



Ministry of **JUSTICE**

Making the Code of Practice for Victims of Crime better

Easy Read version of:
Improving the Code of Practice for Victims of Crime
Consultation Paper CP8/2013

This is an EasyRead version of the consultation document. It is not itself a direct translation of the consultation document. Whilst we have tried to make sure this matches the consultation document as much as possible, the EasyRead translation may have altered the meaning of certain terms and entitlements in places and it paraphrases the message from Victims Minister Helen Grant.

Some words we use in this paper

The law

Rules that say how people must behave and what happens if they break these rules.

Crime

When a person breaks the law.

Punishment

What happens if someone breaks the law. For example, if a court sends them to prison.

Witness

A person who sees or hears something happen that they need to tell the police about.

Victim

A person who is harmed because of a crime.

The criminal justice system

All the organisations that give services to victims of crime.

Restorative Justice means trying to put things right, instead of just punishing someone for a crime.

About this paper

The Ministry of Justice has written this paper.

We are part of the government that makes sure we have a good and fair **criminal justice system** in England and Wales.

This includes criminal justice agencies like:

- The courts
- Prisons
- **Probation** services (Probation services check that a person does things like training, getting treatment or helping in the community instead of being in prison) after being released.

This paper is about the **code of practice** for people who are victims of crime (**The Victims' Code**).

The code is a set of rules.

It tells victims of crime what they can expect from each service involved in law, crime and punishment.

We want to find out what people think about our ideas for changes to these rules.

There are questions for you to answer in each part of this paper and all the questions are also at the end.

Please tell us what you think

Please look at the new Victims Code and the questions and tell us what you think before 27th June 2013

Please send your answers to:

Email: VictimsCodeConsultation@justice.gsi.gov.uk

Please contact Bola Fabunmi to find out more or ask for this paper in another language or format.

Email to VictimsCodeConsultation@justice.gsi.gov.uk

Telephone: 020 3334 3555

What is in this paper

A few words from Helen Grant - the Minister who looks after victims

How will the Victims' Code affect different people?

The new Victims' Code

Our ideas for the new Victims' Code

- What victims can expect
- What criminal justice services have to do
- The Victim Personal Statement (**VPS**)
- Restorative Justice
- If things go wrong
- Children and young people under 18
- Getting it right for victims
- Treating everyone fairly

The questions

Tell us about yourself

How to send us your answers

Rules about finding out what people think

A few words from Helen Grant

Helen is an MP and Minister for Victims. Part of her job is to make sure the government thinks about victims of crime.

Helen used to work as a solicitor looking after victims of crime.

She wants them to get better support from all the different services involved in law, crime and punishment.

She knows it can be really difficult for victims to deal with all these services after a crime.

Last year the government promised to make the **Victims' Code** better.

They talked to people and organisations about what needs to change and wrote a new code that:

- Clearly tells victims what they should get
- Says how criminal justice agencies must give victims these services
- Explains what for victims who are under 18 years old should get

- Talks about the **Victim Personal Statement (VPS)** which gives victims a chance to explain how a crime has affected them
- Gives businesses a chance to explain how a crime has affected them
- Talks about **restorative justice** (ways to put things right)
- Says victims must be able to complain if services do not keep to the code of practice.

Helen hopes the new code will help everyone think about what victims need and not just how to punish people who break the law.

How will the Victims' Code affect different people?

Our **Impact Assessment** says how the code could affect different people.

You can read it at:

<https://consult.justice.gov.uk/digital-communications/code-victims-crime>

A law called the **Equality Act 2010** says the code must not treat people unfairly because of:

- Age
- Religion or faith
- Disability
- The country you or your family come from
- Whether you are a man or a woman
- If you were born a man and live as a woman or born a woman and live as a man
- Whether you are straight, gay, lesbian or bisexual
- Because you are pregnant or have a new baby
- Whether you are married or living with someone

The **Equality Statement** about this is at:

<https://consult.justice.gov.uk/digital-communications/code-victims-crime>

Some of our questions ask what you think about these.

