



Ministry
of Justice

Draft Code of Practice for Victims of Crime

This draft version of the Code has been published in accordance with section 33 of the Domestic Violence Crime and Victims Act 2004.

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Introduction

1. Victims of crime should be treated in a respectful, sensitive and professional manner without discrimination of any kind. They should receive appropriate support to help them, as far as possible, to cope and recover and be protected from re-victimisation.¹
2. This Code of Practice for Victims of Crime (“Victims’ Code”) sets out the services to be provided to victims of criminal conduct by criminal justice organisations in England and Wales.

How should I read the Victims’ Code?

3. If you are an **adult victim of crime**, you can use Chapter 1, Part A of this Code to follow your journey through the criminal justice process and find out what you are entitled to at each stage. Enhanced entitlements are provided to victims of the most serious crime, persistently targeted victims and vulnerable or intimidated victims. These three categories are explained in paragraphs 24-29 of this introduction.
4. If you are a **victim under 18 years of age**, or you are a parent or guardian of a person who is under 18, your entitlements are set out in Chapter 2, Part A of this Code. There is also a separate guide to the Code that has been written especially for you. You can find this guide online.²

5. If you **provide services to victims** for an organisation listed below, your duties under the Code are set out in this Introduction and in Part B of Chapters 1 and 2. Operational guidance on the Code will provide more detail about how you should fulfil these duties. Service providers are encouraged to discuss with victims the level of service they require to meet their needs.

Which organisations have to provide services under this Victims’ Code?

6. This Code requires the following organisations to provide services to victims:
 - The Criminal Cases Review Commission
 - The Criminal Injuries Compensation Authority
 - The Crown Prosecution Service
 - The First-tier Tribunal (Criminal Injuries Compensation)
 - Her Majesty’s Courts and Tribunals Service
 - The Supreme Court
 - All police forces in England and Wales, the British Transport Police and the Ministry of Defence Police
 - National Offender Management Service (NOMS)
 - The Parole Board
 - Her Majesty’s Prison Service
 - Providers of probation services, hereafter referred to as probation trusts

¹ The Code implements relevant provisions of the EU Directive establishing minimum standards on the rights, support and protection of victims of crime (2012/29/EU); Directive 2011/92/EU combating the sexual abuse and sexual exploitation of children; and Directive 2011/36/EU preventing and combating the trafficking of human beings.

² A weblink to the guidance will be added once available.

- Youth Offending Teams
- Witness Care Units

These organisations are collectively referred to in this Code as “service providers”. Other organisations, including voluntary sector organisations, may provide services for victims but they are not covered by this Code.

What kind of support can I expect as a victim of crime?

7. All victims of crime, including bereaved close relatives, should have access to information on the range of victims’ services available to support their recovery. These victims’ services may be provided by locally or nationally commissioned organisations. Victims will be directed to victims’ services where required under this Code. Service providers must communicate with you in simple and accessible language, taking appropriate measures (e.g. EasyRead, Braille) to assist you to understand and be understood.

Who is entitled to receive services under this Victims’ Code?

Direct victims of crime, where an allegation has been made to the police

8. You are **entitled** to receive services under this Code if you have made an allegation to the police in England and Wales, or had an allegation made on your behalf, that you have **directly** experienced criminal conduct. This will include, for example, where a person has been subjected to hate

crime (see glossary). If you have witnessed criminal conduct, but are not a **direct** victim, you can access services under the Witness Charter, rather than under this Code. The Witness Charter is available online.³

Close bereaved relatives of a victim of crime

9. Close relatives of the bereaved are entitled to receive services under the Code as victims of the most serious crime.

The family spokesperson for families bereaved by crime

10. If a family is bereaved as a direct result of criminal conduct, the bereaved’s close relatives (see glossary) are entitled to nominate a family spokesperson to act as the single point of contact to receive services under this Code relating to information provision on their behalf. If the close relatives cannot choose a family spokesperson, the Senior Investigating Officer working on the case must choose the family spokesperson.
11. If a family is bereaved following a road collision where the police are investigating whether an offence (under section 3 of the Road Traffic Act 1988) has been committed, a family spokesperson may be nominated as set out above.

The family spokesperson for victims of crime who have a disability or for victims who have been so badly injured as a result of criminal conduct that they are unable to communicate

³ A weblink will be added in the final version of the Code.

12. If you have a disability or have been so badly injured as a result of criminal conduct that you are unable to communicate, you or your close relatives are entitled to nominate a family spokesperson to act as the single point of contact to receive services under this Code relating to information provision.

The parent or guardian of a victim who is under 18 years of age

13. If you are a victim who is under the age of 18 you, and usually your parent or guardian, are entitled to receive services under this Code.⁴

All businesses that are victims of crime

14. Businesses which are victims of crime are entitled to receive services under this Code (see Chapter 3).

Additional information for all those entitled to receive services under the Code:

15. You are entitled to access services under the Code regardless of whether anyone has been charged or convicted of an offence relating to the criminal conduct and regardless of whether you decide that you do not wish to co-operate with the investigation.⁵
16. If, following an investigation, it is decided that you are not a victim of criminal conduct you or, where relevant, the family spokesperson will be informed by the relevant service provider that you are no longer entitled to services under this Code.
17. If you were not resident in England and Wales at the time that the criminal conduct took place, you are still entitled to the

standard entitlements set out in this Code if the crime took place in England or Wales.⁶

18. If you do not understand or speak English, you are entitled to request interpretation into a language you understand when being interviewed by the police or when giving evidence in criminal proceedings. In such hearings in Wales you have the legal right to use Welsh when giving evidence and the court will make the necessary provisions. The relevant service provider must ensure such interpretation is available.

How do I know if I am in one of the three groups who are entitled to receive enhanced entitlements? (Victims of the most serious crime, persistently targeted victims and vulnerable or intimidated victims)

19. This code sets out enhanced entitlements for victims in these three groups because they are more likely to require enhanced support and services through the criminal justice process. The three categories as described throughout are designed to ensure that victims who are most in need will be able to access enhanced support. You may be entitled to enhanced entitlements under more than one category at the same time.
20. All victims of criminal conduct are entitled to an assessment by the police to identify any needs or support required. The length and content of this assessment depends on the severity of the crime and your individual needs. The assessment will take into account your personal circumstances, the nature and circumstances of the crime, and your views.

⁴ Unless your parent or guardian is under investigation or has been charged by the police in connection with the crime or if, in the reasonable opinion of the service provider involved, it is not in your best interest for your parent or guardian to receive such services.

⁵ If you are considering making an application for criminal injuries compensation to the Criminal Injuries Compensation Authority you should be aware that an award will be withheld unless you have cooperated as far as reasonably practicable in bringing the assailant to justice.

⁶ Eligibility for compensation from the Criminal Injuries Compensation Authority may depend on your residency or nationality unless you are conclusively identified as a victim of human trafficking; or granted asylum, humanitarian protection or discretionary leave.

21. As your needs may change while the criminal conduct is being investigated due to health, intimidation or any other reason, service providers must give you the opportunity to be re-assessed if your change of circumstances is brought to their attention.
22. Once a service provider has identified that you are eligible for enhanced entitlements under this Code, that service provider must ensure that this information is passed on as necessary to other service providers with responsibilities under this Code and to victims' services where appropriate. Service providers must check with you first that you are content for them to pass on your information to victims' services.
23. Where victims do not fall into the three categories outlined below, although they are not obliged to do so, the service provider may exercise their discretion and provide enhanced entitlements under one of these categories depending on the circumstances of the individual concerned.

Victims of the most serious crime

You are eligible for enhanced entitlements under this Code as a victim of the most serious crime if you are a victim of rape, other sexual offences, domestic violence, human trafficking, terrorism and violent crimes such as wounding or causing grievous bodily harm with intent, or if you are a close relative who has been bereaved by criminal conduct. Additional enhanced entitlements for bereaved families are identified separately at various stages of this Code.

Persistently targeted victims

24. You are eligible for enhanced entitlements under this Code as a persistently targeted victim if you have been targeted repeatedly as a direct victim of crime over a period of time, particularly if you have been deliberately targeted or you are a victim of a sustained campaign of harassment.

Vulnerable or intimidated victims

25. You are eligible for enhanced entitlements under this Code as a **vulnerable victim**⁷ if:
- (a) you are under 18 years of age at the time of the offence, or
 - (b) the quality of your evidence is likely to be affected because:
 - i) you suffer from mental disorder within the meaning of the Mental Health Act 1983;
 - ii) you otherwise have a significant impairment of intelligence and social functioning; or
 - iii) you have a physical disability or are suffering from a physical disorder.

26. Where the age of a victim is uncertain and there are reasons to believe that the person is under 18 years of age, service providers should presume that person to be under 18 and therefore entitled to receive the enhanced entitlements set out in the separate section under this Code for victims who are under 18 years of age (Chapter 2).

⁷ This is based on the criteria in section 16 of the Youth Justice and Criminal Evidence Act 1999 for the court to determine eligibility for special measures (see glossary).

27. You are eligible for enhanced entitlements under this Code as an **intimidated victim**⁸ if the service provider considers that the quality of your evidence will be affected because of your fear or distress about testifying in court.
28. When assessing whether a victim is **intimidated**, the service provider must take account of:
- any behaviour towards the victim on the part of the accused, members of the family or associates of the accused, and any other person who is likely to be an accused or witness in a potential court case;
 - the nature and alleged circumstance of the offence to which a potential court case relates. Victims of a sexual offence or human trafficking will automatically be considered to be intimidated;
 - the age of the victim;
 - any of the following if relevant: the victim's social and cultural background, ethnic origins, domestic and employment circumstances, religious beliefs or political opinions.

When assessing whether victims fall within the "intimidated" category, service providers must give particular consideration to the needs of victims of domestic violence and hate crime (see glossary).

What if I do not want to receive the services that I am entitled to under this Code?

29. You may decide that you do not want some or all of the information or services you are entitled to under this Code or that you want to opt out of receiving this. If this is the case, you can discuss with the service provider how these entitlements are best tailored to your needs.
30. You may choose to opt back into receiving services under the Code at any time while the case is under investigation by the police.

What happens if I don't receive the services that I am entitled to under this Code?

31. Section 9 of this Code sets out your entitlements if you wish to make a complaint about the services you have received.
32. If a service provider fails to provide you with the services that you are entitled to under this Code that does not in itself make the provider liable to any legal proceedings. However this Code is admissible in evidence in legal proceedings. The court may take failure to comply with this Code into account when making decisions in any such proceedings.

