



Ministry
of Justice

Victims of crime:

Understanding the support you can expect

If you have been a victim of crime, you are entitled to certain information and support from criminal justice organisations such as the police and the courts.

The Victims' Code is a Government document which explains what you can expect from these organisations from the moment you report a crime until after a trial has finished. The whole document is available on www.gov.uk but this leaflet summarises the key points.

Am I entitled to support under the Code?

If you are a victim of a crime that took place in England or Wales, you are entitled to support under the Victims' Code. You are also entitled to support if you are a close relative of somebody who has been killed as a result of a crime. Businesses or enterprises (such as charities) that are victims of crime are also covered under the Code.

A separate leaflet is available on the support provided for victims who are under 18 and their parents or guardians.

Reporting the crime

You can report a crime to the police by visiting a police station, by phone or online. The police should give you information about what to expect from the criminal justice system after reporting the crime.

You may be asked by the police to make a witness statement saying what happened during the crime. This will give details such as when the crime took place, and where and what you saw. As well as this, you can make a Victim Personal Statement (VPS) if you want to, explaining how the crime has affected you.

Victim Personal Statement (VPS)

Making a Victim Personal Statement (VPS) gives you a voice in the criminal justice process. The VPS lets you explain in your own words how a crime has affected you physically, emotionally, financially or in any other way.

Making a VPS is your choice. You do not have to make one if you do not want to. If you choose to make a VPS, it can be written or recorded if recording facilities are available.

If you choose not to make a statement when first offered the chance, you may do so later providing it is before the case comes to court. However, you should be aware that some cases are brought to court very quickly.

Once you have completed and signed your VPS, it cannot be changed or withdrawn if you change your mind about what it says. However you can provide another one to the police to add more information. If your case reaches court, your VPS will be shown to the defence and you may be questioned on it in open court. If you are questioned on it, details could be reported in the media.



The police will ask you whether you would like all or part of your VPS to be read out or played (if recorded) in court if the case goes to trial and the suspect is found guilty. The court will make the final decision on whether the VPS is read out. If read out, this will be done after the verdict is given but before the court decides on the sentence.

You can ask to read out the VPS yourself or ask somebody else to read it out for you. If you do not want your VPS to be read out in court, you do not have to choose this option. The court will still consider your VPS before deciding on the sentence.

The police will automatically pass on your details to victim services organisations that can provide you with practical and emotional support, unless you ask them not to. If you are the victim of a sexual offence or domestic violence, or the relative of somebody who has been killed as a result of crime, the police will ask you if you are happy for your details to be passed on and will only do this if you have agreed.

If your details are passed on, someone from the victim services organisation will get in touch with you to explain the help available to assist your recovery.

Keeping you informed

The police should keep you informed as progress is made in the investigation and will let you know if any arrests are made and if suspects are charged. You can agree with the police how often you would like to hear from them about the investigation.

Impact Statement for Businesses

All businesses or enterprises (such as charities) that are victims of crime are entitled to make an Impact Statement

explaining how the crime has affected the business. This statement should be sent to the police.

Making an Impact Statement does not prevent an individual victim from making a separate Victim Personal Statement.

CASE STUDY

Owain's son died when hit by a dangerous driver. He said:



"My wife and I made a Victim Personal Statement because we lost our only son and we wanted the offender to be aware of what this meant. My wife and I sat in court throughout the hearing and on the sentence day the judge read out a line from our VPS. The judge said he had read our VPS but, because many of our family were present, he would not upset us further by reading it all out aloud. The judge also acknowledged how our family was angry that the defendant had not apologised to us. Making the VPS did not bring our boy back to us but we felt we had a voice in court."



Going to court

Once a crime has been reported to the police, the investigation may lead to a suspect being charged for the crime. The Crown Prosecution Service (CPS) will normally make the decision on whether there is enough evidence to bring the case to court, although in some cases the police will decide.

If your case does not go to court, you should be told the reason for this decision by either the police or CPS. You can ask for this decision to be reviewed if you are unhappy with it. This would be done through the Victims' Right to Review Scheme.

If your case does go to court, you may be a witness in the trial. If the suspect pleads not guilty, you will be allocated a Witness Care Officer or other point of contact who will keep you up to date about what's happening in the trial and answer any questions you have.

You will usually hear from the Witness Care Officer once the suspect has been charged, and they will continue to support you until the case is over. They will let you know court dates and locations and whether the suspect has been released on bail or is being held in custody until the trial begins. They may also be able to arrange a visit to the court before the day if you would like.

Your Witness Care Officer or other point of contact, will consider what, if any, support you might need to attend court. This includes whether you could benefit from any Special Measures. Special Measures are a series of options that the court has to help give your best evidence.



Special Measures

Vulnerable or intimidated victims and witnesses can ask for Special Measures to be used during the trial to help them give their best evidence in court. These measures include:

- Having screens around the witness box or giving evidence by live video-link so you do not have to face the suspect or their family;
- Having the court case held in private – with no press or public allowed;
- Having someone (an intermediary) to help you to understand questions when being interviewed.

You can ask your Witness Care Officer or other point of contact for more information. The court will make the final decision on whether you can use Special Measures during the trial, but will take your views into account.

CASE STUDY

Julia was a victim of rape and benefited from using Special Measures when giving evidence.



"I could not have faced going into court and seeing the offender and his family who thought I was making it all up. They offered to let me go into court behind a screen, but I said "No, I don't want to go into court at all". The judge allowed me to give evidence from a separate room by video-link and a lady stayed with me while I answered the lawyers' questions. Special Measures meant I could go to court and say what happened safely".

