

The Code of Practice
for Victims of Crime

A Guide for Victims



CRIMINAL JUSTICE SYSTEM





This guide sets out your rights under the Code of Practice for Victims of Crime

It tells you what you can expect from each of the criminal justice agencies after becoming a victim of crime.

If you don't think that you have had the support, information and advice set out in this guide, you can make a complaint. Details of how to complain are contained at the back of this leaflet.

If you do not want to receive the services set out in this guide, you can opt out by telling the police officer you have had contact with, or the person dealing with your case at that time (if you decide to opt out later on in the criminal justice process). Remember that you can then opt back in at any stage.

VULNERABLE AND INTIMIDATED VICTIMS

Some victims are able to receive an enhanced service under the Code.

Vulnerable victims are all victims under 17 years old or whose quality of evidence is likely to be reduced because they have a mental disorder or learning disability or a physical disability or disorder.

Intimidated victims are victims whose quality of evidence is likely to be reduced because they are in fear or distress about giving evidence.

If you have been a victim of domestic violence or sexual assault or have lost a family member through murder or manslaughter, you will also be defined as a vulnerable victim.

You will be told if you are identified as vulnerable or intimidated as it depends on your personal circumstances and the details of your case.

The next few pages set out what you can expect from each agency. The chart in the centre of this leaflet explains what each agency does.

The police will:

- tell you if there is not going to be an investigation into the crime, **within five days** of you reporting the crime
- give you a copy of, or make sure you have access to, the local 'Victims of crime' leaflet
- refer your details to the voluntary organisation Victim Support, unless you ask them not to (this will not apply for a small number of victims)
- keep you updated on a monthly basis until the case is closed
- tell you if there is a possibility that the case may be reviewed at a later date and ask you if you want to be informed of any reviews
- assign you a Family Liaison Officer if you have lost a family member through murder or manslaughter, and provide you with a support pack
- tell you if someone is arrested **within one day if you are receiving the enhanced service or within five days for other victims**
- tell you if they release a suspect with no further action being taken, **within one day if you are receiving the enhanced service or within five days for other victims**
- tell you when they release a suspect on bail and let you know if there are any bail conditions and when those conditions are altered, **within one day if you are receiving the enhanced service or within five days for other victims**
- tell you about a decision they take to charge or not charge a suspect **within one day if you are receiving the enhanced service or within five days for other victims**





- tell you if the person is given a caution, reprimand, final warning or penalty notice for disorder **within one day if you are receiving the enhanced service or within five days for other victims.**

The Witness Care Unit will:

- tell you if you will be required to give evidence
- tell you the dates of the court hearings
- give you a copy of the 'Witness in court' leaflet or other relevant leaflet, if you are required to give evidence
- tell you about court results, for example if the defendant was found guilty, **within one day** of receiving the outcome from the court, and explain any sentence given
- tell you if the offender appeals against their conviction or sentence and tell you the outcome of any appeals.

The Crown Prosecution Service will:

- tell you if they decide not to charge someone in relation to your case **within one day if you are receiving the enhanced service or within five days for other victims**
- tell you if they decide to drop or alter the charges after someone has been charged **within one day if you are receiving the enhanced service or within five days for other victims**
- offer to meet with you to discuss their decisions if your case involves a death caused by criminal conduct, child abuse, sexual offences, racially and religiously aggravated offences or offences with a homophobic or transphobic element
- ensure that someone from the Crown Prosecution Service is introduced to you at court and answers your questions

- pay your expenses within ten days of receiving your expenses claim form
- answer any detailed questions you have about the sentence given.

Her Majesty's Courts Service staff will:

- pass information about court dates and case outcomes to the Witness Care Unit and the police so that they can keep you updated
- make sure you have a separate waiting area and seat in the courtroom away from the defendant's family, where possible
- try to ensure that you do not have to wait more than two hours to give evidence
- provide an information point at the court, where possible, so you can find out what is happening in the case.

The Youth Offending Team will:

- contact you to explain their role and ask you if you want to be involved in a restorative justice intervention, if appropriate
- keep you informed about the progress of the case if you decide to be involved
- give you information about appropriate support services if you want it.





