type of serious further offence,⁶ for which they were charged on or after 1 April 2013, and which would mandatorily require the probation trust to carry out a Serious Further Offence Review. This report provides the victim with a summary of how the case was managed and whether there are any lessons to be learned, including, if applicable, what the probation trust is doing to improve future practice and management of offenders. These entitlements were introduced within the last year and so are already available to victims, but their inclusion in the Code gives greater clarity to them and should enhance victims' awareness and understanding of all their entitlements within the criminal justice system.
27. In order to improve victims' understanding of the criminal justice system further the introduction to the Code includes information on the role of the Victims' Commissioner as a victims' champion. The Code is also being used to support the wider work to improve understanding of the Criminal Injuries Compensation Scheme and the revised Code provides a clear explanation of the scheme.

The revised Code has been restructured with victims as the target audience.

We have redesigned the flowchart in order to improve its accuracy and make it more accessible to victims.

We have retained the entitlement for victims to be automatically referred to victims' services.

Criminal justice agencies must provide an enhanced service to victims of the most serious crime, persistently targeted and vulnerable or intimidated victims and we have clarified the definition of these three groups.

⁶ This includes specified, particularly serious further offences, namely murder, manslaughter, rape, sexual offences against a child under 13, any attempt at these offences, and death by dangerous driving.

Chapter 2 – Duties upon criminal justice agencies and organisations

28. The Victims' Code requires agencies to fulfil a number of duties in order to give victims of crime the information and support they need when they come into contact with the criminal justice system. The revised Code aims to provide a clear, transparent set of duties for agencies to adhere to and builds in greater flexibility to enable them to tailor services according to individual need.
29. Many important services are provided to victims by voluntary organisations who often work with the criminal justice system. The Government and other commissioning bodies use the commissioning framework and contracts to procure the level and standard of services required, whilst the Code focuses on information, assessment and referral requirements to these services.
30. The existing Code contains a large number of prescriptions which are framed in a rigid and inflexible way. That is why the revised Code enables criminal justice agencies to tailor services according to individual need, such as agreeing how often they will receive updates on their case. The revised Code has been updated to reflect processes and practices that have been developed since 2006, but also allows greater scope for innovation and for best practice to flourish.
31. The police have a duty under the revised Code to conduct a "needs assessment" with all victims of crime to establish what support or information they need to help them cope and recover. For some victims, this may be minimal. For others it will be more substantial. Those who decide not to receive any services can decide to opt into receiving these services at any time without receiving unwanted information or updates on the case in the interim.

We asked:

Q3: Do you think that the duties imposed on the criminal justice agencies in the revised Code are the right ones? Please provide comments.

32. Out of the 120 respondents to this question, 68 (57%) agreed with the duties imposed on criminal justice agencies; 14 (11.6%) disagreed and 39 (33%) were neutral. 35 out of 52 (67%) criminal justice practitioners answering this question agreed with the revised duties. However, many were concerned that a number of duties remained with rigid timescales.
33. Many respondents also expressed concern about who conducts the "needs assessment" with victims to ascertain their needs and how this assessment is conducted. Respondents were worried that this requirement would be burdensome to the police. As reflected in our post-consultation Impact Assessment, we do not consider the additional duties will be unduly onerous or resource intensive for the agencies concerned. This is because many of the additional duties in the Code are aligned with existing practice. This includes the needs assessment which is currently recorded by the police on an MG-11 form to work out, for example, if the victim is vulnerable or intimidated or may require special measures in court.

34. The retention of most of the existing timescales in the 2006 Code was supported by several respondents to the consultation, including victims' organisations, who considered that this provides certainty to victims about what information and services they can expect to receive. The duty to provide monthly updates to victims was removed from the consultation stage version of the revised Code and is not in the final version of the Code. Removing this duty was supported by ACPO and the Home Office as it reduces bureaucracy and frees up police time and enables victims and the relevant criminal justice agency to agree the frequency of contact the victim would like or needs on the particular case.
35. 13 out of 31 (42%) voluntary organisations responding to question 3 agreed with the revised duties in the Code. Only 5 out of 31 (16%) of these respondents disagreed with the revised duties, with 13 out of 31 (42%) neither agreeing nor disagreeing. Some of these respondents requested recognition in the Victims' Code of the work of victims' organisations, such as the Witness Service, in the criminal justice system. The purpose of the Code is to provide clear entitlements for victims of crime and clear duties for criminal justice agencies. Focusing on agencies statutory duties was the approach taken in the design of the 2006 version of the Code. Given the move to local commissioning of victims' services, we do not consider the current climate suitable to impose duties on voluntary organisations that might restrict best practice and prevent future innovation. In order to recognise the critical role they play in supporting victims, the Code includes an entitlement for all victims of crime to be automatically referred to victims' services to receive information about the services available.
36. Some respondents requested clarity on the position of victims of road traffic collisions and whether they were entitled to services under the Victims' Code. The current Victims' Code, as published in 2006, requires services to be given to victims where they have been directly subjected to criminal conduct under the National Crime Recording Standard (NCRS). This includes a range of road traffic offences such as death or being seriously injured by dangerous driving. However, it does not include all road traffic offences. Police recorded crime is governed by the Home Office Counting Rules and the NCRS. The rules provide a national standard for the recording and classifying of notifiable offences. The NCRS was designed to take a more victim-oriented approach to crime recording with the police being required to record any allegation of crime unless there is credible evidence to the contrary.
37. The Government recognises the serious difficulty victims of road traffic crime face and has decided to include additional discretion in the introduction to the Code to enable the police to provide information and services to victims of non-NCRS cases in line with the Code. This reflects existing practice amongst regional police forces. For example, most police forces allocate a Family Liaison Officer (FLO) in fatal cases or where a life altering injury is sustained regardless of whether the offence falls under the NCRS and provide information about available support services. For example, Cheshire police refer victims or their families to the AFTERMATH charity when they want to be. For minor and non-injury road traffic collisions, Cheshire police provide the victim with information (the RAC collision booklet) and advice at the scene by officers with regards to seeking medical advice post collision or notifying insurance companies and what may happen in relation to the police investigation.

38. We consider that the duties on agencies and organisations covered by the Code are balanced and proportionate. The duties on these service providers will ensure that victims receive the right level of support at the right time and will give the flexibility for agencies to focus their resources on those most in need. This includes a requirement to provide an enhanced service to victims of the most serious crime, persistently targeted and vulnerable or intimidated victims.
39. In order to encourage best practice when interviewing victims, the revised Code includes elements of *Achieving Best Evidence in Criminal Proceedings: Guidance on Interviewing Victims and Witnesses and using Special Measures*, which was published in March 2011. In the consultation this information was contained in the section designed for children and young people. This has now been extended to the adult section of the Code in order to encourage the police to provide a service that improves the experience of all victims who are interviewed. Additionally, the Code now provides clear duties on Youth Offending Team in relation to the Victim Contact Scheme so victims of both adult and youth offenders get a consistent service.

Police and Crime Commissioners

40. In November 2012 Police and Crime Commissioners (PCCs) were elected in every police force area in England and Wales outside London. Currently their main responsibilities include setting the local force's policing priorities (consulting with victims of crime in doing so) and its budget, working with local partners to cut crime, and holding the local chief constable to account for the performance of the force. It is the Government's intention that from October 2014 PCCs will also be responsible for commissioning local victims services. Given PCCs' local responsibilities, we sought views on whether PCCs should be included in the revised Victims' Code.

