

## **Victims' Code consultation February 2026 - Equality Statement**

### **Purpose of this document**

1. This document records the analysis undertaken by the Ministry of Justice (MoJ) in the design and development of the new draft Victims' Code for consultation, to enable Ministers to fulfil the requirement placed on them by the Public Sector Equality Duty (PSED) as set out in section 149 of the Equality Act 2010.
2. The PSED is a legal duty that requires public authorities (and those carrying out public functions on their behalf) to have due regard to the need to do each of the following when devising policies or otherwise carrying out their functions:
  - Eliminate discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act 2010;
  - Advance equality of opportunity between those who share a protected characteristic and those who do not; and
  - Foster good relations between those who share a protected characteristic and those who do not.
3. The protected characteristics are race, sex, disability, sexual orientation, religion and belief, age, marriage and civil partnership,<sup>1</sup> gender reassignment, pregnancy and maternity.
4. In the consultation document, we have asked respondents for their views and evidence of equality impacts to assist in our analysis of how the draft Code meets the goals of the PSED (see section titled 'Equality Considerations').

### **Policy proposals summary**

5. The Victims' Code (the Code) sets out the minimum service that must be provided to all victims of crime by certain organisations in England and Wales. We want to make sure the Code sets clear and deliverable minimum standards so that victims have the support and information they need as they move through the criminal justice system.
6. On 24 May 2024, the Victims and Prisoners Act 2024 (the Act) received Royal Assent. The Act requires a new Code to be prepared, consulted on, and brought into force and sets out the overarching principles that the Code must reflect. We are consulting on the proposed new Code to be issued under the Act, to meet the consultation obligation at section 3(4) of the Act.

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<sup>1</sup> The protected characteristic of "marriage and civil partnership" is only relevant to the first aim of the duty. It is not relevant, and therefore not assessed, for the other two aims.

7. The consultation asks questions under the following main themes:

- **New principles for conducting needs assessments.** We want to set a clear baseline for when and how needs assessments are undertaken with victims and how that information is used to inform delivery of the Code. We are consulting on new principles that intend to provide a clearer framework for how criminal justice agencies can assess victims' needs effectively and meet their responsibilities under the Code to do so. We are also asking for views on how we can ensure needs assessments are undertaken in a quality and trauma-informed way.
- **A new framework for engagement with child victims.** We recognise that children have distinct and different needs to adults and therefore require a different service to support them to engage with the criminal justice system. Research by the Children's Commissioner highlighted that when children do not receive information, guidance, and support, they can feel powerless in the criminal justice process.<sup>2</sup> We are consulting on a proposed framework to support criminal justice agencies to engage with child victims, including asking for views on how this can be delivered safely and effectively. We are also asking for views on proposed additional content in the Code setting out what child victims can expect from the criminal justice system.
- **Quality and timeliness of providing case information to victims.** We want the Code to drive quality in the services that criminal justice agencies provide to victims. We are asking for views on measures to improve the quality and timeliness of communication with victims; and the right points and methods to communicate routine updates and more sensitive updates; and views on innovative communication options.
- **Improving how opportunities to participate are offered to victims.** We want victims to have the information they need at the right time for them, and we want to ensure that victims feel supported to participate in the criminal justice process. We are consulting on when and how opportunities (such as the ability to make a Victim Impact Statement or to join the Victim Contact Scheme) should be offered to victims, including where this offer should be made more than once to provide the victim with more opportunities to consider it. We are also asking for views on when information about offender attendance at sentencing hearings should be provided to victims, and whether and how victims can express their views about an offender's release when being considered by the Parole Board.

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<sup>2</sup> [https://assets.childrenscommissioner.gov.uk/wpuploads/2024/06/Childrens-experiences-as-victims-of-crime\\_final.pdf](https://assets.childrenscommissioner.gov.uk/wpuploads/2024/06/Childrens-experiences-as-victims-of-crime_final.pdf)

- **Helping victims understand their Rights under the Code.** It is important that all victims are aware of and can understand what they can expect from the criminal justice system, but we recognise that the Code's content may not be easy for all victims to understand. We are asking for views on what criminal justice agencies could do to promote awareness of the Code and how we could make it easier for victims to navigate, including through digital innovation. We are specifically asking about how we can improve accessibility of the Code for children.
- **Additional information.** We have amended the Code throughout to improve the clarity of information, including updates to reflect the latest operational practice and legislation. This is important to ensure that the Code is up to date and sets clear expectations for criminal justice agencies and victims. This will in turn support with monitoring of how the Code is delivered. This consultation gives the opportunity to provide feedback on this additional information.