The National Offender Management Service (Probation) will:

- contact you if the offender in your case was sentenced to 12 months or more for a sexual or violent offence, including mentally disordered offenders in certain circumstances
- give you general information at key stages in the offender's sentence, such as transfer to a different category of prison or applications for release. They will be unable to give you detailed information about offenders, for example which prison the offender is in, the exact date of release or exact location on release
- give you the opportunity to express your views and any concerns about what licence conditions or supervision requirements the offender should be subject to on their release from prison
- tell you what licence conditions or supervision requirements the offender will be subject to if they relate to contact with you or your family.

The National Offender Management Service (Prisons) will:

- provide a telephone helpline which you can ring if you receive unwanted contact from the offender or if you have any concerns about the offender's release.

The Parole Board will:

- take into account any information that relates directly to the current risk to you by the offender when deciding whether or not to grant or recommend release and will reflect this in the parole decision
- consider any requests you make to attach conditions to the offender's licence on release
- provide an explanation where a licence condition that you have requested has been amended or has not been included

- consider any request by you to vary or amend the licence conditions at a later date.

The Criminal Injuries Compensation Authority will:

- reply to all correspondence about applications within 20 days of receiving it
- explain any decisions to refuse or reduce compensation that you have claimed
- update you on the progress of your application if you haven't had a decision within 12 months of making your application
- tell you that you have a right for their decision to be reviewed and how you apply for a review
- explain the outcome of the review to you and tell you how to appeal to the Criminal Injuries Compensation Appeals Panel.

The Criminal Injuries Compensation Appeals Panel will:

- give you up-to-date information about the appeals process
- respond to any correspondence relating to appeal cases within 20 days of receiving it
- explain the appeal decision to you.

The Criminal Cases Review Commission will:

- decide whether to contact you if they are reviewing a conviction or sentence in a case you are connected to when it's likely that you'll hear about what's going on
- tell you their decision and if they are referring the case to the Court of Appeal or Crown Court.