Q4(a): Do you think that the Police and Crime Commissioners should be included in the revised Code? Please give reasons.

Q4(b): If so, what duties should they fulfil and at which stages of the criminal justice process should Police and Crime Commissioners be included.

41. 94 out of 112 (84%) of those responding to this question considered that PCCs should be included in the revised Code. This included 14 of the 15 PCCs who responded to this question and the representative body of Police and Crime Commissioners, the APCC. 4 respondents said it was too early to say whether PCCs should be included in the Code.
42. Of those who considered that PCCs should be included in the revised Code, 11 respondents said that PCCs should play a role in the complaints process, 11 respondents said PCCs should play a key role in overseeing compliance with the Code by criminal justice agencies and a further 9 respondents said that PCCs should play a more specific role in holding the police accountable for their duties under the revised Code.
43. Some concerns were raised by respondents in relation to the independence of PCCs in monitoring compliance of the revised Code by the police and with regards to whether PCCs would have the resources to meet any additional duties allocated to them.

44. Following this feedback, we have included PCCs as a service provider under the Victims' Code, listed in the introduction to Code. There is a duty upon PCCs to provide information about the Victims' Code on their websites so victims will be able to access this information easily. PCCs already have a reciprocal duty with other criminal justice agencies to consult on organisational priorities in order to deliver an efficient and effective criminal justice system. This has been reiterated in the Code. We envisage that PCCs will seek to raise awareness of the Code through other means in their role as local victims' champions. Further information about the complaints process under the Code and the work we are doing to explore the role that PCCs may play at a local level in improving compliance with the Code is provided at Chapter 6 of this document.

Criminal justice agencies are required to provide a minimum level of service to all victims of crime, as set out in the Victims' Code, unless the victim agrees otherwise.

Discretion will be given to the police to enable them to provide information and services in line with the Victims' Code to victims of offences that do not fall under the National Crime Recording Standard.

Police and Crime Commissioners are included as a service provider under the Code and will be obliged to provide information about the Code on their website.

Chapter 3 – Giving Victims a Voice

The Victim Personal Statement

45. The Victim Personal Statement (VPS) was piloted in 1996, (known then as the Victim Impact Statement) and was formally introduced in 2001. The primary purpose of the VPS is to give victims a voice in the criminal justice process and criminal proceedings when a case goes to court by enabling them to tell the court about how the offence has affected them. The legal purpose of the VPS is to give an accurate picture of the impact of the offence on the victim which can then be taken into account when sentencing the relevant offender. It can also be used to inform bail decisions.
46. The current Victims' Code does not include any information about the VPS. Data from the Crime Survey for England and Wales (CSEW) indicates that victims recalled being offered the opportunity to make a VPS in only 9%⁷ of incidents reported to the police, and of these, in around 60%,⁸ they recalled making a VPS. We proposed to include it in the revised Code for the first time to strengthen the victims' voice in criminal proceedings. We therefore sought views from respondents on its inclusion in the Code.

We asked:

Q5: Do you agree that the Victim Personal Statement should be included within a revised Victims' Code?

47. We received 87 replies to this question, of which 96% agreed that the VPS should be included within the revised Code, indicating overwhelming support for this proposal, including among the senior judiciary. Respondents generally felt that the opportunity to make a VPS should apply to all victims.
48. There was consensus amongst the respondents to this question that criminal justice practitioners should have a duty to inform the victim that the VPS will be disclosed to the court and the defence and that the victim is not be able to withdraw the VPS once made. We have ensured that the final version of the Code is clear about who the statement is disclosed to, how it is used and that the media may choose to report on this.
49. Respondents also suggested that the Code should make it clear how the VPS is used by the Parole Board. A VPS can be made with regard to offenders whose release will be determined by the Parole Board to provide greater insight into the impact of the offence for the Parole Board Panel. The revised Code makes a clear distinction between the VPS used to inform sentencing by a court and the VPS at Parole Board hearings. It also includes additional information about how a fresh or new VPS may be made in certain circumstances for Court of Appeal cases.

⁷ <https://www.gov.uk/government/publications/support-for-victims-findings-from-the-crime-survey-for-england-and-wales>, Table S39

⁸ <https://www.gov.uk/government/publications/support-for-victims-findings-from-the-crime-survey-for-england-and-wales>, Table S40.

50. There were some concerns from respondents about any move to encourage self-completion and on-line or email submission of the VPS. Some respondents felt that there might be inconsistencies in the way the VPS is completed and that less articulate victims may be disadvantaged. One respondent felt that the VPS might undermine the principle that it is the State that prosecutes crime and not victims. We do not consider this to be the case. The VPS is governed by a practice direction setting out how the document is considered in court and the impact on sentencing. We will also work with our criminal justice agency partners to develop new guidance for victims and for criminal justice agencies on the completion of the VPS to drive up the offer rate.
51. 10 respondents to the consultation felt that there should be a mechanism in place to allow the VPS to be read aloud in court. These responses emphasised the importance some victims may place on having the opportunity to directly address the court. This represents an opportunity for the victim to have their say in court proceedings other than being questioned when giving evidence during the course of the trial. Other respondents expressed concern about vulnerable victims reading the VPS aloud given the media propensity to report on high profile cases and the risk of a victim's personal details filtering through to the public domain.
52. In order to reorient the Criminal Justice System in favour of the victim and to give victims a louder voice in proceedings, the final version of the Code includes an entitlement for the victim to say whether or not they would like to read their VPS aloud or have it read aloud on their behalf by a CPS Prosecutor in court. There will be no expectation or pressure on the victim to have their VPS read aloud. If they do not wish to have their VPS read aloud it will be considered by the court as part of the evidence if the defendant is found guilty and sentenced.
53. Under the new Code there will be a duty on the police to ask the victim whether they would like to read relevant parts of their VPS aloud or have it read aloud on their behalf if the defendant is found guilty. The police will also be required under the Code to explain the risks of making a VPS to the victim, such as the possibility that they may be asked questions about it in court and the possibility that the media may choose to report on it. It will be read out after a defendant has been found guilty and before sentencing and will give victims a stronger voice in the criminal justice process by enabling them to directly inform the court how the crime has impacted upon them. Reading the VPS aloud will remain subject to judicial discretion as there may be circumstances where it would be inappropriate for all or part of the VPS to be read aloud to the courtroom or where it is not in the victim's best interests for this to happen. However, the Lord Chief Justice has undertaken to revise his Consolidated Criminal Practice Direction to reflect a new presumption that – where a victim requests that their VPS be read out in court either in person, or by the CPS prosecutor – some or all of it will normally be heard by the court.
54. The Parole Board already operate on this basis: where an oral hearing takes place, the victim may inform the panel that he or she wishes to attend and read their VPS in person, or by video link. We have strengthened the new Code to reflect the presumption that these requests will be agreed by the Parole Board panel chair.

The Victim Personal Statement is included in the Victims' Code for the first time.

The revised Victims' Code requires the VPS to be offered to all victims who give an evidential witness statement.