The trial

Once the trial begins, you can watch the trial in court once you have given evidence. If you are the victim of the crime but not giving evidence as a witness you can watch the trial from the beginning - however you should let the court know that you are attending.

Being a witness

If you are a victim of the crime and appearing in court as a witness, you are entitled to:

- Where circumstances permit, meet the prosecutor who is presenting the case in court to ask about what to expect and how long you might have to wait before giving evidence;
- Ask court staff if you can wait in an area away from the suspect and their family and friends;
- Have any Special Measures set up for you where these have been ordered by the court; and
- Be introduced to someone at the court who can answer your questions about what is happening in the case during the trial.

There is a DVD called 'Going to Court – A Step by Step Guide to Being A Witness' which is available at www.gov.uk/going-to-court-victim-witness.

If you are giving evidence as a witness but are not the victim of the crime, the Witness Charter provides you with information about the support and services that are available to you. The Witness Charter is available on www.gov.uk.

The verdict

If the suspect is found guilty, your Witness Care Officer or other point of contact should let you know what sentence the offender has been given and will explain what this means.

If the offender is allowed to appeal against the sentence or conviction, your point of contact should tell you when and where the appeal hearing will take place and the outcome of the appeal.

After the trial

When the trial is over, you can be directed to victims' services for further support to help you recover.

Unwanted contact from a prisoner

If you receive unwanted contact in any form from a prisoner you can report it to your Victim Liaison Officer if you have one, or contact the Victim Helpline on 0845 758 5112, or send an email to victim.helpline@noms.gsi.gov.uk. Any unwanted contact from a prisoner is treated very seriously.

Some prisoners are released from prison 'on licence'. This means that although they are not serving their sentence in prison they are still required to stick to certain conditions while serving the remaining part of their sentence in the community. Time spent 'on licence' in the community is supervised by the Probation Service.

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 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.

Priya, a victim of grievous bodily harm, joined the Victim Contact Scheme.



"Joining the Victim Contact Scheme and having a Victim Liaison Officer (VLO) who explained my offender's prison sentence, licence conditions and how it all works, has really helped me.

While I wasn't happy to learn that the offender would be released sooner than I expected, it was helpful to be reassured that the offender is not allowed in my home area or allowed to contact me whilst on licence. I think the VLO role is essential and that the information they pass on can be so empowering to victims."

Victim Contact Scheme

Victim Contact Scheme

This is a special service for victims of sexual and/or violent crimes where the offender is sentenced to 12 months or more in prison. If you take part in the scheme, you will be given a Victim Liaison Officer (VLO) who will keep you up to date about what happens to the offender after they are found guilty.

You will also have the chance to give your views on any conditions you think should apply to the offender when they are released back into the community. This could include the offender being banned from visiting areas near where you live.



Restorative Justice

If the offender is an adult and Restorative Justice is available in your local area, the police should inform you about how you can take part in this, if you want to.

If the offender is under the age of 18 and Restorative Justice is available in your local area, the Youth Offending Team managing the case should tell you about how you can take part in this, if you want to.

Restorative Justice

As a victim of crime, you may be able to take part in Restorative Justice. This is when those harmed by a crime (the victim or the family of a victim) have contact with the person responsible for the crime (the offender) to try to find a way forward. This is voluntary and both sides need to agree for the contact to take place.

Restorative Justice can be effective in showing the offender the real impact of their actions by putting a face to their crime. It also gives the victim and/or family the chance to tell the offender how they feel about what has happened, ask for an apology and get answers to their questions. The victim may also have the chance to help decide what activity the offender can do to repair some of the damage done by their crime.

CASE STUDY

Gary attended a Restorative Justice conference with the offender who had mugged him.



"At first it felt strange and awkward to be so close to the offender. The officer who was there was a big help and gave everyone a chance to speak. My family and I talked about how we were affected and so did the guy who mugged me. As he explained what happened and why- basically it was down to drugs, drugs, drugs - our anger went away. We all signed an agreement at the end, which included suggestions and changes that would improve the life of the offender and, hopefully, stop him committing more crimes in future.

I am glad we attended the conference. The great thing about it was that the offender got to hear what it was like for me and was very sorry. We, too, got to see into his life and understood better what had driven him to crime."





Compensation

If you have been a victim of a violent offence, you may be eligible for compensation from the **Criminal Injuries Compensation Authority (CICA)**. To find out more, visit: www.gov.uk/claim-compensation-criminal-injury or call CICA on 0300 003 3601.

To find out if you are eligible for payment for having suffered immediate financial hardship contact Victim Support on 0845 30 30 900 or visit: www.victimsupport.org.uk as soon as possible.

Making a complaint

You are entitled to be treated in a respectful, sensitive and professional manner by all the organisations that provide support and services to victims under the Code. Where

this is not the case or where the services you are entitled to are not provided, you have the right to complain.

Complaints should be dealt with quickly and properly by the organisation's internal complaints service. You should receive either an acknowledgement or full response to your complaint within ten working days of the service provider receiving your complaint.

If you are unhappy with the response you receive, you can make a complaint via your MP to the Parliamentary and Health Service Ombudsman. More information on how to do this can be found online at www.ombudsman.org.uk.

If you need this leaflet in an alternative format, for example in large print, please call +44 (0)203 334 3555 or email general.queries@justice.gsi.gov.uk.