The new Victims' Code

Why things need to change

Crime affects people in different ways.

Although many people do not want any help, about 20 out of every 100 victims want advice or support.

Lots of things have changed since the Government wrote the first Victims' Code in 2006. Last year the government asked people about how to write a new code.

Most people agreed that it needed to change. They said a new code should make sure:

- Victims are treated with respect and taken seriously
- People get the support they need if someone from their family is killed
- Victims can see information about their case
- Victims get the support they need when they go to court
- Victims can write a Victim Personal Statement to tell the court how a crime has affected them
- Victims get support to feel safe

- Victims can ask to get involved in thinking about ways that the person who did the crime can put things right
- Businesses that are victims of crime get the help and support they need.

We worked with criminal justice agencies to make sure the new code makes the **criminal justice system** better and works within European rules about victims.

We said we would show people our ideas for a new Victims' Code in 2013 and this paper gives you a chance to say what you think.

The Witness Charter

Last year we also asked people about the **Witness Charter** that says how criminal justice agencies should treat you if you are asked to go to court to say what happened.

The Charter says what help and support you can expect and is for all witnesses, even if you are also the victim.

People liked the Charter because it is quite easy to understand and says what should happen for the witness, not what services need to do.

We need to make some changes and make sure everyone knows about it.

It will be ready at the same time as the new Victims' Code.

What will be in a new Victims' Code?

People thought the old code was just for criminal justice agencies and was difficult for victims to understand.

The new code makes it easier for victims to see how services must respect and support them fairly.

We hope this will help people choose the right support and mean services can support people who need it most.

The new code says:

- What victims can expect
- What criminal justice services have to do
- What children and young people under 18 years old can expect
- What criminal justice services have to do for children and young people under 18 years old

The riots in August 2011 showed that crime can also affect businesses and the new code will explain what they can expect.

It will also make it easier for victims to:

- Complain if a criminal justice organisation does not support them properly
- Think about **restorative justice** or ways to put things right

We want to hear from anyone who is interested in giving better support to victims in England and Wales.

Please look at the **Draft Victims' Code** that comes with this paper and answer the questions in this paper.

We will look at what people tell us and have the new Victims' Code ready by the summer.

Parliament must agree the changes before everyone can use the new code.

Our ideas for the new Victims' Code

This is what we think the different parts of the code should tell people.

1. What victims can expect

The new code will be written for victims and make sure criminal justice agencies give them the support they need.

There will be a clear picture to show victims what support they can expect at different stages.

The code will say the minimum (least amount of) support any victim should get if they want it.

Services will give extra support to these people who are **vulnerable** or at risk:

- A victim of serious crime
- **vulnerable** or being threatened
- Someone who is a victim of lots of crimes

Children and young people under 18 will get extra support (in the old code, it was under 17 years old).

Organisations must send victims to the right support services when they need them. This includes support to talk about things before and after the criminal goes to court.

At the moment the police tell the victim what is happening every month if they have not caught the person who did the crime.

We think it would be better for victims to get regular information and to agree with agencies how often they want or need it.

Question 1.

Do you think we are making the right sort of changes to the Victims' Code?

Question 2.

Do you agree with the groups of victims the new code says should have extra support?

2. What criminal justice services have to do

At the start of the Victims' Code there is a list of organisations. The code says these organisations have to give services to victims and tell them how to get support from voluntary services that work with victims.

The old code tells organisations what they must do but the new Victim Code will make it easier to give victims the support they want.

The new code says the police must find out what support or information all victims of crime need to help them cope and get better. This is called a **needs assessment**.

The new code also tells agencies to give children and young people under 18 extra support (in the old code, it was under 17 years old) and everyone must think about what is best for the child.

There is more information later about other things the new code tells agencies to do for victims.

It also includes some things that organisations are already doing.

We think this will make sure everyone gets the support they want and services will have more time to work with people who need extra support.

Question 3.

Do you agree with the things criminal justice services have to do?

Please tell us what you think about this.

In November 2012 people voted for **Police and Crime Commissioners** (PCCs) who will make sure local police meet the needs of people in the area.