All victims in the three priority groups (victims of serious crime, persistently targeted and vulnerable or intimidated victims) are offered the opportunity to make a VPS whether or not they make evidential statements.

The Victims' Code gives the victim an entitlement to say whether they would like to have their VPS read aloud in Court.

Community Impact Statements

55. Community Impact Statements (CIS) are statements which are compiled by the police and illustrate the concerns of communities regarding crime and antisocial behaviour in their community. A CIS would cover a specific community over a specific period of time. The Government carried out a pilot in 42 areas in England and Wales areas in order to explore the effectiveness and success of the use of CIS in those areas, with a view to rolling them out more widely. Although CIS are not included in the Victims' Code, our intention is to encourage local police forces to use these Statements in their areas. We therefore sought respondents' views on the usefulness of extending CIS throughout England and Wales.

Q6: Do you think that police forces should be encouraged to expand their use of Community Impact Statements?

Q7(a): Do you think Community Impact Statements provide an effective way of capturing the problems confronting communities?

Q7(b): If so, how might the wider roll out of the Community Impact Statement be encouraged?

Q7(c): If not, how might Community Impact Statements be improved?

56. We received 97 replies to question 6 of which 85% agreed that police forces should be encouraged to expand their use of Community Impact Statements. Some respondents felt CIS had "significant value" given that magistrates will not always be local to the area to which they are assigned and they may not be aware of the wider local issues and the impacts of criminal activity within a certain area. Other respondents considered that CIS gave the community a voice by restoring confidence, protecting vulnerable groups and promoting community cohesiveness. Respondents also considered that local police forces should have the responsibility to decide the approach most appropriate to their areas and where they may add value.
57. Those who did not consider that the use of CIS should be expanded were concerned that CIS would be "outsiders' assessments", and would not fully reflect the views of the victims affected by community crime. It was also noted that expanding the use of CIS may incur an additional burden on the police, which could be mitigated by exploring the potential role for other agencies in their completion.

58. 83% of the 83 respondents to question 7(a) considered that CIS do provide an effective way of capturing the problems confronting communities. Those who agreed highlighted that the CIS provides a powerful tool in helping sentencers and service providers. There was a general consensus that providers will need to be given more training in taking and using CIS and PCCs would need to engage with partners outside the criminal justice system such as housing providers and local authorities in order for it to be effective. One respondent highlighted that whilst CIS were not always comprehensive or definitive CIS can still help to enhance the overall picture presented to the court who will then decide what value to place on the statement and whether it impacts on sentencing decisions.
59. We received a number of helpful suggestions from respondents about how we could improve Community Impact Statements. These included advertising the benefits of CIS to the community using local media, using social media to consult the community, training on CIS driven through the College of Policing for Neighbourhood teams, sharing best practice across areas who use the statement effectively, engagement projects with local communities to ensure they feel safe and supported when giving evidence and developing an effective CIS template and prosecution guidance for police forces.
60. In line with the Transforming the CJS Strategy and Action Plan, published on 28 June 2013, we will encourage the wider use of CIS, which enable sentencing decisions to be informed by additional relevant information about the impact of a crime on the local area. The police, CPS and courts have reported these as being effective in providing the court with information about the impact of gun crime on a community and on local services. Encouraging the wider use of CIS will help to ensure that the CJS takes account of everyone affected by a crime, whether directly or indirectly. We also intend to give PCCs a role in putting Community Impact Statements together, which they are well placed to take on given their links to the local community.

We will meet the commitment made in the Transforming the CJS Strategy and Action Plan to revamp Community Impact Statements by April 2014.

Chapter 4 – Businesses

61. It is often forgotten that businesses are victims of crime too. The riots of August 2011 provided a stark reminder of this. The 2012 Commercial Victimization Survey estimated that there were 9.2 million crimes committed against businesses.⁹ Theft and commercial damage can make the difference between a business surviving or operating at a loss.

Impact Statements for Businesses

62. Currently only representatives from small businesses are able to make a Victim Personal Statement, meaning that medium-sized and large businesses are unable to explain the impact a crime has had upon them. We proposed to include an entitlement in the revised Code that will enable businesses of all sizes to make an impact statement, so it acts as a VPS for businesses. This will help businesses of any size to fully articulate the impact a crime has had upon them where they wish to do so.

We asked:

Q8: Do you agree that all businesses should be entitled to make an impact statement to explain how a crime has affected them?

Q9: Do you think businesses will benefit from this scheme?

Q10: Do you think that this statement should be extended to other organisations, such as charities?

63. 89 out of 96 (93%) respondents to question 8 of the consultation agreed that all businesses should be entitled to make an Impact Statement. 68 out of 85 (80%) respondents to question 9 agreed that businesses would benefit from being able to make an impact statement to help explain the impact of a crime upon them to a court. The proposal received particularly strong support from the Association of Convenience Stores and British Retail Consortium who believed it finally gave all businesses an avenue to express their voice. Of those who disagreed, it was felt that large businesses may devalue the process by providing stock responses to seek compensation.

⁹ The 2012 Commercial Victimization Survey (CVS) focussed on **four industry sectors** defined by the UK Standard Industrial Classification 2007 (SIC); manufacturing, wholesale and retail trade, transportation and storage and accommodation and food services activities. Between them, these four sectors **account for around a third of all business premises in England and Wales. Therefore, the results of the survey should not be considered to be representative of crime against businesses as a whole, only of crime against these four sectors.**

The CVS is a telephone survey in which respondents from a representative sample of business premises in England and Wales were asked about crimes experienced at their premises in the 12 months prior to interview. Estimates for the 2012 CVS are based on 4,017 interviews.

64. The Impact Statement will explain how a crime has affected the business, whether emotionally, financially, economically or in any other way. The making of an Impact Statement does not prevent an individual victim, such as an employee in a shop, from making a separate Victim Personal Statement for the same incident. In order to reduce the potential resource burden on the police, as raised by some respondents, we propose that this form will predominantly be available online, self-completed and submitted by email or by post to the police.
65. 86 out of 94 (91%) respondents to question 10 agreed that other organisations such as charities should be able to make an impact statement. However, it was also noted by respondents that it may be resource intensive for the police if the statement is extended to schools, hospitals and other organisations. It is therefore considered that whilst the definition of a business under the Code and the Impact Statement should be extended to enterprises such as charities, it would not be prudent or feasible to extend this same entitlement to all organisations, such as public sector bodies. Individual victims from these organisations will still be able to submit a VPS.
66. We will work with criminal justice agencies and business groups to develop guidance on how to submit an impact statement for business prior to the Code coming into force later this year. We will also work with the judiciary to develop a practice direction providing guidance on how the Impact Statement should be considered in court. We have also made it clear in the introduction of the Code that all businesses and enterprises, such as charities, are entitled to receive information and services under the Code as victims of crime.

We have extended the Impact Statement to charities.

We will work with criminal justice agencies and business groups to develop guidance on the completion of the Impact Statement.

We will work with the judiciary to develop a practice direction providing guidance on how the Impact Statement should be considered in court.

We have amended the introduction of the Code to make it clear that all businesses are entitled to information and services under the Code as victims of crime.