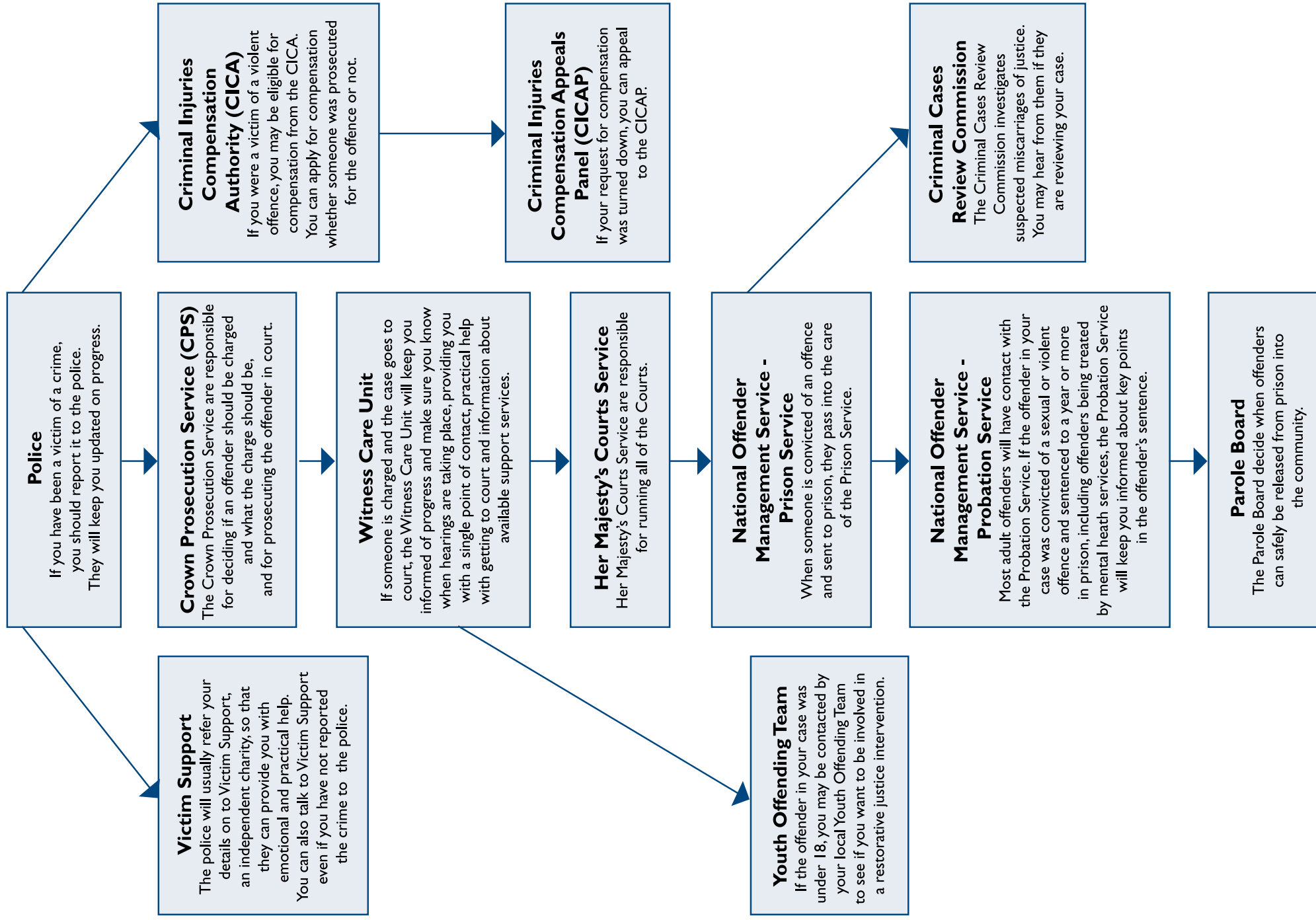


HOW TO COMPLAIN

Agency	How to complain
Police	Ask at your local police station for a leaflet explaining how to make a complaint. You will receive a response within 10 working days.
Crown Prosecution Service (CPS)	Write to the CPS office that dealt with your case, outlining your complaint. Contact details for CPS offices can be found at police stations, Citizens Advice Bureaux or in the Yellow Pages. The CPS office will aim to reply within three working days.
Joint Police/Crown Prosecution Service Witness Care Units	Write to the Witness Care Unit that dealt with your case, setting out your complaint.
Crown Court	Complaints should be made in writing to the Complaints Officer at the court. A reply will be sent within five working days.
Magistrates' Court	Complaints should be made in writing to the Complaints Officer at the court. A reply will be sent within five working days.
Youth Offending Team	You should write to the Youth Offending Team Manager at your local Youth Offending Team, explaining your complaint.
National Offender Management Service (Probation)	You should make your complaint to the local manager or Senior Probation Officer at the office you have been dealing with.

National Offender Management Service (Prisons)	Complaints should be addressed to: Director General's Briefing and Casework Unit, HM Prison Service, Cleland House, Page Street, London SW1 4LN.
Parole Board	You should complain in writing to: The Complaints Officer, Parole Board for England and Wales, Grenadier House, 99–105 Horseferry Road, London SW1P 2DD.
Criminal Injuries Compensation Authority	You should make your complaint in writing to: The Manager, Customer Care Team, Criminal Injuries Compensation Authority, Tay House, 300 Bath Street, Glasgow G2 4LN. You will receive a reply within 20 working days.
Criminal Injuries Compensation Appeals Panel	You should make your complaint within three months of the hearing by writing to: Customer Service Manager, Criminal Injuries Compensation Appeals Panel, 11th Floor, Cardinal Tower, 12 Farringdon Road, London EC1M 3HS.
Criminal Cases Review Commission	You should write to: The Complaints Manager, Criminal Cases Review Commission, Alpha Tower, Suffolk Street, Queensway, Birmingham B1 1TT.





THE PARLIAMENTARY OMBUDSMAN

If you are not happy with the response you receive to your complaint, you can take your complaint to the Parliamentary Ombudsman, through your MP. You can find out who your MP is at www.locata.co.uk/commons or by calling the House of Commons Enquiry Desk on 020 7219 4272.

If you are unsure about how to complain or whether your complaint is a matter in which the Parliamentary Ombudsman can help, you can contact their Victims' Code Unit on 020 7217 4013, visit their website at www.ombudsman.org.uk or email: VictimsCodeUnit@ombudsman.org.uk.

With regard to the police or the Crown Prosecution Service, the Parliamentary Ombudsman can only consider complaints about either body which relate specifically to their obligations under the Code.

If your complaint concerns misconduct on the part of the police and you are not happy with their response, the Parliamentary Ombudsman may advise you to pursue it with the Independent Police Complaints Commission instead. The Independent Police Complaints Commission is an independent body established to investigate misconduct on the part of the police. It can consider complaints about police conduct whether or not they relate to this Code of Practice.



Criminal Justice System: working together for the public