From 2014 PCCs will decide how to spend money to give victims the support services they need in their local area.

Police and Crime Commissioners are not in the code but they could make sure police keep to the new Victim Code.

Question 4a.

Do you think the new code should say how Police and Crime Commissioners should support victims of crime?

Question 4b.

If so, what do you think they should do and when should they do it?

3. The Victim Personal Statement

Impact statements give a victim or business the chance to say how a crime has affected them. The Police can make a statement to say how crime or anti-social behaviour affects the local community in a Community Impact Statement.

Victim Personal Statements (VPS)

A Victim Personal Statement is different from the statement when you tell the police about what happened (which is called an **evidential witness statement**).

It is a chance to say in your own words how the crime has affected you. The judge will then think about the VPS as well as all the other evidence when they sentence the person.

Victims can make another statement about how it would affect them if the Parole Board are deciding whether to let the person out of prison early.

There are some problems with these statements:

- Not many victims are asked if they want to make one
- Sometimes organisations do not work together to use the statement properly. For example, sometimes the statement does not arrive early enough
- A lot of victims do not understand how the statement is used and who can see what they say.

If the Victim Personal Statement is in the new code we think more victims will make one and courts will know how crime affects them.

The code will make sure:

- Victims know their statements can be read out in court and everyone will know what they say
- People who are victims of serious crime, vulnerable or being threatened, or are victims of lots of crimes can also make a statement, even if they do not give evidence to the police
- People might be able to make a VPS in different ways, including filling in the form themselves or sending it online
- Usually the police take statements but other organisations will also be able to do this. This could give victims more chances to decide if they want to make one and what they want to say.

Community impact statements

Police get information from local people and write a statement about how crime or affects them.

This helps the courts and other organisations understand how crime affects local communities.

Police have tried Community Impact Statements in 42 different areas to help them stop crime and to tell the judge how it hurts local people.

These statements will not be in the new Victims' Code but we want more police forces to be able to use them.

Question 5.

Do you think the Victim Personal Statement should be in the new Victims' Code?

Question 6.

Do you think more police forces should use Community Impact Statements?

Question 7a.

Do you think Community Impact Statements help the police understand how crime affects communities?

Question 7b.

If so, how can we get more police forces to use them?

Question 7c.

If not, how can we make Community Impact Statements better?

Businesses

Businesses can also be victims of crime and already get some information and support.

The new Victims' Code will have a section just for businesses.

At the moment only small businesses can make a Victim Personal Statement. In the new code, all businesses will be able to make an impact statement for businesses to say how a crime has affected them.

Someone who works for the business can also make a victim statement about how a crime has affected them.

People from the business will be able to get a form and fill it in themselves.

Question 8.

Should all businesses be able to make a statement to say how a crime has affected them?

Question 9.

Do you think this will help businesses?

Question 10.

Do you think other organisations like charities should be able to make this statement?

4. Restorative Justice

Restorative Justice means trying to put things right, instead of just punishing someone for a crime.

Offenders can do things like write to the victim or meet them so the victim can say how it has affected them. This can help victims speak up and feel less scared. It can also give the offender a chance to do something to pay the victim back or make up for the crime. There will be a section in the new Victims' Code to explain **restorative justice**.

The new code will make sure **restorative justice** is done properly and everyone agrees to it.

Organisations will have to think about it carefully and make sure it only used when it is safe.

This will be for crimes by adults as well as young people. The old code only has this for crimes done by young people.

Question 11.

Do you think **restorative justice** should be in the new code for crimes done by people over 18 years old?

Question 12.

Do you think this section of the new code will help victims understand what **restorative justice** means?

Question 13a.

Do you think more people will choose to use restorative justice because of the new code?

Question 13b.

What type of restorative justice things do you think people will choose to do to try to make things better?

5. If things go wrong

All the services on the list in the Victims' Code must support victims properly.

People said the old code was confusing. The new one will help victims know what to expect from services and when to complain.

All services must tell victims how to make a complaint and how complaints are dealt with.