Chapter 5 – Restorative Justice

67. The Government is committed to ensuring that high quality Restorative Justice (RJ) is made available at all stages of the criminal justice system across England and Wales. The rationale for this focus is the impact that RJ can have on victims and re-offending – MoJ pilots found that 85%¹⁰ of victims who participated in the conferencing method of RJ were satisfied with the experience, and there was also an estimated 14% reduction in the frequency of re-offending. RJ has the potential to break the destructive pattern of offending and, given the high rates of victim satisfaction, we want RJ to become something that victims feel comfortable and confident requesting.
68. The revised Victims' Code includes information on Restorative Justice for victims of adult offenders for the first time. The previous Code only includes information for victims of offenders under the age of 18. This change aims to raise awareness of RJ amongst victims of crime.

We asked:

Q11: Do you agree that RJ should be included in the Victims' Code where the offender is over 18 years of age?

Q12: Do you think that the section on RJ in the revised Code will help to support wider work to improve victim awareness of RJ?

Q13(a): How much do you think RJ uptake will increase as a result of the reforms to the Code?

Q13(b): Which specific types of RJ intervention do you think will increase?

69. 106 out of 124 respondents (85%) to question 11 agreed with including RJ in the Victims' Code where the offender is over the age of 18. The respondents provided a wide range of suggestions on how this section of the Code could be improved. It was suggested that the Code could go further by offering a right to receive RJ to all victims. A number of respondents also suggested including the Restorative Justice Council's Restorative Service Quality Mark, which is being developed as a yardstick for RJ providers to reassure victims they are offering a quality service.
70. 63 out of 88 respondents (72%) to question 12 agreed that including RJ in the Code will help to improve wider victim awareness of RJ. However, a number of respondents were keen to emphasise that awareness of RJ will only increase amongst victims if RJ services are promoted effectively. Several victims' organisations emphasised the need for appropriate safeguards to be in place to ensure secondary or repeat victimisation does not take place through RJ, particularly for victims of crimes such as domestic violence or sexual abuse.

¹⁰ http://webarchive.nationalarchives.gov.uk/+/http://www.justice.gov.uk/restorative-justice-report_06-08.pdf

71. The Restorative Justice Action Plan for the Criminal Justice System, published in November last year,¹¹ sets out the actions the Government will drive forward, with our partners in the RJ field, to bring about a step change in the delivery and provision of RJ across England and Wales. It will ensure there is an improvement in victims' awareness of and access to RJ and strengthen the capability to deliver RJ across England and Wales. The Action Plan also ensures that the approach is victim-focussed with a clear vision of how RJ should apply across all stages of the justice process. However the implementation of the Action Plan and extending RJ provision is at an early stage and any RJ initiative must have agreement between the offender and the victim before it can take place. Therefore we do not consider it to be feasible to include a right for all victims to receive RJ in the revised Code at this stage.
72. We have made changes to the RJ section to reflect wider feedback from consultation respondents. The final version of the Code includes an additional duty on service providers to ensure that, where RJ is available, trained facilitators are provided and that services are delivered in accordance with recognised national standards, such as the Restorative Service Standards or other equivalents.
73. The new Code also includes strengthened provisions to ensure that any decision by a service provider to undertake RJ with victims gives consideration to mitigating the risk of secondary victimisation. In particular, service providers must consider whether it is appropriate for victims of sexual or domestic violence, stalking, human trafficking and child sexual exploitation to take part. This underscores that RJ is voluntary – the victim must agree to take part and any practice guidance issued by service providers must emphasise that the victim should not be pressured into taking part.
74. We have also included additional text in the Code to clarify the distinction between Community Resolutions, which are an informal police disposal that enables the police to deal more proportionately with low level crime and anti-social behaviour, and RJ.

We have included information about Restorative Justice for victims of adult offenders in the new Victims' Code.

We have included additional information to emphasise the importance of ensuring that RJ is delivered in accordance with recognised national standards and that safeguards are always in place to protect victims from the risk of secondary victimisation.

¹¹ <http://www.justice.gov.uk/publications/policy/moj/restorative-justice-action-plan>

Chapter 6 – Improving means of redress for victims

75. It is crucial to the success of the new Victims' Code that all the criminal justice agencies listed as 'service providers' under the Code comply with all the duties expected of them so that victims get the support and services they need. That is why we asked consultation respondents how compliance and performance under the Code might best be monitored.
76. We sought views on the changes we proposed to the complaints system in the revised Code to improve means of redress for victims if things go wrong. We proposed that all service providers under the Code should have a clearly identified complaints process through which victims can complain. We proposed that the responsibility should be on the service provider, and not on the victim, to ensure that all complaints receive a satisfactory response, whichever part of the criminal justice system the complaint relates to. Our proposals aimed to reduce the likelihood of complaints slipping through the cracks and victims not being provided with a response.
77. We also asked consultation respondents for views on how we can improve means of redress and accountability for victims more broadly, at both a national and a local level.

We asked:

Q14: Do you think that the complaints system in the revised Code will deliver a better service for victims? Please give reasons.

Q15: How do you think compliance and performance by agencies and organisations under the Code can be best monitored? And by who? Should this be locally or nationally driven?

Q16: In addition to the improvements outlined in the Code, what reforms do you think are needed to improve means of redress for victims?

78. 50 out of 125 respondents (40%) agreed that the revised Code would deliver a better service for victims as it would offer a way for people to raise issues they were unhappy with, increase transparency and help to drive up performance with regards to services and support for victims of crime. 40 respondents (32%) did not consider that the complaints system would deliver a better service for victims. They considered that the changes would not give the new Victims' Code enough 'teeth'. Some suggested that specific penalties should be set for non-compliance with the Code to ensure agencies' accountability.
79. A further 30 respondents (24%) gave neutral responses. These responses recognised the value of the changes to the Code, particularly the requirement that agencies should clearly set out their procedures and redirect a complaint to the correct agency. However, they considered that substantial changes are still required if the complaints system is to become genuinely robust and credible. There was general agreement among respondents that there is a need for more robust monitoring and evaluation of the performance of criminal justice agencies in fulfilling their duties under the Code and for better information sharing amongst agencies to improve service provision to victims. 12 respondents raised concerns about the fact

that victims have to go through their MP in order to access the Parliamentary and Health Service Ombudsman's services (the "MP filter"), which they consider as unhelpful additional bureaucracy which can put victims off raising a complaint and lead to delays in the process. Some respondents were not in favour of the Parliamentary and Health Service Ombudsman as the final arbiter for victims' complaints as they are not in a position to enforce change.