## Assessment Summary

8. We have considered whether the proposed changes hinder or promote the need to eliminate unlawful discrimination and other prohibited conduct, advance equality and foster good relations. Our assessments indicate that the proposed changes above do nothing to hinder the PSED duties and in some cases may help to progress them.
9. We have considered that child victims of crime require a slightly different service under the Code compared to adults. We believe all child victims will benefit from the proposed changes to how they will be engaged in the criminal justice process and changes that draw out the tailored provision they can expect to receive. We consider that they will also benefit from the wider changes that we are making to the Code.
10. For the following sections, we have taken account of each of the measures relating to the Code. Each protected characteristic has been assessed for 'direct' and 'indirect' discrimination as defined under the Equality Act 2010.

## Direct discrimination

11. We consider that the changes proposed to the Code overall are not directly discriminatory within the meaning of the Equality Act 2010 as they will benefit all victims.
12. The proposed framework for engagement with child victims provides criminal justice agencies with specific guidance about how to engage with victims under 18 years of age, including providing guidance about how different age groups within this bracket should be considered. The proposed framework is about ensuring that children get the same level of service as adult victims but

delivered in a way which takes account of their particular needs and capacity levels. We do not consider that the framework, or the changes to the Code regarding children, would result in anyone being treated less favourably because of a protected characteristic. In fact, we consider that child victims would benefit from this proposal.

### **Indirect discrimination**

13. Based on the data listed in the Annex, we believe that there are certain cohorts of individuals who share a protected characteristic who are more likely to be affected by the changes proposed to the Code because they are more likely to be victims of crime. However, the changes the Code will have a *positive* impact on those groups.
14. We have not identified any group of people who share a protected characteristic who will be disadvantaged by the changes proposed to the Code. There is therefore no indirect discrimination.

### **Discrimination arising from disability**

15. We believe that the changes will not result in any discrimination arising from disability. The changes to the Code promote timely and robust identification of victims' needs through proposed new principles for needs assessments to ensure necessary adjustments are made to provide appropriate support, including for disabled victims. This is likely to provide additional protections against discrimination and improve the delivery of services. All victims will continue to have the right under the Code to be treated by service providers in a respectful, dignified, sensitive, compassionate and courteous way without discrimination of any kind. Where the risk of discrimination arising from disability is identified, every effort will be made by service providers responsible for delivering the Code to make an adjustment where required.

### **Harassment and victimisation**

16. We do not consider there to be a risk of harassment or victimisation because of proposed changes to the Code.

### **Advancing equality of opportunity**

17. Consideration has been given to how these proposals impact on advancing equality of opportunity by meeting the needs of victims who share a protected characteristic, where those needs are different from the need of those who do not share that characteristic.
18. The proposed new principles for needs assessments aim to improve the delivery of adjustments necessary to meet victims' needs in the criminal justice system. This might mean that equality of opportunity is improved for all victims, including those with protected characteristics.
19. The proposed new framework for engagement with child victims intends to better meet the needs of those under 18 years of age by providing them with more information and support in line with what adult victims can expect to

receive under the Code. This would improve child victims' equality of opportunity in terms of access to minimum standards of service.

20. The proposals are not considered likely to have a negative impact on equality of opportunity. As explained above, we believe that the proposed changes are positive for all victims, and particularly children, and this means that it will improve equality of opportunity for groups with certain protected characteristics who are over-represented as victims of crime.

### **Fostering Good relations**

21. Section 149(1)(c) of the Equality Act 2010 imposes a duty to “have due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.” We do not expect the proposed changes to the Code to damage relations between those who share relevant protected characteristics and those who do not.