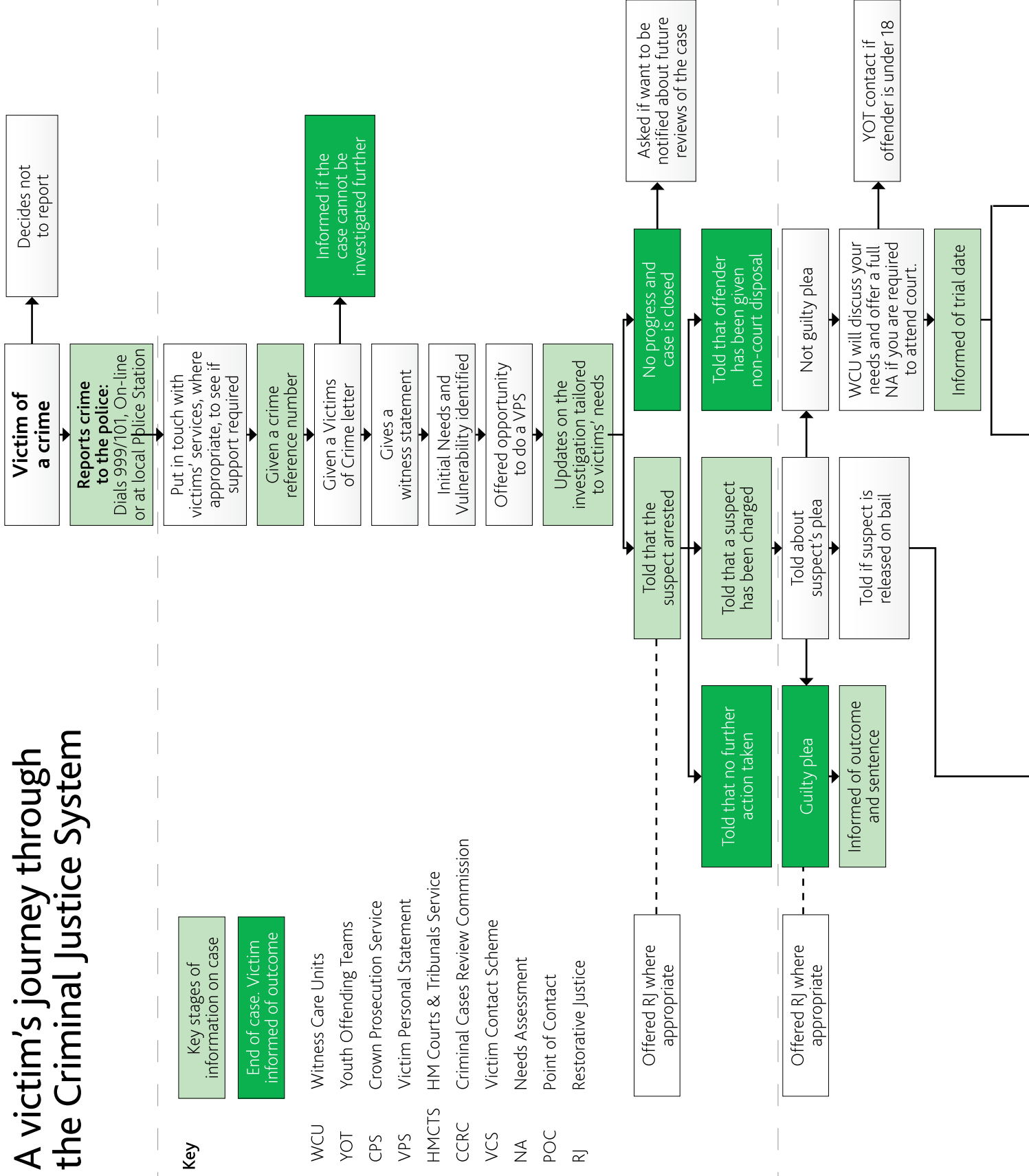
⁸ This is the test in section 17 of the Youth Justice and Criminal Evidence Act 1999 by which the court determines eligibility for special measures (see glossary).

A victim's journey through the Criminal Justice System

Reporting the Crime

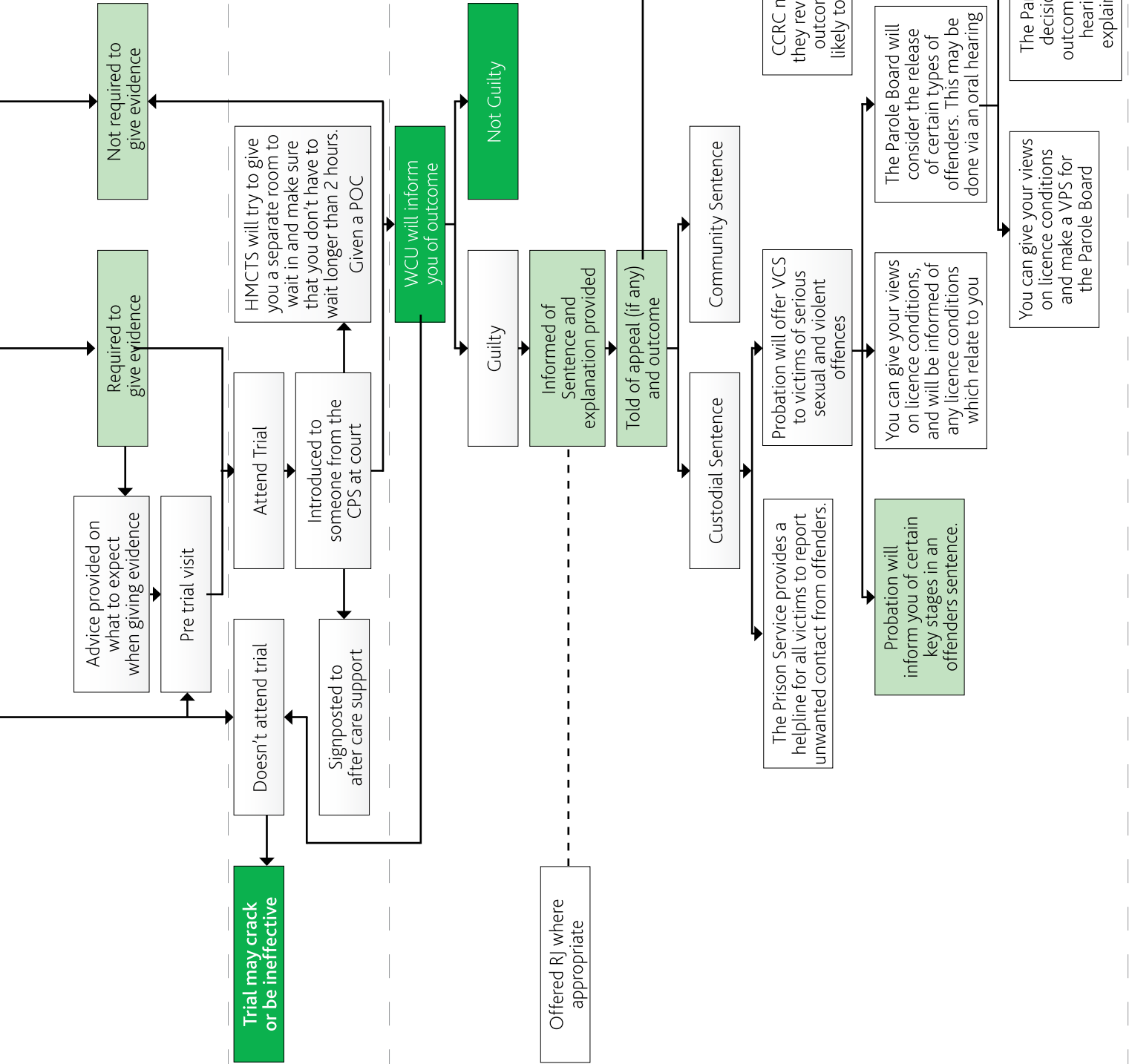
Police Investigation

Charge and Pre-trial Hearings



Trial

After the Trial



Chapter 1

Part A:

Victims' Entitlements

Section 1: Police Investigation

(i) Information, referral to victims' services and needs assessments

1. You are **entitled** to receive the following from the police:
 - A clear explanation of what to expect from the criminal justice process when you report a crime;
 - An assessment of your needs so you can access victims' services if appropriate;
 - Either to be provided with written information on what to expect from the criminal justice system such as the "information for victims of crime" leaflet, or the details of a website which contains the same information, as soon as possible, and not later than 5 working days after making the allegation;
 - To be informed how often you will receive updates on the status of the case following discussion with the police;
 - An explanation, if the police, using their professional judgment, decide there will be no investigation into the crime, within 5 working days of the allegation being made;
 - To be advised when an investigation into the case has been concluded with no person being charged and to have the reasons explained to you.
2. You can request that your details are passed on to victims' services by the police if you feel you need help or support. You are **entitled** to have your details passed to victims' services within 2 working days of making a request. You are also **entitled** to receive contact details of victims' services from the police so that you can access their support at any time.
3. You are also **entitled** to be informed by the police within 5 working days of a suspect being arrested, released with no further action, released on police bail, or if bail conditions are changed or cancelled, and to have the relevant reasons explained to you. You may discuss and agree with the police different timings to receive the information and services above to suit your needs.
4. In addition to the entitlements outlined in paragraphs 1 and 3 above, **if you are a victim of the most serious crime, persistently targeted or vulnerable or intimidated**, you are **entitled** to the following from the police:
 - To automatically be referred to victims' services unless you do not want to be, within 2 working days of making an allegation;

- To have information on special measures explained to you, where appropriate;
- To be referred to a specialist organisation, where appropriate and available;
- To information on pre-trial therapy and counselling where appropriate;
- To be informed within 1 working day of a suspect being arrested, released with no further action, released on bail, or if bail conditions are changed, or cancelled, and to have the reasons explained to you;
- On being advised that a case has been concluded without charge, to be informed of the reopening of the investigation or any review procedures if you wish to be.

5. In addition to the entitlements outlined above, if you are a **bereaved close relative of a victim who died as a result of criminal conduct**, you are **entitled** to:
- Have a Family Liaison Officer assigned to you by the police;
 - Be offered accessible advice on bereavement and information on available victims' services by the police.

(ii) Victim Personal Statement

6. A Victim Personal Statement (VPS) gives you an opportunity to explain in your own words how a crime has affected you, whether physically, emotionally, financially or in any other way. This is different from an evidential witness statement, which is a document recording your evidence, such as what you saw or heard. The VPS gives you a **voice** in the criminal justice process; although you cannot express your opinion on the sentence or punishment the suspect should receive (this is for the court to decide).
7. You are **entitled** to make a VPS at the same time as giving an evidential witness statement to the police about a crime.
8. Although you are entitled to make a VPS, you do not have to do so. If you are initially unsure about making a VPS when you are giving an evidential witness statement, you can choose to make a VPS at a later time – provided this is before the case comes to court or the suspect is sentenced.
9. In addition to the entitlements outlined above, **if you are a victim of the most serious crime, persistently targeted, or vulnerable or intimidated**, you are **entitled** to make a VPS to the police at any time whether or not you make an evidential witness statement.

10. It is important for you to know that if you choose not to make a VPS when initially offered, you may not have another opportunity to make one later. This is because the case may be dealt with by the courts very quickly.
11. Once the statement is completed and signed, a VPS (like any other formal statement) cannot be altered or withdrawn if you have second thoughts about what you have said. However, you may submit a further VPS to the police to add to, clarify or amend your original VPS.
12. If the case reaches court your VPS will be disclosed to the defence, and you may be questioned on it. If the suspect is found guilty and sentenced, the court must pass what it judges to be the appropriate sentence, having regard to all the circumstances of the offence and of the offender. This will include taking into account, so far as the court considers it appropriate, the impact of the offence on you.
13. The court may decide that your VPS should be read out in full or in part when giving the sentence in open court. This means that your VPS could be reported on in the media.
14. You may submit a further VPS to add to, clarify or amend your original VPS if an appeal is made against the sentence originally given.

Section 2: Pre-Trial – Charge and Bail

(i) Charge and Bail

1. You are **entitled** to be informed within 5 working days of a decision:
 - To prosecute the suspect;
 - Not to prosecute the suspect; or
 - To give the offender an out of court disposal (see below).

Where you are informed of a decision not to prosecute, you will also be notified of your entitlement to receive a more detailed explanation of the decision not to prosecute the suspect, and of how you can exercise your entitlement to seek a review of this decision if you are dissatisfied with it.

2. You are **entitled** to be informed by the police of the information set out below within 5 working days of the police receiving the relevant information:
 - The date and location of the first court hearing where appropriate;
 - Any bail conditions and any changes to these bail conditions, including if the suspect is released on police bail to appear in court, the date of the court hearing, and the outcome, with reasons;
 - The dates of any remand hearing and the outcome, such as whether the suspect is subsequently remanded in custody or is granted bail by the court.

3. **If you are a victim of the most serious crime, persistently targeted or vulnerable or intimidated**, you are **entitled** to the information set out above in paragraphs 1 and 2 within 1 working day.

4. In addition to the entitlements outlined above, in all qualifying cases⁹, if you are a **bereaved close relative**, you are **entitled** to meet the CPS prior to or following a CPS decision about whether or not to charge a suspect. If a decision is made to charge, the CPS will explain how the case is likely to progress, and answer any questions that you may have. The CPS will also discuss with you your needs and jointly agree the frequency of contact.