80. There were 112 responses to question 15. 54% of respondents, including 19 Police and Crime Commissioners (PCCs) and the Victims' Commissioner considered that PCCs should have a role in monitoring agencies' compliance with the Victims' Code. Of those 68 respondents who offered a view about whether the monitoring of complaints should be locally or nationally driven, 30 respondents favoured local monitoring, 26 supported a combination of the two and 12 supported a national approach.
81. There were 96 responses to question 16 which provided a range of views on what reforms are needed to improve the means of redress for victims of crime. These suggestions included setting up a central complaints office to which victims can complain, providing third-party or intermediary services to help victims make complaints, improving information sharing between agencies and expanding the roles of PCCs and/or the Victims Commissioner to allow them to take a larger role in supporting victims and to intervene in individual cases. It was also suggested that there should be a greater degree of transparency regarding compliance statistics.
82. We have made changes to the complaints process in the Victims' Code to address concerns raised by consultation respondents. We have included three new duties on agencies in this section. Firstly, a clear duty for agencies to provide within 10 working days either a substantive response or an acknowledgement of the complaint setting out the likely timescales for receiving a full response, where appropriate. Secondly, a duty on agencies to make information about their complaints process openly available to victims and that they must signpost victims to this information proactively, rather than at the request of the victim. This must be included where an acknowledgement has been sent to the victim. Thirdly, agencies must provide information about how victims can escalate their complaint to the Parliamentary and Health Services Ombudsman if they remain dissatisfied. This new requirement is fully supported by the Ombudsman.
83. In addition to these improvements, the Government made a commitment in the Transforming the CJS Strategy and Action Plan published on 28 June 2013, to investigate the case for an independent complaints ombudsman for the whole of the Criminal Justice System to ensure that victims are given improved means of redress. We are currently working with the Cabinet Office on how we could make the Parliamentary and Health Services Ombudsman work better for victims of crime, including how we might improve accessibility to the Ombudsman. This work fits within the wider landscape of reform to ombudsman services being led by the Cabinet Office.
84. We are also looking at whether PCCs in their role as local victims' champions could be more involved in ensuring that victims in their area receive the services and support that they are entitled to from their local criminal justice partners. As part of this work, we have sought views directly from PCCs about how they are listening to victims' views and handling feedback about the whole criminal justice system. We have also received feedback from criminal justice partners on how local cooperation

with PCCs across the CJS is working to the benefit of victims of crime. We will continue to explore this further, working with PCCs and agencies to highlight the range of ways being taken forward locally to ensure that victims' voices are listened to and that service providers are accountable to victims needs.

We have included an improved complaints process in the new Victims' Code, including a duty on service providers to provide information on their complaints process to victims proactively.

We will work with the Cabinet Office to explore reforms to the Parliamentary and Health Services Ombudsman to the benefit of victims of crime.

We will explore the role that PCCs could play as local victims' champions to improve service provision to victims of crime in their local area.

Chapter 7 – Children and Young People (under 18s)

85. The current Victims' Code is not written in an accessible way for children, young people and their parents and guardians to understand. In revising the Victims' Code, we focussed on ensuring that those victims who are most in need, including victims who are under 18 years old, get the support and services they need to recover and move on with their lives. That is why we proposed including a section dedicated to victims who are under 18 to ensure that young people can access the enhanced service that should be provided for them.

We asked:

Q17: Do you agree that there should be a dedicated section for children and young people in the Code?

Q18: Do you agree that the duties on the criminal justice agencies with regards to children and young people are correct? Please give reasons.

Q19: Do you consider that this section is appropriately user-friendly for children and young people?

86. There were 103 responses to question 17. 89% of respondents, including many third sector organisations that support young people, agreed that there should be a dedicated section for this group of victims of crime.

87. 48 out of 75 (79%) respondents to question 18 agreed that the duties on the criminal justice agencies with regards to children and young people are correct. The majority of respondents who agreed also made further suggestions to improve the services that children and young people are entitled to receive from criminal justice agencies. Some respondents, including Barnardo's, suggested that a support worker could be offered to young victims as a communicator between victims and criminal justice agencies.

88. A number of respondents were concerned as to whether criminal justice agencies have sufficient resources to meet the requirements on them as set out in this section of the revised Victims' Code and in particular the requirement to communicate with the victim within the shorter timescales. As the timescales set out in this section of the revised Code mirror those in the current Code with regards to vulnerable and intimidated victims, we do not consider that this presents a significant additional burden on agencies who should already be providing these enhanced services.

89. Of the 77 respondents who answered question 19, 32% considered that this section is appropriately user-friendly for children and young people and 36% disagreed. The most commonly mentioned concerns were that the language is too technical and should be simplified, that cross-referencing to the adult section is not an effective way to communicate with young people and that the explanation of words set out in the glossary should be added to the text. Many respondents said this section should be taken into account when drafting this section and that there should be a separate and more straightforward version of this section that children and young people could easily follow.

90. During the consultation period we carried out dedicated consultation activities targeted at young people – some of whom had been victims of crime and had some experience of the criminal justice system – with a view to getting their feedback on the section of the new Victims’ Code for children and young people. We wanted to listen to their ideas about how we can improve the support and services offered to them under the Code. A short self-completion online survey was posted on the ChildLine website to gather views from young people. The survey was promoted on the ChildLine Facebook page and by external partners including Childnet and Worthing Youth Council. The survey questions covered awareness and knowledge of the Victims’ Code, Restorative Justice, Victim Personal Statements and the Victim Contact Scheme and included a question to assess comprehension of a paragraph of text from the Victims’ Code. In total 129 people took part in the survey (although ten of the respondents who took part were over 18 years of age). 96% of respondents to the survey had not heard of the Victims’ Code and 93% of respondents agreed that there should be a separate section in the Code that explains the rights for children and young people.
91. On 18 April 2013, the Ministry of Justice and the NSPCC co-hosted an online discussion with children and young people. Ten young people between the ages of 14–23 took part in the discussions with Ministry of Justice officials on the revised Victims’ Code. Some key points raised during the webchat were that several of the participants found some of the words difficult to understand, considered the glossary confusing and felt that a separate guide would be helpful. Other key themes included having someone to support children and young people through the criminal justice process and having regular contact with someone who can explain what is going to happen at each stage of the process.
92. Following consideration of the responses and having received further direct feedback on a prototype draft of the revised section of the Code for children and young people, we have amended the section to take into account suggestions raised by respondents. For example, we have re-drafted the text to simplify the language. We have also moved explanations that were set out in the glossary directly into the text. In addition to a dedicated section in the Code, we will develop a separate leaflet guide to the Code using simple language and visual aids targeted at young people and the parents of young children. This will form part of our wider communications strategy to raise awareness of the new Code which is discussed in the next chapter.
93. In order to fully reflect existing statutory entitlements enabling child victims to give their best evidence, the Code now includes a duty for the police to have regard to Section 21 of the Youth Justice and Criminal Evidence Act which states that the “primary” rule for child witnesses is that the Court must provide for any video recording of an interview to be admitted as the witness’s evidence-in-chief and for any other evidence given by video in those proceedings to be given by live link, subject to limitations as set out (for example if the child witness opts out).

We have reviewed the section of the new Code for children and young people to make sure that the language used is as accessible as possible and that technical terms are explained in the text.

We have removed cross-referencing to the adult entitlements section of the revised Victims' Code so that the section for young people is self-contained.

We will produce a separate leaflet guide to the Code using simple language and visual aids targeted at young people, their parents and guardians.

Chapter 8 – Communicating the Code

94. It is crucial to the success of the new Victims' Code that it is communicated effectively to victims, victims' organisations and criminal justice agencies. That is why we sought views on how we can raise awareness of the revised Victims' Code and supporting guidance, particularly among young people who are more likely to become victims of crime.¹²

We asked:

Q20: How can we ensure that the Code is communicated effectively?