### **Equalities Summary - Evidence and Analysis**

22. We have considered the equality impacts of the proposed changes to the Code in line with the statutory obligations under the Equality Act 2010. The changes are likely to benefit all victims of crime.
23. To help us assess whether the proposals have a differential impact on the following protected characteristics: sex, race, age, religion and belief, disability and sexual orientation, we have compared the proportion of victims of personal crime in each protected characteristic category using the CSEW for the year ending March 2025.<sup>3</sup> The following groups were found to be over-represented among victims of all personal crime [see also Annex A - table 1]:
- Women
  - Those of Mixed or Multiple ethnic groups and of Black, Black British, Caribbean or African ethnic groups
  - Those who are Disabled
  - Those of Jewish or Other religion<sup>4</sup>
  - Those who are Gay/Lesbian or Bisexual
  - Those whose gender identity was different from their sex registered at birth
  - Those whose marital status is separated or divorced/legally dissolved

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<sup>3</sup>Office for National Statistics (2025). Crime Survey for England and Wales. Retrieved from [Crime in England and Wales: Annual supplementary tables - Office for National Statistics](#)

<sup>4</sup> ‘Other religion’ includes any religion that is not Christian, Buddhist, Hindu, Jewish, Muslim, and Sikh.

24. Based on the data above and in applying the changes equally to all adult victims, we believe that more individuals in the above groups may be affected by the proposed changes to the Code due to their over-representation as victims of crime. The proposed changes will be likely to have a *positive* effect on them. We also appreciate that victims of crime may have more than one protected characteristic. The proposed changes will also benefit these victims.

25. Additionally, 11.9% of children experienced a crime in the last year.<sup>5</sup> The following groups were found to be over-represented among child victims [see also Annex A - table 2]:

- Boys
- Children aged 10 – 12
- Children of Mixed/Multiple or White ethnic groups
- Disabled children

26. We believe that the proposed changes will have a positive effect on children by providing quality communication at the right time and improving how and when child victims are given a chance to participate. The changes intend to increase direct engagement of child victims with criminal justice agencies providing them with a more active role to address reported lack of involvement.

27. To facilitate access to the consultation itself, we will create an easy read, shortened version of the consultations to increase accessibility. We will advertise these accessible versions of the consultations through social media and through stakeholders, who we will ask to disseminate this.

## Data Limitations

28. We do not have statistics on the number of victims engaged in the criminal justice system at each stage, nor do we have any demographic information to help us identify those with protected characteristics, which is why CSEW data has been used to inform this assessment. The CSEW data cited within this Statement relates to all victims of crime, including those who have not engaged with the Criminal Justice System.

29. Please note that there are acknowledged methodological limitations of the CSEW which may have impacted the estimates of prevalence of victimisation presented above. For more information on these, please see the methodological pages on the CSEW on the Office of National Statistics' website.<sup>6</sup>

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<sup>5</sup> [Crime in England and Wales: Annual supplementary tables - Office for National Statistics](#)

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<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/methodologies/crimeandjusticemethodology>

30. There is limited data available about the delivery of victims' rights under the Code and to whom, which makes it difficult to understand the exact impact of our proposals. For example, we do not know how many victims receive needs assessments from criminal justice agencies or whether any of those victims may have protected characteristics.

## Annex A

**Table 1: Proportion of people aged 16 and over who were victims of all Crime Survey for England and Wales (CSEW) personal crime (including fraud and computer misuse), by personal characteristics, year ending March 2025**

England and Wales		
Protected characteristic <sup>7</sup>	Personal crime (including fraud and computer misuse) percentage, victims once or more (%) <sup>8</sup>	Unweighted base – number of people aged 16 and over
<b>Sex</b>		
Male	10.5	14,896
Female	11.1	16,636
<b>Age</b>		
16-24	11.9	1,653
25-34	11.6	4,360
35-44	11.2	5,318
45-54	11.8	4,658
55-64	11.3	5,540
65-74	9.6	5,128
75+	7.2	4,875
<b>Ethnic group</b>		
White	10.9	26,412
Mixed/Multiple	15.3	491
Asian/Asian British	8.8	2,585
Black/African/Caribbean/Black British	12.1	1,502
Other ethnic group	9.1	434
<b>Disability<sup>9</sup></b>		
Disabled	13.6	7,374
Not disabled	10.2	23,952
<b>Religion</b>		
No religion	11.4	12,888
Christian	10.5	15,622
Buddhist	10.1	172
Hindu	7.0	570
Jewish	12.4	124
Muslim	9.5	1,557
Sikh	6.6	158
Other	22.0	221

<sup>7</sup> See Section 7 of the [User guide](#) for definitions of personal or household characteristics.