(ii) Out of Court Disposals

5. In some cases, the police or CPS may consider it appropriate to deal with an offence without taking it to court. The advantage is that this enables the incident to be dealt with relatively quickly and may prove more effective in preventing further offences. Where an out of court disposal is being considered by the police or the CPS, you may be asked for your views.

(iii) Post-Charge

Pre-trial information

6. You are **entitled** to:
- Be informed by the CPS of any decision they make to discontinue proceedings within 5 working days of the decision being made. You are entitled to know how you can access further information about the decision and how you can exercise your right to seek a review of this decision if you are dissatisfied with it;
 - Ask for a more detailed explanation of the decision to discontinue proceedings. The CPS will, in most cases, communicate the reasons for the decision in writing;
 - Be informed of any decision taken by the CPS to substantially alter a charge and the reasons for the decision within 5 working days of the decision being made. The CPS will, in most cases, communicate the reasons for the decision in writing;
7. In this section, where your Witness Care Unit is required to provide you with some of the services listed below, the police may provide some or all of those services instead where they act as a single point of contact for victims. You will be told by the police if this is the case.

⁹ Please see the glossary which lists all qualifying cases.

8. You are also **entitled** to:

- Be informed of the date, location and outcome of any criminal court hearings relevant to the case by your Witness Care Unit. This information must be provided within 1 working day of the Witness Care Unit receiving it from the court;
- Be informed by your Witness Care Unit if an arrest warrant is issued for a suspect or if they have been arrested. This information must be provided within 4 working days of the Witness Care Unit receiving it from the court;
- In cases where the suspect pleads not guilty, discuss any needs you may have with the Witness Care Unit and be referred to a relevant support group or agency where appropriate;
- Be informed by your Witness Care Unit if you are required to give evidence, within 1 working day of the Witness Care Unit receiving notification from the CPS. You are also entitled to be told about what to expect, including how to access the “Witness in Court” leaflet;
- Observe court proceedings if you are not a witness in the case.

9. If you are required to give evidence, you are **entitled** to a full needs assessment by your Witness Care Unit to make sure you are supported in giving your best evidence. You are also **entitled** to visit the court before the trial date to familiarise yourself with the building and court room.

10. In addition to the entitlements outlined above, **if you are a victim of the most serious crime, persistently targeted, or vulnerable or intimidated**, you will be given the opportunity to discuss with the CPS the reasons for taking a decision to substantially alter a charge if you wish to do so. You are also **entitled** to:

- Be informed of any decisions taken by the CPS to discontinue proceedings or substantially alter a charge within 1 working day of that decision being made;
- Be informed by the police or your Witness Care Unit within 1 working day if an arrest warrant is issued for a suspect or if they have been re-arrested;
- Be informed of the outcome of any special measures application.

11. If you are a **bereaved close relative** in qualifying cases (see glossary), you are also **entitled** to:

- Request from your Witness Care Unit a visit to the court before the trial date to familiarise yourself with the building whether or not you are required to give evidence;
- Meet with the CPS prosecutor or barrister who will be presenting the case in court. This meeting will usually take

place shortly before the trial and is an opportunity for you to be introduced and to ask any questions that you may have.

Section 3: Trial

(i) Attending Court as a Witness

1. You are **entitled** to:
 - Meet the prosecutor or CPS representative where circumstances permit and ask him or her questions about the court process. In addition, they will indicate where possible how long you may have to wait before giving evidence;
 - Where possible, receive an explanation from the prosecutor or CPS representative if there is a delay in proceedings on the day and how long the wait is likely to be;
 - Ask court staff if you can wait in an area separate from the suspect and their family and friends. The court will ensure this is done wherever possible;
 - Have any special measures set up for you where these have been agreed by the court;
 - Be informed of any contact point at the court so you can find out what is happening in the case whilst it is being heard.
2. If you need to leave the court building at any time, you should give your contact details to court staff so they can contact you if necessary.
3. Following the trial, where your Witness Care Unit is required to provide you with some of the services listed below, the police may provide some or all of those services instead where they act as a single point of contact for victims. You will be told by the police if this is the case.
4. Following the trial you are **entitled** to:
 - Be paid any expenses the CPS have decided are due to you within ten working days of the CPS having received a correctly completed form¹⁰;
 - Be informed by the Witness Care Unit about the outcome of the trial. This information will be provided within 1 working day of the Witness Care Unit receiving it from the court;
 - Be directed to victims' services where appropriate and available by the Witness Care Unit
5. If you are a **bereaved close relative**, in qualifying cases (see glossary), you are also **entitled** to meet with the CPS to confirm that a VPS has been made or to confirm that it is up to date. You are also **entitled** to meet with the CPS in cases which result in an acquittal or in a conviction on a less serious charge. This meeting will take place a few weeks after the case has concluded.

¹⁰ In accordance with the Crown Prosecution Service (Witnesses' etc Allowances) Regulations 1988.

Section 4: Sentencing Information

1. Your Witness Care Unit is required to provide you with some of the services listed below. In some cases, the police might act as a single point of contact for victims and provide some or all of those services instead where they act as a single point of contact for victims. You will be told by the police if this is the case.
2. You are **entitled** to the following information within 1 working day of the service provider receiving it:
 - Be informed by the Witness Care Unit of the sentence given to the suspect if convicted. This includes a short explanation about the meaning and effect of the sentence;
 - Be referred to the CPS who will answer any questions you may have about the sentence which the Witness Care Unit is not able to answer;
 - Be notified of any significant changes to the original sentence on appeal.
3. In addition to the entitlements outlined above, if you are a **bereaved close relative**, you are also **entitled** to meet a representative from the CPS and receive an explanation of the sentence given.

Section 5: Appeals

1. Where your Witness Care Unit is required to provide you with services in this section, the police may provide some, or all of those services instead where they act as a single point of contact for victims. You will be told by the police if this is the case.

(i) If an application is made to the Crown Court to appeal against a conviction or sentence in the Magistrates Court.

2. You are **entitled** to:
 - Be informed about any notice of appeal that has been made, the date and place of any hearing, and the outcome of that appeal by your Witness Care Unit within 1 working day of the Witness Care Unit receiving the information from the court;
 - Wait and be seated in court in an area separate from the suspect and their family and friends. The Court will ensure this is done wherever possible;
 - Be provided with a contact point by Crown Court staff where possible who will provide you with information about the outcome of the appeal as soon as it is known.

(ii) If an application is made to appeal against a conviction or sentence to the court of appeal, or an application or appeal is made to the Supreme Court in a criminal case on a point of law.

3. You are **entitled** to:

- Receive information and updates on the status of the appeal, including the date and location of any hearing, from your Witness Care Unit;
- Wait and be seated in court in an area separate from the appellant and their family and friends. The court staff will ensure this is done wherever possible. Special arrangements are made in the Supreme Court and the offender is unlikely to be present at the hearing;
- Be provided with a contact point by Criminal Appeal Office or Supreme Court staff where possible. They will provide you with information about the outcome of the appeal once known;
- Request a copy of the Court's judgment in the case once it has been published (from the Criminal Appeal Office or Supreme Court staff).

4. In addition to the entitlements outlined at paragraph 3 above, **if you are a victim of the most serious crime, persistently targeted, or vulnerable or intimidated**, you are **entitled** to receive information on the status of the appeal, including the date and location of any hearing, within 1 working day of the Witness Care Unit having received that information from the Criminal Appeal Office or from the Supreme Court.

5. In addition to the entitlements outlined at paragraphs 3 and 4 above, **if you are a bereaved close relative**, in all qualifying cases (see glossary), and the appellant has been given leave to appeal, you are **entitled** to be offered a meeting with the CPS for an explanation about the nature of the appeal and the court processes.

Section 6: Post Trial

(i) Criminal Cases Review Commission

1. On receiving an application from an offender, the Criminal Cases Review Commission undertakes reviews of convictions and sentences imposed as a result of the offender's criminal conduct. The Commission may refer a conviction or sentence for a fresh appeal if there is some new information or new argument which might mean the conviction is unsafe or the sentence too long. The Commission receives about 1000 applications from convicted persons every year and refers about 30-40 cases for a fresh appeal. When undertaking a review, the Commission will assess the potential impact on you and decide if you should be notified. The Commission will record the reasons for its decisions as to the form of contact with you and in appropriate cases will notify the police of those decisions.
2. If the Commission decides that it is appropriate to contact you during the course of the review, the Commission will notify you that an application has been received and that the case is under review. Following the review, the Commission will decide if the conviction or sentence should be referred to the courts, and will notify you of its decision unless you have expressly asked not to be informed.

(ii) Unwanted contact from offenders

3. Prisoners are not allowed mobile phones and are allowed access to the internet only

for educational purposes, employment and resettlement activities. They are not permitted to use social networking sites. If you receive unwanted contact from a prisoner in any form, you can speak to your Victim Liaison Officer (VLO, see glossary) if you have one, or report this by calling the Victim Helpline on 0845 7585 112.

4. If you receive unwanted contact from an offender who is on licence in the community, you can contact your local probation trust, the police, or your Victim Liaison Officer if you have one. If the offender is under 18 and being supervised by a Youth Offending Team, you can contact that Youth Offending Team to report any unwanted contact.

(iii) Victim Contact Scheme

Victims of the most serious crime

5. Where your Witness Care Unit is required to provide you with services in this section, the police may provide some or all of those services instead where they act as a single point of contact for victims. You will be told by the police if this is the case.
6. If you are the victim of an offender who has committed a violent or sexual offence¹¹ and has been sentenced to 12 months' imprisonment or more, or has been detained in a secure hospital under the Mental Health Act 1983, you are **entitled** to:
 - Be notified about the Victim Contact Scheme by your Witness Care Unit and be told that your details will be referred to the probation trust if you would like to take part;

¹¹ As defined in section 45(2) of the Domestic Violence, Crime and Victims Act 2004.

- If you decide to participate, have your details referred to the probation trust, and decide whether you want to receive information at key stages of the offender's sentence, at the discretion of the probation trust;
 - Make representations to the probation trust about which conditions you would wish to be included on the offender's release licence or conditions of discharge. For example, this could include a non-contact condition to prevent the offender from contacting you or your family;
 - Be informed by the probation trust about any conditions which an offender is subject to on release which relate to you or your family;
 - Be informed of the date on which these conditions will end;
 - Be assigned a Victim Liaison Officer who will act as your point of contact in the probation trust.
7. If you are the victim of an offender who committed a violent or sexual offence¹² but has been detained in a secure hospital because he or she has a mental disorder the information you receive will depend on whether the offender's detention was made subject to 'restrictions' by the court (making him or her a 'restricted patient', see glossary).
8. If you are the victim of an offender who is detained for treatment in a secure hospital, some of the decisions about his or her management will be related directly to his or her medical treatment, and will be confidential medical information that cannot be passed on to you. You are **entitled** to make representations about the offender's conditions of discharge if they are to be released, including exclusion zones or conditions that prevent the offender making contact with you. You will be consulted about changes to these conditions, and told if the offender is recalled to hospital for further treatment.
9. If you are the victim of an offender who is detained for treatment in a secure hospital, you are **entitled** to the following information:
- whether discharge, or a Community Treatment Order where an offender is treated in the community, took place and, if so,
 - what conditions, if any, are in place for your or your family's protection;
 - when those arrangements end, either because the offender has been recalled to hospital, because he has been absolutely discharged or the Community Treatment Order has been lifted.
10. However, you do not have a statutory right to know:
- when the offender is allowed out of hospital on leave;
 - where the offender is being detained;
 - if the offender transfers to another hospital;
 - where the offender must live in the event of discharge

¹² As defined in section 45(2) of the Domestic Violence, Crime and Victims Act 2004.