95. We received 88 responses to this question which provided us with a wide range of suggestions about the different communications channels that we could use to ensure that victims of crime, service providers and victims' organisations are aware of the entitlements set out in the Code. This included undertaking awareness raising campaigns, developing leaflet versions of the Code in different languages and in EasyRead and audio formats and improving the training of criminal justice practitioners so that they are all aware of their duties under the Code.
96. There was a high level of support for the use of social media in consultation responses from a wide range of groups, including police forces, Local Criminal Justice Boards and victims' organisations. Most of these respondents focussed on how social media could be used as part of an awareness-raising campaign among under 18 year olds at both a local and national level. The young participants in the NSPCC-hosted web chat on the Victims' Code, agreed with using social media to raise awareness of the Code in an accessible and innovative way and suggested having a dedicated Code website, phone app and using YouTube videos and social networking sites.
97. Building on the feedback from the consultation, we have devised a new approach to raise awareness of the new Code under three key strands:
- (a) improving digital delivery
 - (b) improving wider public awareness, including through education
 - (c) improving standards among criminal justice agencies and voluntary organisations.
98. **Improving digital delivery:** Engaging in innovative ways has been a key part of our work to improve the Victims' Code. We have continued to engage directly and openly with young people in the development of supporting materials about the Code, including a leaflet guide to the Code for young people and a YouTube video. We will also be updating the information about the Code on the GOV.UK and POLICE.UK websites, ensuring that this is as interactive and user-friendly as possible. We are working with voluntary organisations to explore how other digital methods could work in future to further raise awareness among young people.

¹² Source: Crime Survey for England and Wales, Office for National Statistics, 2011/12. 36% of victims of personal crime are between 16-24 years old, a significant overrepresentation of this group who make up 15% of all adults over 16 years old in the general population.

99. We are also supporting the development and extension of Avon and Somerset Police's "Track My Crime" system across England and Wales. This is a secure online portal which allows victims to receive updates on their case in a secure and timely manner, and to contact officers in charge of their case. We consider that the information entitlements for victims under the Victims' Code during the investigation stage could be delivered very effectively through these kind of online systems which allow victims to check on the progress of their case at a time that suits them. We are exploring how we can develop these kind of systems further so that they support police forces and other service providers to deliver their duties under the Code in the most efficient and effective way, to the benefit of victims of crime.
100. **Improving wider public awareness:** We will be developing Z-cards, posters and leaflet guides to the Code to address concerns raised about the length of the Code by consultation respondents. We are producing an EasyRead and audio guide to the Code to ensure that victims of crime with disabilities and/or communication difficulties are fully aware of their entitlements under the Code. The leaflet guides to the Code will be available online in PDF format but criminal justice agencies and voluntary organisations will be able to print out hard copies for victims depending on their particular needs, as police forces do currently when providing victims with 'Information for Victims of Crime' letters.
101. We intend to develop educational packs on the Victims' Code, including a suggested lesson plan and materials such as posters that can be printed out to raise awareness among young people. We are working with the Department for Education, voluntary organisations and local authorities on the best way to support schools and colleges to introduce young people to the Victims' Code in Personal, Social and Health Education (PSHE) classes. We are looking to use existing social media networks for educators to share our educational pack on the Victims' Code. We also intend to work with voluntary organisation to ensure that this educational pack is versatile enough to be used outside a formal educational setting such as by local youth groups and Youth Parliaments.
102. **Improving standards among criminal justice agencies and voluntary organisations:** We have included a new duty on all service providers listed in the Victims' Code to include information about the Code on their websites. This will ensure a minimum standard of information provision by agencies to victims at both a local and national level. We will be developing 'toolkits' about the Code for use by both criminal justice agencies and stakeholders to signpost victims to the information about the Code on the GOV.UK website. As part of our work with service providers to ensure that their operational guidance is updated before the new Code comes into force later this year, we will seek to ensure that operational performance measures used by criminal justice agencies take full account of the importance of raising awareness of the Code among practitioners and victims.

We will deliver a communications strategy to raise awareness of the new Victims' Code, through three main approaches:

- (a) improving digital delivery**
- (b) improving wider public awareness including through education**
- (c) improving standards among criminal justice agencies and voluntary organisations**

Chapter 9 – Equality effects of proposals

103. We sought comments on the equality impacts of the proposals in the “Improving the Code of Practice for Victims of Crime” consultation document.

We asked:

Q21: Do you think we have correctly identified the range and extent of the effects of these proposals on those with protected characteristics under the Equality Act 2010?

Q22: If not, are you aware of any evidence that we have not considered as part of our equality analysis? Please supply the evidence. What is the effect of this evidence on our proposals?

104. We received 61 replies to question 21. 64% of these responses agreed that we had correctly identified the equality impacts of the proposals. However, only a small number of responses directly addressed the specific question of whether the range and extent of the proposals under the Equality Act were correct.

105. Of those who agreed that the revised Victims’ Code did correctly identify the range and extent of the effects of these proposals on those with protected characteristics under the Equality Act, one respondent considered that that the Crime Survey for England and Wales is a reasonable tool to use as a guide to identifying who victims of crime are because it is based upon random sampling of households. One criminal justice practitioner also agreed with the approach of setting out minimum entitlements for all victims, as well as the dedicated section for children and young people.

106. Of those who disagreed, one voluntary organisation felt that the proposal to restrict automatic access to support services for victims of crime would be detrimental to vulnerable victims, particularly those with a mental health problem. They also felt that ending automatic referral of all victims to support services will disproportionately impact on black and minority ethnic victims as they considered this group to have the greatest support needs. There were also concerns about the level of support provided to victims of road crime.

107. We have considered the responses we received, and have addressed these concerns as follows:

- including an entitlement in the Code for victims’ of crime to be automatically referred to victims’ services by the police, ensuring that all victims receive immediate and consistent access to support services;
- we will engage with disability groups to develop an audio and EasyRead guide to the Code using simple language and visual aids targeted at those with communication difficulties;
- victims of road traffic crime where the offence does not fall within the National Crime Recording Standards will be offered services under the Code at the discretion of the Police and other relevant criminal justice agencies;
- victims who have difficulty in understanding or speaking English will be entitled to certain information in a language they understand.

108. On the basis of the responses we have received, we do not believe there is any evidence to suggest that there may be a disproportionately negative impact on people with protected characteristics as a result of our reforms to the Victims' Code.

Chapter 10 – Impact Assessment

We asked:

Q23: Do you have any comments in relation to our impact assessment?

Q24: Could you provide any evidence or sources of information that will help us to understand and assess those impacts further?

Q25: How long does it take to record a VPS from a victim of crime?

Q26: What is the additional burden on civil society organisations if they are contracted to take the VPS on behalf of the police?

109. We received 57 responses to question 21. Opinions varied on the efficacy of the Impact Assessment and how it could be developed further.

110. Some criminal justice practitioners believed that the introduction of new categories of victim, namely victims of the most serious crime and the persistently targeted may require changes to case tracking systems which may result in additional costs. The post-consultation Impact Assessment highlights that there may be administrative start up costs associated with the three priority categories, but this is aligned with existing practice in the way that vulnerable and intimidated victims are currently prioritised. The Impact Assessment also outlines the expected benefits to victims through a better quality service.

111. Some respondents also criticised the statistic in the consultation document highlighting that many victims do not want further support. According to the Crime Survey for England and Wales¹³ (CSEW), victims said that they did not want any information, advice or support in 81% of all incidents¹⁴ (and in 61% of incidents reported to the police¹⁵).