The code will also tell victims what to do if they are not happy with how the criminal justice agency deals with their complaint. We are also looking at ways to check how services keep to the code.

Question 14.

Do you think the new code will make it easier for victims to complain? (Please tell us why)

Question 15.

How can we check services are keeping to the code and who should do this?

Question 16.

Can you think of other ways to make it easier for victims to complain?

6. What children and young people under 18 years old can expect

The old code does not say enough about young people as victims of crime. It is not easy for them and their parents or carers to understand.

The new code will explain what support they can expect and tell criminal justice agencies what they must do.

Criminal justice agencies, like the police, must think about what is best for the child. If they think they are under 18 but are not sure, they must use the part of the code about support for young people.

We are going to ask young people what they think about the new code and write an Easy Read version for them and their parents.

Question 17.

Do you think there should be part of the new code just for children and young people?

Question 18.

Do you agree with how we say services should support children and young people? (Please tell us why)

Question 19.

Do you think this part of the code is easy for children and young people to understand?

7. Getting it right for victims

The Victims' Code must be easy to understand and use.

The new code will start by telling victims what they can expect and then say how criminal justice agencies should support them.

We will have different guides to tell more people about the code and their rights. For example:

- Young people
- People who are disabled
- People who find it difficult to communicate

We think the new Victims' Code that goes with this paper will make it easier for victims to get support and be listened to.

We will listen to what people tell us and think about how to make the new code even better.

Question 20.

How can we make sure everyone knows about the code?

8. Treating everyone fairly

On page 8 of this paper we said the government must keep to the law about treating everyone fairly and write an **equality statement** about this.

Question 21.

Have we thought about how this code could affect all the different groups in the list on page 8?

Question 22.

If not, please tell us who we need to think about and how the code might affect them?

Our **Impact Assessment** helps us think about how the code could affect different people.

The impact assessment is at

<https://consult.justice.gov.uk/digital-communications/code-victims-crime>

We also want to find out more about Victim Personal Statements and what will happen if victims can choose who they give their statement to.

Question 23.

Please tell us what you think about our impact assessment.

Question 24.

Can you tell us how the code might affect different people?

Question 25.

How long does it take to take a Victim Personal Statement from a victim of crime?

Question 26.

How will it affect organisations that the police ask to take Victim **Personal Statements** from victims?

The Questions

Please read this paper and the new Victims' Code and then answer these questions.

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Do you agree with the way we say services should support children and young people? (Please tell us why)

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Thank you.

About you

Please tell us about yourself

Your full name:

Who you are: (For example, your job or whether you are a member of the public).

The date:

Your company or organisation if you have one

Your address:

Postcode:

Please tick this box if you want us to tell you we have got your answers.

Do we need to write to a different address to tell you?
If so, please write it here:

If your answers are for a group, please tell us the name of the group and about the people in the group:

How to send us your answers

Please send us your answers by 27th June 2013

By email to:

VictimsCodeConsultation@justice.gsi.gov.uk

By post to:

**Bola Fabunmi
Victims Code Consultation
Ministry of Justice
Post Point 8.1
Petty France
London SW1H 9AJ**

Groups

If you are sending answers from a group please tell us about the group and the people they are speaking for.

Complaints or comments

If you want to complain or say something about the way we are asking you about the code, please contact Bola Fabunmi at this address.

Extra copies

You can ask Bola Fabunmi for more copies of this paper and it is also on our website:

<http://www.justice.gov.uk/index.htm>

What happens next

We will put the main ideas from all the answers on our website: **<http://www.justice.gov.uk/index.htm>**

Confidentiality

A law called the **Freedom of Information Act** says we must share your answers and personal information if someone asks to see it.

If you do not want us to share your information, please tell us why. We will look at this but might still have to sometimes share things.

We will keep to a law called the **Data Protection Act** and not share your information with other companies.

Rules about finding out what people think

The government has rules about **consultations** (finding out what people think).

You can see the rules at:

<http://www.cabinetoffice.gov.uk/sites/default/files/resources/Consultation-Principles.pdf>