11. You may be provided with further information by your VLO (see glossary) or by hospital managers, but this may be limited. For example, it would normally be a breach of the Data Protection Act 1998 to let you know the offender's address.
12. If you are a bereaved close relative and the offender in your case meets the criteria outlined in paragraph 6, you will also be offered participation in the Victim Contact Scheme, although if you are not the next of kin of the victim, this will be at the discretion of the probation trust.
13. If you are the parent, guardian or carer of a victim who is under 18, is a vulnerable adult, or is otherwise unable to fully participate in the Victim Contact Scheme, then you will usually be offered participation on their behalf. However, this participation may not be offered if it is considered not to be in the best interests of the victim.

(iv) The Parole Board and Victim Personal Statements

14. The Parole Board is an independent body that works with its criminal justice partners to protect the public by risk assessing certain prisoners to decide whether they can be safely released into the community. They make directions to the Secretary of State on the release, and recommendations on the transfer to open conditions, of certain categories of offender, namely indeterminate sentenced prisoners, including those who have received a life sentence, and certain categories of prisoners who have received a determinate or fixed term sentence, including those who have received certain extended sentences. If you are unsure if the offender in your case will be subject to consideration by the Parole Board, you should discuss this with your Victim Liaison Officer.
15. If you have opted into the Victim Contact Scheme and the Parole Board consider the offender's release or move to open conditions, you are **entitled** to the following from the probation trust, to:
 - Be informed by the probation trust if a Parole Board hearing is to take place;
 - Make representations about licence conditions to the Parole Board;
 - If a licence condition you have requested is not included on the offender's release licence, you will be provided with an explanation;
 - Make a Victim Personal Statement (VPS) for use by the Parole Board if you want to and have this explained to you;
 - Apply to attend an oral Parole Board hearing to present your VPS in cases where the Parole Board decides that it is appropriate to hold an oral hearing.
16. The VPS gives you the opportunity to explain in your own words how a crime has affected you and your family, whether physically, emotionally, financially or in any other way. You may already have made a VPS closer to the time of the offence. At this stage, you will have the chance to make a new VPS for use by the Parole Board to reflect your current views or feelings, or you can update the VPS you made at court.

17. You should include your views on:
- The impact of the offence on you, both at the time it happened and afterwards; and
 - The possible impact that you think the prisoner's release or move to open conditions would have on you;
 - You should not include views on whether the prisoner should be released.
18. **Normally, your VPS will be disclosed to the prisoner.** In exceptional cases, you can make an application for your VPS not to be disclosed to the prisoner, if you think that such disclosure might place you or your family at risk of serious harm or would have a very negative effect on you. The final decision on disclosure will be taken by the Parole Board.
19. If you want to attend to read your VPS in person, you can apply to do so. The decision on whether you can attend will be made by the chair of the Parole Board panel. Normally the prisoner will not be present when you read your statement, particularly if the Parole Board has agreed not to disclose your VPS to the prisoner. It is unlikely you will be able to attend the whole of the Parole Board hearing.
20. Restorative justice is voluntary – you do not have to participate, and both you and the offender must agree to it before it can happen. It therefore cannot be automatically available unless both parties agree. Restorative justice provides an opportunity for you to be heard and to have a say in the resolution of offences, and enables offenders to face the consequences of their actions. However, it may not be appropriate in every case.
21. Restorative justice can take place whilst criminal proceedings are ongoing or after the conclusion of criminal proceedings subject to availability. Where available, this will be led by a trained restorative justice facilitator who will take your needs into consideration. Appropriate measures will be put in place to make sure that anything you agree to take part in is safe. If the offender has admitted guilt and is willing to participate in a meeting or communicate with you, you may be able to explain to the offender how the incident has affected you. You may then decide to seek an apology, or agree an activity that the offender has to undertake as part of making good the harm that has been done.

(ii) Victims of youth crime

Section 7: Restorative Justice

(i) Victims of adult offenders

1. If the offender is an adult, you are **entitled** to receive information on Restorative Justice from the police and how you could take part. This is dependent on the provision of restorative justice in your local area.
4. If the offender is under the age of 18, you are **entitled** to the following from your Youth Offending Team, to:
- Participate in voluntary restorative justice activities where available;
 - Ask to be informed about the progress of the offender's case if you agree to participate in a restorative justice activity;

- Information on appropriate victims' services if you ask for additional support.
 - Information on the right to review the decision including the procedure and time limits for reviewing that decision.
5. You can ask the police not to pass on your details to a Youth Offending Team if you do not want to participate in restorative justice activities.

Section 8: Applying for compensation

(i) Making an application

1. The Criminal Injuries Compensation Authority makes payments to blameless victims of violent crime. The Authority processes all applications made under the Criminal Injuries Compensation Scheme, which is funded by the Government. This Scheme is intended to be one of last resort. The Authority expects you to try to claim compensation from the person, or persons, who caused your injury or loss. However, if you do not know who injured you, or your assailant does not have the means to pay you compensation, you are entitled to make a claim under the Scheme.
 2. You are **entitled** to the following from the Authority:
 - Clear information on eligibility for a payment under the Scheme;
 - Confirmation that the Authority has received your application;
 - Information about the progress of your application at key stages of your claim via your preferred method of communication;
 - A clear explanation of the decision made about your application for compensation;
 3. You are also able to request additional support to help you to complete your application if needed. This includes assistance in completing an application over the telephone, information in a format suited to your needs, such as Braille or large print and assistance obtaining information in support of your application, such as medical information.
 4. If you do not agree with the decision made about your application for compensation, you are **entitled** to the following from the Authority, to:
 - Request a review of the decision;
 - Have the review processed efficiently, fairly and afresh by a different claims officer than the officer who made the first decision;
 - A clear explanation of the review decision covering points raised in the review application;
 - Information on the right to appeal the decision, including the procedure and time limits of appealing the decision to the First-tier Tribunal – Criminal Injuries Compensation (FTT-CIC).
5. In addition to the entitlements outlined at paragraphs 2 and 3 above, **if you are a vulnerable or intimidated victim**, you are entitled to the following from the Authority:
 - Assistance obtaining information in support of your application, such as medical evidence;

- Assistance completing an application over the telephone;
- Assistance from a support service organisation in completing your application
- Information in a format which is sufficient for your needs such as Braille or large print.

(ii) Appeals to the first-tier tribunal – criminal injuries compensation

- The First-tier Tribunal (Criminal Injuries Compensation) deals with appeals against decisions made by the Criminal Injuries Compensation Authority. The Tribunal is separate and independent from the Authority.
- After you have submitted an appeal you are **entitled** to:
 - Receive a letter from the Tribunal to acknowledge that your appeal has been received and an information booklet explaining what will happen with your appeal;
 - Receive a response from the Criminal Injuries Compensation Authority including copies of all the documents relevant to your case within 6 weeks;
- Following receipt of this response from the Authority, you will have a period of 1 month to submit any further documents or arguments you want the Tribunal to consider.
- You are also **entitled** to:
 - Receive notice of the time, date and location of your appeal hearing between 4 and 6 weeks ahead of the hearing from the Tribunal. The hearing is usually held at the most convenient venue for all those attending. At the same time, you will also receive a DVD recording of a typical Tribunal hearing to give you more information about what you can expect;
 - Bring any witnesses to the hearing you believe can help your case, subject to the court's discretion;
 - Withdraw your appeal at any time before the start of the hearing – in writing to the Tribunal.
- At the hearing, you will usually be told what the outcome is and will be provided with a Decision Notice. This will confirm the decision but will not give detailed reasons.
- Following the hearing, you are **entitled** to:
 - Request, from the Tribunal, the reasons for their decision about your appeal. You will need to make this request within 1 month of the decision;
 - Apply to the Authority for the medical re-opening of your case after a Tribunal has made its decision, if there has been a material change in your medical condition;
 - Seek permission to apply for Judicial Review of the Tribunal's final decision by applying to the Upper-Tribunal (England & Wales).

12. In the first letter you receive from the Tribunal, you will be asked if you need any assistance in support of your appeal to meet your particular needs. For example, the Tribunal can arrange an interpreter to support you at the hearing. You should contact the Authority if you need any additional assistance. You will also receive advice about who to contact to make these arrangements.

Section 9: How to make a complaint

1. All the service providers who provide information and services to victims under this Code (listed in the Introduction, paragraph 6) must recognise and treat victims in a respectful, sensitive and professional manner without discrimination of any kind. Where they fail to do so, or fail to provide the services required under the Code, a victim has the right to complain and for that complaint to be swiftly and fully addressed.

2. In the first instance, if you feel your entitlements have not been met or that any service provider has not delivered their duties under the Code, you should discuss your complaint with the person you have been dealing with at that service provider. If you remain dissatisfied, you can make a complaint through the internal complaints procedure of that service provider.

3. You are **entitled** to:

- Upon request, receive information from the service provider on how to make a complaint, including contact details, and the process for dealing with a complaint;

- Make a complaint if you feel that your entitlements set out under the Code have not been met by service providers;
- Receive a timely acknowledgement of your complaint;
- Receive a full response from the relevant service provider within a set timeframe;
- Refer your complaint to the Parliamentary Ombudsman via your Member of Parliament if you remain dissatisfied.

4. If you send your complaint to the wrong service provider, that provider will redirect your complaint to the relevant service provider and keep you informed.

Parliamentary Ombudsman

5. If you are not satisfied with the response to your complaint which you have received through the internal complaints procedure of a service provider, you can refer your complaint to the Parliamentary Ombudsman via your Member of Parliament. The Parliamentary Ombudsman will consider any complaints referred to them from victims via a Member of Parliament and undertake an independent investigation where appropriate.

6. Information about making a complaint to the Parliamentary Ombudsman can be found online.¹³

¹³ A weblink will be added to the final version of the Code.

Part B:

Duties on Service Providers

This section sets out the information, help and services that service providers must provide to adult victims of crime and bereaved close relatives to enable them to deliver the entitlements set out in earlier sections. For the avoidance of doubt, the relevant service providers must provide the entitlements as set out in the Chapter 1, Part A.

Section 1: Police Investigation

(i) Information, referral to victims' services and needs assessments

1. The **police** must:
 - Provide the entitlements set out in Chapter 1, Part A, Section 1(i), paragraphs 1 to 5, where they are not specifically listed in the duties below;
 - Assess whether victims fall into one of the three priority categories: victims of the most serious crime, persistently targeted victims, and vulnerable or intimidated victims, following the tests set out in the Introduction;
 - Automatically refer victims in the three priority categories to appropriate victims' services within 2 working days of the allegation being reported, unless they ask not to be so referred;
 - Only provide information about victims of sexual or domestic violence offences or the details of close bereaved relatives to victims' services if they give their explicit consent;
 2. The **police** or any other service provider acting as the main point of contact in the case, should inform those victims identified in the three priority categories that pre-trial therapy is available if needed, and, if requested, will be facilitated. The relevant service provider must also refer victims in the three priority categories to specialist organisations where appropriate and available.
- Refer all other victims to appropriate victims' services within 2 working days of a request from a victim to do so;
 - Inform all victims that they can choose to refer themselves to victims' services at a later date and provide contact details for victims' services;
 - Explain special measures where appropriate to victims in the three priority categories;
 - Provide all victims either with the "information for victims of crime" leaflet or refer the victim to a website which contains the same information as soon as possible and not later than 5 working days of the victim making an allegation of criminal conduct. This must include contact details for victims' services;
 - Explain that any evidential witness statement that is taken may result in the victim having to give evidence in court at a later date.

(ii) Victim Personal Statement

3. The **police** must offer the opportunity to make a VPS to the following people:
 - Any victim at the time they complete an evidential witness statement;
 - Victims of the most serious crime, persistently targeted victims, and vulnerable or intimidated victims, when the crime is first reported;
 - A bereaved close relative;
 - A parent or carer of a vulnerable adult or of a young victim under the age of 18 unless it is considered not to be in the best interests of the child or vulnerable adult.
4. In addition the **police** may offer, or take, a VPS in any other case where it seems appropriate.
5. The **police** may arrange for a VPS or an addition to an existing VPS to be taken by an organisation offering victims' services or other criminal justice agency, but all statements must be taken in accordance with the requirements of section 9 of the Criminal Justice Act 1967.
6. The **police** or service **provider taking the statement** must ensure it is forwarded to the CPS. The CPS must ensure that any VPS that is given is brought to the attention of the court.