112. The CSEW is a nationally representative face-to-face household survey that was first conducted in 1982. In the 2008/09 CSEW, approximately 46,000 adults were interviewed between April 2008 and March 2009. The main purpose of the CSEW is to measure the extent and nature of criminal victimisation against adults, aged 16 or over, living in private households in England and Wales. It covers victimisation incidents in the 12 months before the interview. However, the CSEW also includes questions on a range of other areas relating to victimisation, crime and the criminal justice system.

113. The 81% figure cited in the Victims' Code consultation document is taken from a question in the CSEW on support that victims wanted following their experience of crime. For each incident experienced, victims were asked what types of information, advice or support they wanted following the incident. They could choose from the following response options listed in this order:

¹³ Freeman (2013) Support for victims: Findings from the Crime Survey for England and Wales.

¹⁴ Crime Survey for England and Wales 2008/9.

¹⁵ Combined 2007/8 and 2008/9 Crime Survey for England and Wales data.

- None of these/did not want any support
- Information from the police
- Information about security/crime prevention
- Practical help
- Someone to talk to/moral support
- Help with insurance/compensation claim
- Protection from further victimisation/harassment
- Help in reporting the incident/dealing with the police
- Other.

114. The CSEW is a particularly important survey because it provides a more complete picture of crime than police recorded crime statistics alone. The CSEW includes crimes which are not reported, or recorded by, the police and is therefore unaffected by changes in recording practices. For the crimes it covers, the CSEW is the best guide to long-term trends in crime.

115. Although the CSEW is a representative and robust survey, there are a number of important points to note:

- The main CSEW covers adult victims (aged 16 and over) and the following crime types: vehicle-related thefts, burglary, other household theft, vandalism, bike theft, theft from the person, assault, wounding and robbery. Some of the individuals or crime types excluded from the survey (e.g. students, families bereaved by homicide) may be especially likely to be victims of crime or to have very specific needs arising from the crime, and therefore the survey data is limited in that respect.
- There may be a number of individuals who do not respond to the survey, for various reasons, but the overall response rate for the CSEW is around 75% – which is relatively high for a social survey. The data are weighted to adjust for possible non-response bias and to ensure that the sample reflects the profile of the general population.
- It is not clear whether the victims are considering formal (e.g. provided by CJ agencies) or informal (e.g. provided by friends or family) support in their response. The respondent may also have been answering the question some time after the incident occurred and therefore the response may not reflect the support they wanted at the time of the event. The provision of a list of types of support as answer options to choose from could also have influenced their response. A new set of questions, which address some of these points, were introduced to the survey in October 2010.

116. 21 responses were received to question 24 offering a variety of sources to inform our analysis. This included articles from academic journals, a survey of rape crisis centres and the HMCTS Disability Advice Factsheets, which we have considered when refining the final version of the Code.

117. We received 46 responses to question 25 on the length of time it takes to record a VPS. This ranged from 10 minutes to one response suggesting the VPS may take several days to complete. From these helpful responses we developed a range enabling us to quantify the potential costs of proposals, which is set out in further detail in the post-consultation Impact Assessment.
118. We received 54 responses to question 26 about the impact of the VPS proposals on civil society organisations. One respondent felt there are strong arguments in favour of the police taking the VPS at the same time as the witness statement of what happened. The Code outlines that the police are required to take a VPS from a victim at the same time as the evidential witness statement. However, they can contract out taking the VPS to civil society organisations. This will, in many cases, make more sense for cases that take longer to investigate or where it is not possible to record the VPS whilst the evidential witness statement has been taken. This will allow the police to focus their time and resources accordingly.
119. Some victims' organisations and responses on behalf of the judiciary indicated that the main costs to civil society organisations are training, including understanding rules of disclosure and travel time. It is envisaged that civil society organisations would be remunerated by the police for undertaking this activity as part of a contract and any organisation undertaking this work would factor in any necessary training requirements to this agreement. In many cases the police may wish to retain control of initial training to ensure it meets their local standards and addresses their particular needs. Self-completion of the VPS and submitting the form by email or by post may also help to lessen resource demands. Appropriate training would serve to mitigate any risk of losing objectivity and the VPS becoming inadmissible by not being taken in accordance with section 9 of the Criminal Justice Act 1967.

Conclusion and next steps

120. We are grateful for the responses we have received to this consultation. We have drawn on the expertise, insights and advice offered in these responses to refine the final version of the Victims' Code. We have used the summer to ensure that the Code fully takes on board the consultation responses and to obtain feedback on a prototype draft of the section designed for children and young people. We consider that this will make a real difference in improving the experience of victims in the criminal justice system.
121. A number of respondents suggested other ways beyond revising the Code in which the criminal justice system could be improved. We welcome these suggestions. Whilst they could not all be explored in further detail in this consultation response or incorporated into the Victims' Code, they will help to inform future considerations of how to improve the experience of victims who come into contact with the criminal justice system, such as the ongoing review of cross-examination of vulnerable witnesses announced in the Transforming the CJS Strategy and Action Plan.
122. Having considered the responses to this consultation, we have ensured that the Code is restructured in a victim-focussed fashion that provides clear entitlements for victims of crime. We have also decided to provide an enhanced service for victims of the most serious crime, persistently targeted and vulnerable or intimidated victims to ensure they get the support and assistance they need. In recognition of the concerns outlined in the consultation response and to ensure that victims are offered immediate and consistent support, the Code contains an entitlement for victims to be automatically referred to victims' services and for victims to request to have their VPS read aloud either in person or by the CPS prosecutor. There is now discretion for all agencies to provide support and services in line with the Victims' Code for non-National Crime Recording Standard offences, such as drink or drug driving. The Code includes information on Restorative Justice with an entitlement for any RJ initiative to be provided in accordance with national quality standards. The Code also includes the Victim Personal Statement for the first time to strengthen the voice of victims in the criminal justice system.
123. The final version of the Victims' Code has been laid before Parliament and we intend to bring it into force later this year. We will work with criminal justice agencies as they update their practice guidance to elaborate upon how these duties will be fulfilled in practice. We are also keen to work with business groups in order to develop guidance on the completion of the Impact Statement for Businesses. We are particularly thankful to the Association of Convenience Stores and British Retail Consortium offering their assistance in the creation of this guidance.
124. The publication of a revised Victims' Code fulfils three of the actions in the Transforming the CJS Strategy and Action Plan published on 28 June 2013. Victims of hate crime, domestic violence, sexual offences and human trafficking are entitled to an enhanced service under the Code, which fulfils actions 38 and 46 of the Action Plan. In accordance with action 33 of the plan, the revised Code provides victims with a clearer, better means of redress putting the onus on criminal justice agencies to proactively provide victims' with a response to their complaint. Linked to action 31, we are also exploring how we could make the Parliamentary and Health Services

Ombudsman work better for victims of crime, including how we might improve accessibility to the Ombudsman.