<sup>8</sup> Personal crime includes violence, robbery, theft from the person, other theft of personal property, and fraud and computer misuse.

<sup>9</sup> The definition of disability used is consistent with the core definition of disability under the Equality Act 2010. A person is considered to have a disability if they have a long-standing illness, disability or impairment which causes difficulty with day-to-day activities.



<b>Sexual orientation<sup>10</sup></b>		
Heterosexual/straight	10.8	26,429
Gay/Lesbian	16.1	469
Bisexual	16.7	639
Other	11.3	165
<b>Gender identity<sup>11</sup></b>		
Gender identity the same as sex registered at birth	11.3	26,076
Gender identity different from sex registered at birth	11.9	204
<b>Marital status</b>		
Married/civil partnered	10.4	13,975
Cohabiting	11.9	2,785
Single	11.1	7,991
Separated	13.7	744
Divorced/legally dissolved partnership	13.4	2,807
Widowed	6.9	3,032

<sup>10</sup> The terminology used to label this data has been changed to 'sexual orientation' from 'sexual identity' to align with terminology used in legislation (Equality Act 2010). Sexual Orientation is an umbrella concept which encompasses sexual identity, attraction and behaviour. This question described within this principle is based on a substantial body of research and is designed to capture self-perceived Sexual Identity. An individual could respond differently to questions on either sexual identity, attraction or behaviour. The measurement of Sexual Identity was identified within the research as the component of Sexual Orientation most closely related to experiences of disadvantage and discrimination. The question was not designed for specific or detailed studies of sexual behaviour or attraction where a series of more detailed questions and answer categories might be more appropriate.

<sup>11</sup> Gender identity the same as sex registered at birth' refers to those whose gender identity is the same as their sex at registered at birth, and includes male when registered male at birth and female when registered female at birth. 'Gender identity different from sex registered at birth' refers to those whose gender identity is different from the sex they were registered at birth (trans). Our use of the term 'trans' is inclusive of a range of gender identities, including binary male or female genders when not the same as registered at birth, non-binary genders such as those on a continuum between male and female and non-gendered identities (neither male nor female).



**Table 2: Proportion of children aged 10 to 15 who experienced victimisation in the last year (preferred measure)<sup>12</sup>, by personal characteristics, year ending March 2025**

England and Wales			
Personal characteristic <sup>13</sup>	All crime experienced by children aged 10 to 15 (%)	Crime against the person <sup>14</sup> (%)	Unweighted base – number of children aged 10 to 15
All children	11.9	11.0	1,437
<b>Sex</b>			
Boys	14.5	13.6	787
Girls	9.1	8.3	650
<b>Age</b>			
10 to 12	12.3	11.8	777
13 to 15	11.4	10.3	660
<b>Boys</b>			
Age 10 - 12	14.3	13.6	421
Age 13 - 15	14.7	13.7	366
<b>Girls</b>			
Age 10 - 12	10.1	9.8	356
Age 13 - 15	8.1	6.8	294
<b>Ethnic group</b>			
White	12.1	11.2	1,013
Mixed/Multiple	13.4	9.5	61
Asian/Asian British	11.6	11.6	211
Black/African/Caribbean/Black British	9.4	9.2	110
Other ethnic group	[u] <sup>15</sup>	[u]	39
<b>Disability<sup>16</sup></b>			
Disabled	14.1	14.1	81
Not disabled	11.7	10.8	1,349

<sup>12</sup> The 'Preferred measure' takes into account factors identified as important in determining the severity of an incident (such as level of injury, value of item stolen or damaged, relationship with the perpetrator). See Chapter 2 of the User Guide for more information.

<sup>13</sup> See Section 7 of the [User Guide](#) for definitions of personal, household and area characteristics.

<sup>14</sup> Crime against the person includes violence, robbery, theft from person and other theft of personal property.

<sup>15</sup> [u] indicates that data are not reported because the unweighted base is fewer than 50.

<sup>16</sup> The definition of disability used is consistent with the core definition of disability under the Equality Act 2010. A person is considered to have a disability if they have a long-standing illness, disability or impairment which causes difficulty with day-to-day activities.

Source: [Crime in England and Wales: Annual supplementary tables - Office for National Statistics](#)