Section 2: Pre-Trial**Charge, Bail and Post Charge**

The relevant service providers below must ensure that they provide the entitlements in Section 2 of Chapter 1 which fall to them.

1. The **police** must inform victims of the following within 5 working days of receiving the information:
 - Any decision to prosecute the suspect;
 - Any decision not to prosecute the suspect except in circumstances where the CPS makes the decision following receipt of a pre-charge report during a consultation with the investigating officer (in these cases the CPS must provide this information);
 - Any decision to deal with the suspect by way of an out of court disposal.
2. The **police** must also inform victims of how they can access further information about the decision and how they can exercise their right to seek a review of any decision made not to prosecute the suspect if they are dissatisfied with it.
3. The **police** must also inform victims of the following within 5 working days of receiving the relevant information:
 - The date and location of the first hearing where appropriate once the police are notified of a court summons being issued;
 - Any bail conditions and any changes to bail conditions, including if the suspect is released on police bail to appear in court, the date of the court hearing and its outcome, with reasons;

- The dates and locations of any remand hearings, and their outcome.
4. Victims of the most serious crime, persistently targeted victims, and vulnerable or intimidated victims must be provided with the information set out above in paragraphs 1 and 3 within 1 working day of the decision being made. All other victims must be provided with this information within 5 working days.
5. The **CPS** must:
- Provide information on CPS prosecution decisions to the police so they can inform victims of the prosecutorial decision;
 - Inform victims of a decision to substantially alter a charge(s) against the suspect;
 - Provide victims with a more detailed explanation of the CPS decision to substantially alter charges if requested by the victim to do so. The CPS should, in most cases, communicate the reasons for the decision in writing but victims of the most serious crime, persistently targeted, and vulnerable or intimidated victims must be given the opportunity to discuss the reasons for the decision with the CPS if they wish to do so;
 - In cases where the CPS decide it is unnecessary or inappropriate to provide the information listed above, they must record their reasons for doing so.
6. Victims of the most serious crime, persistently targeted victims and vulnerable or intimidated victims must be provided with an explanation of the decisions in paragraph 5 above within 1 working day of the decision being made. For other victims, this information must be provided within 5 working days.
- ### Pre-trial information
7. The **CPS** must:
- Provide an explanation to victims of any CPS decision not to prosecute the suspect following the receipt of a pre-charge report made during a consultation with the investigating officer. These victims must also be provided with an explanation of how they can exercise their right to seek a review of the decision if they are dissatisfied with it;
 - Notify victims of any decision made to discontinue proceedings. In these circumstances the CPS must explain how they can access further information about the decision and how they can exercise their right to seek a review of the decision if they are dissatisfied with it;
 - Offer to meet bereaved close relatives in all qualifying cases (see glossary) prior to or following a CPS decision about whether or not to charge a suspect. If a decision is made to charge, the CPS must explain how the case is likely to progress, answer any questions, discuss the victim's needs and come to an agreement on the frequency of contact with the victim that is mutually agreeable.
8. In addition the **CPS** must:
- Provide Witness Care Units with the list of witnesses attending court as soon as it is finalised so that they, or in some instances, the police if they are acting as the single point of contact for

- the victim, can inform victims who are required to give evidence;
- If appropriate, consider making a special measures application to the court and record the outcome of that consideration;
 - Offer bereaved close relatives a meeting with the prosecutor or barrister who will be presenting the case in court. This meeting will usually take place shortly before the trial.
9. This paragraph outlines the duties that the relevant Witness Care Unit must provide to victims. In some cases, the police might act as a single point of contact for the victim and provide the information in this paragraph to victims instead. The police must tell victims if this is the case and agree with the Witness Care Unit which of the following services they will provide. The relevant **Witness Care Unit** must:
- Inform all victims within 4 working days of receipt and within 1 working day of receipt for victims within the three priority categories, if an arrest warrant has been issued for a suspect who failed to attend court and if they have been arrested after the warrant was issued;
 - Notify victims of the date, location and outcome of any criminal court hearing no later than 1 working day after receiving this information from the court;
 - Following a not-guilty plea, discuss any needs the victim may have and refer the victim to victims' services where appropriate;
- Notify victims who are required to attend court to give evidence within 1 working day of receiving the notification from the CPS and inform them what to expect, including how they can access the "Witness in Court" leaflet;
 - Offer a full needs assessment to those victims who are required to attend court to give evidence to assess what support they may require;
 - Inform victims of the outcome of special measures applications;
 - Arrange for bereaved close relatives, in qualifying cases (see glossary), who are not witnesses in the case to visit the court before the trial if they wish to.
10. **HMCTS court staff** must ensure wherever possible that Witness Care Units are notified within 1 working day of the following decisions being made for victims of the most serious crime, persistently targeted, and vulnerable or intimidated victims (in cases in which the court staff have been notified that these categories of victims are involved), and within 3 working days in cases involving all other victims:
- Court dates in relation to all hearings;
 - The outcome of bail and remand hearings and special measures applications;
 - Adjournments and postponements of scheduled hearings.

Section 3: Trial

The relevant service providers below must ensure that they provide the entitlements in Section 3 of Chapter 1 which fall to them.

1. **HMCTS court staff** must ensure wherever possible that:
 - Any special measures required by the victim are available if the court has agreed to the application;
 - Victims are seated in a separate waiting area from the suspect;
 - Victims giving evidence do not have to wait more than two hours;
 - Contact details for all victims who are witnesses are taken so they are able to leave the court precincts and be contacted when necessary;
 - There is a contact point for victims so they can find out what is happening in their case whilst it is being heard in court.

2. The **CPS** must:
 - Where circumstances permit, introduce themselves to victims and answer any questions they have on the court process. In addition, indicate where possible how long victims may have to wait before giving evidence;
 - Wherever possible, explain any delay in proceedings and tell the victim how long the wait is likely to be;
 - Offer to meet bereaved close relatives where the offender has been convicted to confirm that a VPS has been made or to confirm that it is up to date. This meeting will usually take place at court.

3. Following the trial, **Witness Care Units** must notify victims of the outcome of the trial hearing within 1 working day of receiving the information from the court and must direct victims to victims' services where appropriate and available. If the police are acting as a single point of contact for the victim and agree with the Witness Care Unit to provide this information to victims instead they must tell victims that they will do so.

4. After the trial, the **CPS** must pay any expenses the CPS has decided are due to the victim not later than 10 working days of receiving the correctly completed claim form¹⁴.

5. The **CPS** must offer to meet with bereaved close relatives, in all qualifying cases (see glossary), in cases which result in an acquittal or in a conviction on a less serious charge. This meeting will take place a few weeks after the case has concluded.

Section 4: Sentencing Decisions

1. Witness Care Units and the CPS must ensure that they provide the entitlements in Section 4 of Chapter 1 which fall to them. In some cases, the police might act as a single point of contact for the victim and agree with the Witness Care Unit to provide the information in this section to victims instead. The police must tell victims if this is the case.

¹⁴ In accordance with the Crown Prosecution Service (Witnesses' etc Allowances) Regulations 1988.

2. **Witness Care Units** must notify victims of the sentence given to the suspect if convicted within 1 working day of receiving the information from the court. This must include a short explanation about the meaning and effect of the sentence.
3. If **Witness Care Units** cannot answer the questions asked by the victim, they should refer the victim to the CPS.
4. **Witness Care Units** must notify victims of any significant changes to the original sentence within 1 working day of receiving this information from the court.
5. Where a suspect is convicted the **CPS** must answer any question the victim has about the sentence if the victim is referred to the CPS by the Witness Care Unit.
6. The **CPS** must also offer to meet bereaved close relatives following the sentence hearing to explain the sentence given.

Section 5: Appeals

The relevant service providers below must ensure that they provide the entitlements in Section 5 of Chapter 1 which fall to them. In some cases, the police might act as a single point of contact for the victim and agree with a Witness Care Unit to provide the relevant information to victims instead. The police must tell victims if this is the case.

(i) If an application is made to the Crown Court to appeal against a conviction or sentence in the Magistrates Court.

1. **Crown Court staff** must ensure that they notify Witness Care Units within 1 working day of receipt of an appeal against conviction or sentence, and within 1 working day of the outcome of the appeal. **Witness Care Units** must then notify the victim about these developments, including the date and location of any hearings, within 1 working day of receipt.
2. **Crown Court staff** must also ensure wherever possible that they:
 - Provide a contact point for the victim during usual working hours;
 - Provide appropriate waiting and seating facilities as set out in Chapter 1, Part A, Section 5(i), paragraph 2, including separate facilities for victims and their family and friends where available.

(ii) If an application is made to appeal against a conviction or sentence to the Court of Appeal, or an application or appeal is made to the Supreme Court in a Criminal Case on a point of law.

3. The **CPS** must ensure wherever possible that they identify the correct Witness Care Unit for the Criminal Appeal Office within 5 working days of receipt of a request to do so.
4. Following notification that the appellant has been given leave to appeal, the **CPS** must offer bereaved close relatives, in all qualifying cases (see glossary), a meeting to explain the nature of the appeal and the court processes.

5. **Criminal Appeal Office** and **Supreme Court Office staff** must ensure wherever possible that they notify the Witness Care Unit at the same time as notifying the appellant when leave to appeal is granted, when a date has been set for a hearing or a change is made to a hearing date and when the outcome of the appeal is known.
6. **Criminal Appeal Office** staff must also notify the Witness Care Unit of the decision to release an appellant on bail pre-appeal within 1 working day.
7. On receiving information that leave to appeal has been granted from the Criminal Appeal Office or Supreme Court Office staff, the **Witness Care Unit** must inform all victims and the probation trust victim contact team. Victims of the most serious crimes, persistently targeted victims, and vulnerable or intimidated victims, must be informed within 1 working day of the communication of the decision.
8. All other victims must be informed when notification that leave to appeal has been granted and a hearing in a designated format will occur within 5 working days of receipt.
9. All other victims must also be informed of the notification of the hearing date within 3 working days after the day on which the hearing date was set. When giving this information, the Witness Care Unit must also make victims aware of victims' services where available and appropriate.
10. On receiving information from Criminal Appeal Office, or Supreme Court Office staff about changes to hearing dates or when the outcome of the appeal is known, the **Witness Care Unit** must inform victims within 1 working day of the communication of the decision.
11. After receiving information from the Criminal Appeal Office staff that an appellant is to be released on bail pre-appeal, the **Witness Care Unit** must inform all victims within 1 working day.
12. **Criminal Appeal Office** and **Supreme Court Office staff** must also ensure that they:
 - Provide a contact point for the victim during usual working hours;
 - Provide appropriate waiting and seating facilities as set out in Chapter 1, Part A, Section 5(ii), paragraph 3, including separate facilities for victims and their close relatives where available;
 - Provide a victim in the case or their close relatives with a copy of the Court's approved and published judgment when requested.
13. **Witness Care Unit** must ensure wherever possible that they:
 - Inform the Criminal Appeal Office or Supreme Court staff of any change to their contact details or the receipt point for notifications relating to the Witness Care Unit;
 - Where a **Witness Care Unit** receives a notification about an appeal but is not responsible for the case, they must inform the Criminal Appeal Office or Supreme Court staff and forward any notifications to the relevant Witness Care Unit within 1 working day of receiving the notification.

Section 6: Post Trial

The relevant service providers below must ensure that they provide the entitlements in Section 6 of Chapter 1 which fall to them.

(i) Criminal Cases Review Commission

1. When undertaking a review, the **Criminal Cases Review Commission** must assess the potential impact on the victim and decide if they should be notified of that review. The Commission must record the reasons for its decisions as to the form of contact with the victim and in appropriate cases will notify the police of those decisions.
2. If the **Commission** decides that it is appropriate to contact the victim during the course of the review the Commission must notify the victim that an application has been received and that the case is under review. Following the review, the **Commission** will decide if the conviction or sentence should be referred to the courts, and must notify the victim of its decision unless they have expressly asked not to be informed.