125. However, the revised Code forms only a small part of the Government's overarching objective to improve the experience of victims and witnesses in the criminal justice system. For example, we have agreed the piloting of Section 28 of the Youth Justice and Criminal Evidence Act allowing vulnerable witnesses to be cross-examined before the trial. The cross-examination will be recorded and played during trial. The pilots will run in three Crown Court locations for approximately six months. We are also reviewing the Witness Charter to make sure that witnesses are given the support and help they deserve. A revised Witness Charter will be published later this year.
126. The new Code will form part of the Government's strategy to improve the experience of victims and witnesses when they come into contact with the criminal justice system. The ongoing work in the Transforming the CJS Strategy and Action Plan such as reviewing the cross-examination of vulnerable witnesses, revamping Community Impact Statements, and exploring how to provide better information for victims about the CJS, will help to improve victim's knowledge of the system and to ensure they get the help they need and deserve.

The consultation criteria

The seven consultation criteria are as follows:

1. **When to consult** – Formal consultations should take place at a stage where there is scope to influence the policy outcome.
2. **Duration of consultation exercises** – Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
3. **Clarity of scope and impact** – Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
4. **Accessibility of consultation exercises** – Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
5. **The burden of consultation** – Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
6. **Responsiveness of consultation exercises** – Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
7. **Capacity to consult** – Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

Annex A – List of respondents

The respondents to the consultation who gave their details included individual members of the judiciary, members of the public, legal practitioners, voluntary organisations, criminal justice practitioners, representative bodies and members of the public.

ACPO

Advocacy After Fatal Domestic Abuse (AAFDA)

Adult and Community Services, London Borough of Barking & Dagenham

Aftermath Support

Association of Convenience Stores

Association of Police and Crime Commissioners (APCC)

Association of Policing and Crime Chief Executives (APACE)

Avon and Somerset Criminal Justice Board

Avon and Somerset Probation Trust, Victims' Reference Group

Barnardo's

Barnsley Sexual Abuse & Rape Crisis Services

Bedfordshire Criminal Justice Board

BKRW Solicitors

BRAKE

Brighton Probation Office (Surrey and Sussex Probation Trust)

British Association for Counselling & Psychotherapy

British Retail Consortium (BRC)

British Security Industry Association

Caritas Social Action Network (CSAN)

Cheshire Police

Cheshire Probation

Child Bereavement UK

Colchester Cycling Campaign

College of Policing

Criminal Bar Association

Criminal Cases Review Commission

Criminal Justice Alliance

Crown Prosecution Service (CPS)

Cyclox (Oxford) and the CTC: the national cycling charity

Devon County Council Trading Standards

Diverse Cymru
Durham Tees Probation Trust
East Sussex Youth Offending Team
Electronic Monitoring, UK & Ireland (3M)
Equality 2025 Advisory Group
Escaping Victimhood
Faith Matters
Gender Identity Research and Education Society (GIREs)
Greater Manchester Fire and Rescue Service
Hertfordshire Probation Trust
Hope for Justice
Humberside Police
Independent Academic Research Studies (IARS)
Information Commissioner's Office (ICO)
Institute for Criminal Policy Research (ICPR)
Justices' Clerks' Society
Kent Integrated Youth Services
Kingston University Law School
Lambeth Mediation Service
Law Society's Criminal Law Committee
Let victims of murdered loved ones appeal manslaughter convictions.co.uk
Lexicon Limited
London Assembly Police and Crime Committee
Liberty
London Borough of Barking and Dagenham
London Criminal Courts Solicitors Association
Magistrates' Association
Magistrate – Nicholas Ross
Make Justice Work
MAMAA UK
Manchester Rape Crisis
Media Lawyers Association
Mencap
Merseyside Probation Trust
MIND
Ministry of Defence (MoD)

Missing People

Mayor's Office for Policing and Crime (MOPAC)

National Bench Chairmen's Forum

National Crime Agency (NCA)

National Victims Association (NVA)

Neath Port Talbot Council for Voluntary Service

NHS

Norfolk and Suffolk Probation Trust

Northumbria Probation Trust

Northamptonshire County Council

Northamptonshire Youth Offending Service

North Yorkshire Criminal Justice Board

NSPCC

Office of the Children's Commissioner

Office of Police and Crime Commissioner for Avon and Somerset and Avon and Somerset Constabulary – Joint response

Office of Police and Crime Commissioner for Bedfordshire

Office of Police and Crime Commissioner for Cheshire

Office of Police and Crime Commissioner for Cleveland and Durham

Office of Police and Crime Commissioner for Cumbria

Office of Police and Crime Commissioner for Dorset

Office of Police and Crime Commissioner for Durham

Office of Police and Crime Commissioner for Greater Manchester

Office of Police and Crime Commissioner for Gloucestershire

Office of Police and Crime Commissioner for Gwent & Dyfed Powys

Office of Police and Crime Commissioner for Hertfordshire

Office of Police and Crime Commissioner for Humberside

Office of Police and Crime Commissioner for Lancashire

Office of Police and Crime Commissioner for Lincolnshire

Office of Police and Crime Commissioner for Merseyside

Office of Police and Crime Commissioner for Norfolk

Office of Police and Crime Commissioner for Northamptonshire

Office of Police and Crime Commissioner for Northumbria

Office of Police and Crime Commissioner for Nottinghamshire

Office of Police and Crime Commissioner for North Yorkshire and North Yorkshire Police

Office of Police and Crime Commissioner for South Yorkshire

Office of Police and Crime Commissioner for Staffordshire
Office of Police and Crime Commissioner for West Yorkshire
Office of Police and Crime Commissioner for Wiltshire and Swindon
Other Criminal Justice Practitioners
Parliamentary and Health Service Ombudsman (PHSO)
Prison Fellowship England & Wales
Prison Reform Trust
Positive Justice Gloucestershire
Rape and Sexual Abuse Support Centre (RASASC)
Rape Crisis (England and Wales)
Rape Crisis Tyneside and Northumberland
Sue Thurman (Witness Intermediary Scheme)
Refuge
Respect
Restorative Justice Council (RJC)
Rights of Women
RoadPeace
Road Victims Trust
Safer and Stronger Communities Partnership
Sawardstone Media
Secure Storage
Serious Organised Crime Agency (SOCA)
Sir Bob Russell (Member of Parliament for Colchester)
Skills for Justice
Society of Editors
South East London Bench
South Wales Safer Future Communities – Third Sector Network
South Yorkshire Police
Stonewall
Surrey Youth Support Service
Sussex Criminal Justice Board
Suzy Lamplugh Trust
Teesside and Hartlepool Magistrates
The Bar Council
The Children's Society
The Joy of cycling

The National Lesbian & Gay Foundation

The National LGBT Partnership

The Newspaper Society (NS)

The Sawbonna Project

The Senior Judiciary (Royal Courts of Justice)

Through Unity

Quaker Peace and Social Witness Crime, Community and Justice Sub-Committee

University of Cambridge

Victim Commissioner's Office

Victim Liaison Service: Leicestershire and Rutland.

Victim Services Alliance

Victim Support

Wales Probation

Welsh Government

West Berkshire's Youth Offending Team

West Midlands Office for Policing and Crime

West Yorkshire Local Criminal Justice Board (Victim and Witness Group)

Why Me?

Wiltshire Police

Wolverhampton Safer Partnership

Women's Aid

Women's Aid Integrated Services

Women's Resource Centre

Youth Offending Team Managers Cymru

Youth Offending Team (Children's Services Directorate)

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