(ii) Unwanted contact from offenders

3. The **Prison Service** must maintain a telephone helpline (the Victim Helpline) to ensure that victims have a number to ring if they receive unwanted contact from a prisoner.

4. If unwanted contact is reported to the **probation trust**, they must:
 - Inform the National Offender Management Service if this contact has been made by a prisoner via social networking sites, detailing the web address of the offender's user profile;
 - Inform the prison in which the offender is being held if there has been any contact from a prisoner with a victim, in order that this can be investigated by the prison;
 - Consider whether an offender has breached his licence conditions if there has been any contact from an offender with a victim while the offender is on licence.

(iii) Victim Contact Scheme

5. The **police** or **Family Liaison Officer** must pass the victim's details to the probation trust in cases where they are the primary contact for the victim and the victim has decided to participate in the Victim Contact Scheme.
6. **Witness Care Units**, or the **Youth Offending Team** where they are supervising an offender under 18, must, within 1 working day of receiving the information from court:
 - Notify victims who are eligible for the Victim Contact Scheme about the Victim Contact Scheme;
 - Refer these victims' details to the probation trust within 10 working days of the expiry period in which victims may opt out of having their details referred so that they may be offered participation in the Victim Contact Scheme.

7. Both of these actions must be completed within 20 working days of the Witness Care Unit being notified of the sentence by the court. In some cases, the police might act as a single point of contact for the victim and agree with the Witness Care Unit to provide the relevant information to victims instead. The police must tell victims if this is the case.
 8. The **probation trust** must:
 - Contact victims of offenders who are given a sentence of 12 months or more, or detained in a secure hospital under the Mental Health Act 1983, after being convicted of a violent or sexual offence¹⁵ to offer them participation in the Victim Contact Scheme, unless they have expressly told the Witness Care Unit they do not wish to have their details referred;
 - Assign a Victim Liaison Officer to victims who choose to participate in the Victim Contact Scheme;
 - Provide information to victims about key stages of the offender’s sentence when they have decided to participate in the Victim Contact Scheme;
 - In cases concerning Foreign National Offenders, work with the immigration authorities to ensure information about the prisoner’s immigration status and any deportation information is passed on to victims;
 - Find out whether the victim would like to be informed of and/or make representations about licence conditions or discharge conditions and pass on their views to those responsible for making the decision;
 - Inform the victim about relevant licence conditions or discharge conditions, and the date on which any restrictions or conditions are to cease;
 - Offer the services outlined above to the victim’s next of kin, and to other bereaved relatives if this is considered appropriate by the probation trust;
 - Offer the services outlined above to the parent, guardian or carer of a victim who is under 18, or is a vulnerable adult, or is otherwise unable to participate in the Victim Contact Scheme unless it is not in the best interests of the victim to do so.
 9. The **prison service** must:
 - Ensure that any approved victim-related conditions are included on the offender’s release licence and ensure that this information is communicated to the probation trust.
- (iv) The Parole Board and Victim Personal Statements**
10. Where victims have opted into the Victim Contact Scheme and the release or transfer of the relevant offender will be determined by the Parole Board, the **probation trust** must:
 - Inform the victim when notification is received that a Parole Board hearing is likely to take place, and inform the victim when a date is set for the hearing;
 - Provide victims with information about the VPS and the Parole Board, and take all reasonable steps to establish whether a victim wants to make a VPS;

¹⁵ As defined in section 45(2) of the Domestic Violence, Crime and Victims Act 2004.

- Forward the VPS in time for it to be considered by the Parole Board panel;
- Forward any requests for non-disclosure of the VPS to the Public Protection Casework Section of the National Offender Management Service.
- Ensure that appropriate safeguards are in place to ensure the victim is not re-victimised, particularly for victims of domestic or sexual abuse or violence.

(ii) Victims of youth crime

11. The **Parole Board** must:

- Consider any representations that victims have made about licence conditions and reflect these considerations in their decision;
- If a licence condition which the victim has requested is not included on the offender's release licence, provide an explanation for the non-inclusion;
- Read a VPS if one is made;
- Consider applications from the victim if they want to attend an oral hearing;
- Consider any information about the victim which relates directly to the current risk presented by the offender, and reflect this in their decision.

2. **Youth Offending Teams** must:

- Consider whether to invite the victim to a restorative justice activity;
- Keep victims' personal data securely and separate from data relating to offenders;
- When contacted by victims, explain the Youth Offending Team's role to allow victims to make an informed choice on whether they wish to participate in restorative justice activities;
- Consider when it is inappropriate to offer restorative justice given the particular sensitivities of the case and/or the vulnerability of the victim;
- Ensure victims' safety by providing all necessary safeguards throughout the preparation for the restorative justice activity and the activity itself;
- Ensure appropriate training is provided to staff working with victims;
- When requested, keep victims informed about the progress of the case and notify them when the activity concludes;
- Give victims information on appropriate victims' services when they ask for additional support and are involved in a restorative justice activity.

Section 7: Restorative Justice

The relevant service providers below must ensure that they provide the entitlements in Section 7 of Chapter 1 which fall to them.

(i) Victims of adult offenders

1. The **police** must:

- Where appropriate, offer or direct victims to information on restorative justice and how they can take part, assessing suitability based on the particular sensitivities of the case and/or the vulnerability of the victim;

3. The **police** must pass the victim’s contact details to the Youth Offending Team to enable them to participate in restorative justice activities, unless asked not to do so.

Section 8: Compensation

The relevant service providers below must ensure that they provide the entitlements in Section 8 of Chapter 1 which fall to them.

(i) Making an application

1. The **Criminal Injuries Compensation Authority** must:
 - Provide the entitlements set out at Chapter 1, section 8, paragraphs 2-4.
 - Respond to all written correspondence regarding an application within 20 working days of it being received;
 - Provide the applicant and First-tier Tribunal – Criminal Injuries Compensation (FTT-CIC) with a response to an appeal within 42 days of the FTT-CIC notifying the Authority that an appeal has been lodged.

(ii) Appeals to the first-tier tribunal – criminal injuries compensation

2. The administrative staff of the **First-tier Tribunal (Criminal Injuries Compensation)** must:
 - Make available to appellants relevant information regarding the procedure for appeals by producing and keeping up to date guidance materials, including an information booklet explaining the appeal process;

- Consider providing additional assistance upon request, such as arranging an interpreter at the hearing, and provide advice about who to contact to make such arrangements;
- Respond to all correspondence from claimants relating to appeal cases under the Scheme which need a reply, no later than 10 working days after the day the correspondence was received by the Tribunal;
- Notify all claimants of the time, date and location of their appeal hearing between four and six weeks ahead of the hearing. At the same time a DVD should be sent to the claimant containing a recording of a typical Tribunal hearing;
- Respond to all requests for the full Tribunal reasons for a decision, within 1 month of receipt of any such request.

3. The **Criminal Injuries Compensation Authority** must send a letter to the appellant including copies of all the documents relevant to their case within six weeks. They must also consider any applications for the medical re-opening of the case after the Tribunal has made their decision, if there is a material change to the victim’s medical condition.

Section 9: Complaints

Service providers below must ensure that they provide the entitlements in Section 9 of Chapter 1 when they receive a complaint.

1. **Service Providers** must have a clearly identified complaints process through which victims can complain if their entitlements as set out under the code have not been met.

2. Upon request from the victim, each **service provider** must provide information to the victim on their complaints process. Service providers must provide clear contact details at both a local and, where appropriate, a national level for victims in case of enquiries or complaints and communicate these to the victim on request.
3. The **service provider** receiving the complaint must ensure a timely acknowledgement is sent to the victim.
4. Where a **service provider** (the initial provider) receives a complaint which should have been sent to a different service provider, the initial provider is responsible for ensuring that the complaint is directed to the appropriate service provider to respond. The initial provider remains responsible for the complaint until the appropriate service provider has taken responsibility for the complaint.
5. **Service provider** dealing with the complaint will do so respectfully and sensitively. They must provide a full and timely response which informs victims of the outcome of their complaint. The response must be provided in a language and format victims can understand.

Chapter 2

Part A:

Entitlements for Children and Young People

1. This section tells you what information, help and services you should receive from the criminal justice system if you are under 18 and are the victim of a crime.
 2. Your parent or guardian may also receive help and support unless they are a suspect in connection with the crime or if it is considered not to be in your best interests.
- A leaflet with information for victims of crime, or details of a website which has this information, within 5 working days of reporting the crime. This will include information about people you can talk to if you are upset and need support;
 - Talk to the police to help you work out what support you need;
 - Have your contact details sent to victims' services within 2 working days of reporting the crime unless you ask the police not to do so. They will get in touch with you to let you know what support is available to you.

How should I read this part of the Code?

3. You can use this section to follow your journey through the criminal justice process and find out what services you should receive at each stage. This section has two parts. The first part is written for you and shows you what information, help and services you should be receiving. The second part is written for organisations, like the police, who should be giving you this help and support.

Section 1: Police Investigation

Information provided to you when you report a crime

4. You are **entitled** to:
 - A clear explanation of what happens when you report a crime to the police;

Police Investigation

5. A police investigation is when the police look for evidence and suspects for the crime you told them about.
6. When you tell the police a crime has taken place, you may be asked to tell the police in an interview what happened. This is called a witness statement. When you give your witness statement to the police you are **entitled** to:
 - Ask the police if someone can be with you when you give your witness statement;

- Ask for someone to help you understand the questions you are being asked;
 - Have your statement video recorded so that you do not have to tell the police what happened to you more often than necessary;
 - Be told about special measures (see glossary) if you might have to go to court.
7. You are also **entitled** to:
- Make a Victim Personal Statement. This is not the same as the witness statement. The Victim Personal Statement lets you explain in your own words how you feel about the crime. This can also be video recorded where appropriate. For more information on the Victim Personal Statement, please see Chapter 1, Part A, Section 1 (ii).
8. When the police are investigating your case you are **entitled** to:
- Receive information about what is happening and be informed by the police how often they will contact you to tell you what is happening;
 - Be told if no one is identified as a suspect, or if the case is closed and have the reasons explained to you;
 - Be told if a suspect in your case is arrested, interviewed or released by the police and have the reasons explained to you within 1 working day of the event happening;
 - Be told if a suspect in the case is let out on bail or if bail conditions change.

9. You are **entitled** at any time during the investigation and trial to:
- Speak to someone specially trained to listen to you and help you get over the crime. This may be called therapy or counselling.

Section 2: Before the trial (Charge, Bail and Information about the trial)

Charge and Bail

10. This section tells you what happens when the suspect is charged with committing the crime. Being charged is when there is enough evidence and it is in the public interest to take the suspect to court.
11. You are **entitled** to:
- Be told if the person arrested (a suspect) is to be prosecuted or not and have the reasons explained to you;
 - Be told if the police want to apply for the suspect to be remanded in custody, the date of any hearing and the outcome of the hearing;
 - Be told how you can get more information about a decision not to prosecute the suspect and how you can ask for a review of the decision if you are not happy with it;
 - Be told if the suspect is going to be formally disposed of by the Criminal Justice System, but without having to go to court. This is called an 'out of court disposal'. You or your parents or guardians may be asked for your views about this which will help decide whether this is suitable;

- Be told if a suspect is released with bail conditions and have the reasons explained to you within 1 working day of the release. You will also have a chance to ask any questions you have about this;
- Be told if police bail is changed or cancelled within 1 working day of the change and have the reasons explained to you.
- The date and place of any pre-trial hearings, what happened at court and what should happen next. You will also be told what this means for you and what you need to do;
- Whether the suspect is released on bail or remanded in custody and what this means;
- If an arrest warrant is issued because the suspect fails to attend court when asked to do so or if the suspect is re-arrested.

Preparation for the trial

12. You are **entitled** to:
 - Be informed within 1 working day of a CPS decision to stop proceedings. You are entitled to be told how you can get more information about the decision and how you can ask for a review of the decision if you are not happy with it;
 - Be informed within 1 working day of a CPS decision to make big changes to the charges against the suspect.
13. The next two paragraphs, paragraph 14 and 15, give you information about services you are entitled to get from the Witness Care Unit. Sometimes the police might provide you with this information and support instead if they are your main point of contact. The police will tell you if they are your main point of contact.
14. You are **entitled** to be told about the following by the Witness Care Unit within 1 working day of the Witness Care Unit receiving the information from the court:
 15. If you are asked to go to court to give evidence at the trial your Witness Care Unit will make sure that you understand what will happen and that you are supported in going to court. They will also explain the special measures which are available to assist you in giving your evidence.
 16. You are also **entitled** to:
 - See your video recorded or written statement shortly before the trial to help you remember what you said when you told the police what happened to you;
 - Be told how you can access the Young Witness Pack which provides information about what will happen when you go to court;
 - Go on a visit to the court before the trial to see the court room and practise using the special measures equipment (e.g. video links or screens round the witness box). If possible, you will be able to meet the staff who will be helping you on the day.

17. If the suspect pleads not guilty, you are **entitled** to talk about any needs you may have and be referred to victims' services who can help you if this is appropriate.

Section 3: Trial

18. When you give evidence at the trial you may do this by live link or in a pre-recorded video. But if you do go to court to give evidence at the trial, you are **entitled** to:

- Wherever possible, meet the prosecutor or CPS representative and ask him or her questions about the court process, how long you may have to wait before giving evidence and be told about any delay;
- Ask HMCTS court staff if you can go into the court building through a different entrance from the suspect and their family and friends. This means that when you go to court you do not need to see the suspect or their family and friends.
- Where possible, wait in a separate area from the suspect and their family and friends before you tell the court what happened to you;
- Where possible, a contact point at the court where you can go to find out what is happening in the case while you are waiting to give your evidence;
- Have any special measures arranged for you by court staff when the court has agreed to them;
- Give your contact details to court staff so they can call you back quickly if necessary if you temporarily leave the court building.

Section 4: After the trial

19. After the trial you are entitled to be paid any expenses the CPS has decided are due to you within 10 working days of the CPS receiving a correctly completed form¹⁶.

20. Paragraph 21 gives you information about services you are entitled to get from the Witness Care Unit. Sometimes the police might provide you with this information and support instead if they are your main point of contact. The police will tell you if they are your main point of contact. You are **entitled** to receive this information within 1 working day of the information being received by the Witness Care Unit from the court.

21. You are also **entitled** to be told:

- About the outcome of the trial hearing and the sentence given if the suspect was convicted. This will include a short explanation about the meaning of the sentence. If the Witness Care Unit is not able to answer any questions you have about the sentence, they will refer you to the CPS who will provide further information;
- Any further hearing dates if the suspect appeals against the conviction or sentence;
- The outcome of any appeal against the sentence originally given by the court;
- Information about victims' services that can help you where available

¹⁶ In accordance with the Crown Prosecution Service (Witnesses etc Allowances) Regulations 1988.

22. The Victim Contact Scheme, as offered by the probation trust, is explained below. You are **entitled** to the same support as adults from the probation trust after the trial. This is set out in Chapter 1, part A, section 6 of this Code. If the offender is being supervised by Youth Offending Team (YOT), they will contact you if they are involved in the case and you have agreed to receive further information. Until you are 18, the probation trust will keep your parents, or guardians updated, in your place, unless this is not considered appropriate. When you are 18 the probation trust will update you directly.

Victim Contact Scheme

23. If the suspect is found guilty of a violent or sexual offence and goes to prison for 12 months or more, or is kept in a secure hospital because they are mentally unwell, you are **entitled** to:

- Be told when the offender is being considered for release;
- Be told when the offender is released from prison or hospital and any conditions put on them. For example, these could include conditions that the offender is not allowed to make contact with you in any way;
- Be told that you can opt out of the Victim Contact Scheme at any time.

The Parole Board and Victim Personal Statements

24. If the offender has been sentenced to some kinds of sentences, including a 'life sentence', for a particularly serious crime, an organisation called the Parole Board will consider whether the offender should eventually be released or be moved to

an open prison. This will happen near to or after the end of the minimum prison sentence the judge set for the prisoner. The Parole Board make decisions by working with organisations including the prison and probation trust to fully understand the offender's risk, to see whether they can be safely released under supervision. Because the Parole Board only consider some kinds of cases, you should ask your parent or guardian, or Victim Liaison Officer (see glossary), if this applies to you.

25. In most cases, you are unlikely to have had any contact with the offender for many years; however, if you are worried or have any new evidence suggesting that they might currently be dangerous to you, you should discuss this with your Victim Liaison Officer. Your Victim Liaison Officer will make sure the people who will prepare risk reports for the Parole Board are aware of this when they are considering the offender's case.

26. You will be asked whether you want to make a Victim Personal Statement which the Parole Board will consider if they need to make a decision on whether it is safe to release the offender, or move them to an open prison. If you do not want to make a written statement, you can tell your Victim Liaison Officer about how the offence hurt you or your family, how it still makes you feel, and how you would feel about the offender being released. Your Victim Liaison Officer will make sure the Parole Board are aware of this when they are considering the offender's case.

Section 5: Restorative Justice

27. You are **entitled** to receive information on Restorative Justice from the police and how you could take part.
28. Restorative Justice lets the victim and those who committed the crime talk about what happened. The victim or their close relatives and the offender can try to find ways to make good the harm caused. This can help you as the victim to move on with your life and for the offender to understand what they did and how you felt about it. Restorative Justice is voluntary – you do not have to take part. Both you and the offender must agree to it before it can happen. Therefore it will not be available in every case and it may not be suitable in every case.
29. If the offender in the case is over the age of 18, you, your parents or guardians are **entitled** to receive information about Restorative Justice from the police who will either offer this information to you directly or will advise you on the best way to find out more about it.
30. If the offender in the case is under the age 18, you, your parents or guardian are **entitled** to the following from the Youth Offending Team, to:
 - Take part in Restorative Justice where available;
 - Ask to be informed about the progress of the offender’s case;
31. You can also ask the police not to share your details with a Youth Offending Team if you do not want to take part in Restorative Justice.

Section 6: Compensation

32. You are encouraged to find a responsible adult to make a claim on your behalf. Details about how to apply are in Chapter 1, part A, section 8 (i).

Section 7: How to make a complaint

33. If you do not think that you have received the services and support that you are entitled to in this Code, details on how to make a complaint are in Chapter 1, part A, section 9.

Part B:

Duties on agencies providing services for children and young people

1. This section sets out what information, help and services service providers should provide to victims of crime who are under 18 years of age. For the avoidance of doubt the relevant service providers must provide the entitlements to child victims or their parents as set out in Chapter 2, Part A.
2. At all times the child's best interests must be a primary consideration for service providers.
3. This section outlines duties that the relevant Witness Care Unit must provide to victims. In some cases, the police might act as a single point of contact for the victim and provide the information in this paragraph to victims instead of the Witness Care Unit. The police must tell victims if this is the case and agree with the Witness Care Unit which of the following services they will provide.

Section 1: Police Investigation

4. The **police** must:
 - Provide the entitlements to child victims or their parents or guardians set out in Section 1 of Chapter 2, Part A;
 - Refer victims to appropriate victims' services within 2 working days of an allegation being reported, unless they do not wish to be referred;
 - Ensure victims or their parents or guardians can access written information, such as the "Information for Victims of Crime" leaflet, within 5 working days after the victim making an allegation of criminal conduct. This must include contact details for victims' services;
 - Conduct an assessment to identify what support the victim needs, in accordance with the requirements set out in the Introduction;
 - Consider the best method of recording the victim's evidence, taking into account the victim's circumstances and views, such as video recording the victim's account¹⁷;

¹⁷ Section 21 of the Youth Justice and Criminal Evidence Act 1999 states that the 'primary rule' for child witnesses is that the Court must provide (by way of direction) for any relevant recording to be admitted under section 27 (video recorded evidence in chief); and must provide for any evidence given by the witness in the proceedings which is not given by those means to be given by means of a live link.

- Offer a Victim Personal Statement, which can also be video recorded;
 - Explain what special measures may be available to the victim to help them give their best evidence if they have to go to court and record any views expressed by the victim about going to court;
 - Notify victims and explain the reasons if a suspect is arrested, released without charge, released on bail or if their bail conditions are changed or cancelled within 1 working day of such an event occurring;
 - Notify victims if a suspect is not identified and if a case is concluded without charge and give reasons;
 - Discuss and agree with the victim, or their parents or guardians how often they will receive updates on the case.
5. If the **police** require a child to be interviewed, they must ensure that a suitably trained professional conducts the investigative interview in a way that considers the needs and views of the victim in order to minimise his or her stress. This should be planned in advance, taking into account factors such as:
- (i) the need for a Registered Intermediary to help the victim to communicate their evidence effectively;
 - (ii) any disabilities or special needs the victim has;
 - (iii) timing and location of the interview;
 - (iv) gender, or race of the interviewer and victim;
 - (v) the need for a suitable adult to be present to provide emotional support.
6. The **police** must:
- Conduct the interview without unjustified delay after the facts have been reported;
 - Conduct the interview, where necessary, in premises designed or adapted for that purpose;
 - If possible and where appropriate, ensure that the same person conducts all the interviews with the child victim;
 - Limit the number of interviews where possible and only carry out interviews where strictly necessary for the purposes of the investigation; and
 - Allow the child to be accompanied by an adult of their choice, unless it is in their best interests not to be accompanied by this person.

Section 2: Before the trial (Charge, Bail and Information about the trial)

Charge and Bail

7. The relevant service providers must provide the entitlements to child victims or their parents or guardians set out in Chapter 2, Part A, Section 2.
8. The **police** must within 1 working day of the decision or event in question:
- Inform victims that the suspect is being charged and released on police bail to appear in court, and provide them with the date and location of the court hearing, the details of any relevant bail conditions and if there are any changes to bail conditions;

- Inform victims that they (the police) intend to apply for the suspect to be remanded in custody, the date of the remand hearing and the outcome;
 - Inform victims of any conditions attached to bail and what the victim can do if these are broken where bail is granted;
 - Inform victims where the suspect will not be prosecuted and the reasons for this decision, except where the CPS makes the decision following receipt of a pre-charge report from the police during a face to face consultation with the officer;
 - Inform victims if a suspect is given any kind of out of court disposal and explain the nature of that disposal.
9. Where appropriate the **police**, or any other service provider acting as the main point of contact in the case, should inform victims that pre-trial therapy is available if needed, and, if requested, will be facilitated.
10. The **CPS** must:
- Consider whether to make an application to the court for special measures;
 - Inform victims within 1 working day of any decision not to prosecute following the receipt of a pre-charge report from the police and a face to face consultation with the officer. The CPS must tell victims how they can ask for a review of the decision if they are not happy with it.

Preparation for The Trial

11. The **CPS** must inform victims of:
- Any decision made to stop proceedings within 1 working day of the decision being made. The CPS must explain to victims how they can receive more information about the decision and how they can ask for a review of the decision if they are not happy with it;
 - Any decision to substantially alter a charge(s) against the suspect within 1 working day of the decision being made.
12. The **CPS** must provide the relevant Witness Care Units with a list of witnesses attending court as soon as it is finalised so that they (the Witness Care Unit) can inform victims who are required to give evidence.
13. **The Witness Care Unit** must inform victims:
- Of the date and location of any pre-trial hearings, what happened at court and what should happen next;
 - Whether the suspect is released on bail or remanded in custody and the reasons for this decision;
 - If an arrest warrant is issued because the suspect fails to attend court when asked to do so and when the suspect is re-arrested.

This information must be provided within 1 working day of the Witness Care Unit (or in the case where the police have agreed to provide the information within 1 working day of the police officer in charge) of the case receiving it, or making such a decision.

14. **The Witness Care Unit** must:
- Following a not guilty plea, discuss with the victim any needs they may have and refer them to victims' services who can help if this is appropriate;
 - Notify victims who are required to attend court to give evidence within 1 working day of being informed by the CPS. Victims must be informed what to expect including how they can access the Young Witness Pack;
 - Offer a full needs assessment to victims who are required to give evidence to find out what special measures and other support they may need;
 - Offer the victim a pre-trial visit to the court to familiarise themselves with the court room and to practise using special measures equipment;
 - Show victims their video recorded or written statement shortly before the trial to refresh their memory.
15. **HMCTS** must notify Witness Care Units of any hearing dates, adjournments, postponements and court decisions within 1 working day of any such decision. **Witness Care Units** must then notify the victim within 1 working day of receiving the information from the court.
17. **HMCTS Court staff** must ensure wherever possible that:
- Any special measures required by the victim are available if directed by the court;
 - Victims can enter the building without seeing the offender and are seated in a separate waiting area from the suspect;
 - Victims do not have to wait for more than two hours to give evidence;
 - Contact details for all victims who are witnesses are taken so they are able to leave the court building and be contacted when necessary;
 - There is a contact point for victims so they can find out what is happening in their case whilst it is being heard in court.
18. The **CPS prosecutor** or other **CPS representative** in court must:
- Where possible, introduce themselves to victims and answer any questions they may have about the court process and how long they may have to wait before giving evidence;
 - Where possible, explain any delay and tell victims how long the wait is likely to be.

Section 3: Trial

16. The relevant service providers must provide the entitlements to child victims or their parents or guardians set out in Chapter 2, Part A, Section 3.

Section 4: After the trial

19. The relevant service providers must provide the entitlements to child victims or their parents or guardians set out in Chapter 2, Part A, Section 4.

20. **Witness Care Units** must notify victims within 1 day of the receipt of the relevant information:
- The outcome of the trial hearing and the sentence given if the suspect was convicted. This must include a short explanation about the meaning of the sentence. If the Witness Care Unit is not able to answer any questions victims may have, they must refer them to the CPS;
 - If the suspect appeals against the conviction or sentence and the result of any appeal;
 - If there is a significant amendment to the sentence originally given by the court;
 - Information about victims' services where available and where appropriate.
21. The **CPS** must:
- Pay any expenses it has decided are due to the victim within 10 working days of it receiving the correctly completed claim form¹⁸;
 - Answer any questions the victim has about the sentence if the victim is referred to the CPS by the Witness Care Unit.
22. **Crown Court and Court of Appeal staff** must notify Witness Care Units within 1 working day (after the date on which the decision is made) of the hearing date for any appeal against conviction or sentence and of the outcome.
23. Where a person is eligible for the Victim Contact Scheme, **Witness Care Units** must:
- Inform victims about the Victim Contact Scheme;
 - Unless victims choose to opt-out of the Victim Contact Scheme, refer their details to the probation trust within 10 working days of the expiry of the period in which a victim may opt into the Scheme.
24. Both of these actions must be completed within 20 days of the day the Witness Care Unit is informed of the sentence by the court.
25. The **probation trust** must:
- Fulfil all the duties set out in Chapter 1, Part B, section 6 to victims under the age of 18, their parents and guardians.
26. The **Prison Service** must:
- Ensure that any approved victim-related conditions are included on the offender's release licence and ensure that this information is communicated to the probation trust;
 - Maintain the prison service telephone helpline.
27. The duties on the **Parole Board** for persons under 18 are the same as for adults and therefore the **Parole Board** must:
- Fulfil the duties that fall to them in section 6 of both Parts A and B, Chapter 1. This includes considering the risk to the victim, including any comments made in a Victim Personal Statement, when deciding whether to recommend the release of prisoners.

¹⁸ In accordance with the Crown Prosecution Service (Witnesses etc Allowances) Regulations 1988.

Section 5: Restorative Justice

28. The **police and Youth Offending Teams** must fulfil the duties that fall to them in Chapter 1, Part B, Section 7, and Chapter 2, Part A, Section 5.

Section 6: Compensation

29. See section on applying for compensation in Chapter 1, Part B, section 8 (i).

Section 7: Complaints

30. See section on complaints in Chapter 1, Part B, section 9.

Chapter 3

Businesses

1. **All businesses are entitled to:**
 - Receive services under the Code provided they give a named point of contact for all communication between the business and service provider.
 - Make an Impact Statement at the same time as an evidential witness statement.
2. Businesses of all sizes can make an Impact Statement. The Impact Statement outlines how a crime has affected the business. The court must pass what it judges to be the appropriate sentence taking into consideration the circumstances of the offence and of the offender and where the court considers it appropriate, the impact on any victims.
3. The police will refer a business to guidance on how to complete the statement. The statement provides the business with a voice in the criminal justice process, but should not express an opinion on the sentence or punishment the offender should receive.
4. The named point of contact can submit the statement online or by fax or by post to the police. Making an Impact Statement does not prevent an individual victim from making a separate Victim Personal Statement. A business may make another Impact Statement to add to, clarify or amend the existing statement at a later date, provided this is before the case comes to court or the suspect is sentenced. Any statement submitted must be in accordance with section 9 of the Criminal Justice Act 1967.
5. If the case reaches court, the Impact Statement will be disclosed to the defence. The named contact that made the statement may be required to attend a court hearing and be questioned on this statement.

Duties

6. The **police** should offer a named contact the opportunity to make an Impact Statement, refer them to guidance on how to complete this, and forward a completed statement to the CPS.
7. The **CPS** must ensure that an Impact Statement is brought to the attention of the court where appropriate.

Glossary

This section provides an explanation of the key words or phrases found in this Code.

Acquittal

The discharge of the suspect(s) following a verdict or direction of not guilty.

Adjournment

The temporary suspension of the hearing of a case by order of the court.

Appeal

A legal process by which a case is brought before a higher court for review of the decision of a lower court.

Arrest Warrant

A warrant issued by a court which authorises the arrest of an individual suspected of committing an offence.

Bail (and bail conditions)

The release of a suspect from custody, until his or her next appearance in court. This is sometimes subject to security being given and/or compliance with certain bail conditions, such as periodically reporting to a police station.

Barrister

For the purposes of this Code, the advocate who represents the CPS as the prosecuting authority at court.

Charge

A formal accusation against a person(s).

Close relatives

This refers to the next of kin, spouse, partner, parents, guardian and/or children of the victim. If the victim is a vulnerable adult, this may also refer to their carer. Other family members may

be considered close relatives at the discretion of the service provider.

Court of Appeal

A court that hears appeals against both civil and criminal judgments from the Crown Courts, High Court, and County Courts.

CPS (Crown Prosecution Service)

The CPS is responsible for prosecuting criminal cases investigated by the police in England and Wales.

Criminal conduct

Behaviour constituting a criminal offence under the National Crime Recording Standard.

Crown Court

A court where criminal proceedings are heard before a judge and a jury. The Crown Court also acts as an appeal court for cases heard and dealt with by the magistrates' and youth courts.

Entitlement

Service(s) that you can expect as a victim of crime from the relevant service provider.

Evidential Witness Statement

A written or video account by a witness of the facts and details of a crime or an incident.

Family Liaison Officer (FLO)

A police officer trained to work with bereaved families to secure their confidence and trust, to provide support and information about the investigation and support agencies, and to gather information which contributes to the investigation.

Guardian in relation to a person under the age of 18

A person who has for the time being the care of a person who is under the age of 18.

Hate crime

Any criminal offence that is motivated by hostility or prejudice based on the victim's disability, race, religion or belief, sexual orientation or transgender identity.

Licence conditions

Some prisoners are released from prison 'on license', meaning that they will serve the remainder of their sentence in the community under supervision. While on license, offenders are required to comply with certain conditions, which are designed to rehabilitate the offender, address their offending behavior, and protect the public, including victims.

Magistrates' Court

A court where criminal proceedings are heard before magistrates or district judges, who examine the evidence and statements put before them.

Needs assessment

An evaluation carried out by service providers to determine the kind of support that a victim may need following a crime. This process can also be used to identify any special measures that a victim might need if they are going to be giving evidence in court.

Notifying/Informing a victim

The posting of a letter, the making of a telephone call, a face-to-face meeting or the sending of an e-mail, fax, text message or any other communication method that the service provider considers is most appropriate.

Offence

Any crime punishable in a Crown Court, Magistrates' Court or by an out of court disposal.

Offender

The person who committed the crime.

Out of court disposal

Alternatives to prosecution, such as cautions, conditional cautions and penalty notices for disorder, intended for dealing with low-level, often first-time offending, where prosecution would not be in the public interest.

Parliamentary Ombudsman

Investigates complaints received from MPs that individuals have been treated unfairly or have received poor service from government departments or agencies.

Police bail

When the police let a suspect out of the police station but they will have to return to the police station or to the court on another day.

Pre-trial hearings

The part of the court process where people discuss parts of the case before the trial.

Probation trusts

Providers of probation and offender management services. These providers are currently known as probation trusts. These services include rehabilitating offenders, reducing their risk, protecting the public, punishing offenders, and providing victim services. Victim Liaison Officers work within probation (See 'Victim Liaison Officers' below).

Prosecutor

The lawyer who presents the case against the suspect(s).

Qualifying cases

The cases where you are entitled to meet with CPS, which are: murder, manslaughter, corporate manslaughter, familial homicide, causing death by dangerous driving, causing death by careless driving while unfit through drink or drugs, causing death by careless driving or through inconsiderate driving, causing death by driving whilst unlicensed, disqualified or uninsured and aggravated vehicle taking where death is caused.

Remand hearings

A court hearing to decide whether a suspect should be kept in custody pending further court appearance(s).

Restorative Justice

This is the process of bringing together those harmed by crime or conflict with those responsible for the harm, to find a positive way forward.

Restricted patients

Restrictions will be placed on a patient if the court considers that this is necessary for the protection of others from serious harm. The Secretary of State is involved in the management of "Restricted patients". This means that the Secretary of State will make decisions about the offender's rehabilitation, and you will be allocated a Victim Liaison Officer, who will provide you with information about key developments. "Unrestricted patients" are managed by clinicians, and hospital managers may provide you with information about these key developments in their rehabilitation.

Sentence

Punishment given to a suspect found guilty by a court.

Service provider

A person required to provide services under this Code, as specified in the Introduction, paragraph 6.

Special Measures

The various measures that a court can order to assist vulnerable or intimidated witnesses to give their best evidence in court. These measures include live TV links, video-recorded statements, screens around the witness box and assistance with communication, including the use of an intermediary.

Summons

Order to appear or to produce evidence to a court.

Supreme Court

The highest appeal court in the United Kingdom.

Suspect

Someone who the police believe may have committed the crime.

Trial

The court process that determines whether someone who is accused of a crime is guilty.

Victim

A person entitled to receive services under this Code as specified in paragraphs 8-14 in the Introduction to the Code

Victim Contact Scheme

A statutory scheme, offered by probation trusts to victims of offenders who have committed specified violent or sexual offences and been sentenced to 12 months or longer in custody or been detained in a secure hospital. It enables victims to be informed of key developments in the offender's sentence, and to make representations on conditions to which the offender may be subject on release.

Victim Liaison Officer

Victim Liaison Officers (VLOs) are probation staff who work with victims who are in the Victim Contact Scheme. VLOs keep victims informed about key stages or events in the offenders' sentence and ensure that victims' views and concerns are conveyed to the prison or Parole Board when release is being considered.

Victims' services

Organisations providing emotional and practical support services to victims of crime.

Witness Care Units

Units which have been set up across England and Wales to provide information and support to victims and witnesses in cases progressing through the criminal justice system.

Witness Charter

This sets out the help and support that a witness can expect to receive at every stage of the criminal justice process. Unlike the Victims' Code, the Witness Charter is not set out in law.

Working day

A day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971. For the purposes of calculating time periods under this Code the first "working day" is the first day after the decision or event.

Youth Offending Team (YOT)

A multi-agency team which works with young people between the ages of 10 and 17 who get into trouble with the law. YOTs are coordinated by a local authority and are overseen by the Youth Justice Board.

