Yksityisoikeuden alalla ennen siirtymäkauden päättymistä meneillään olevat menettelyt ja vireille pannut oikeudenkäynnit jatkuvat EU:n lainsäädännön mukaisesti. Yhdistyneen kuningaskunnan kanssa yhteisesti sovitun mukaisesti Yhdistynyttä kuningaskuntaa koskevat tiedot säilytetään Euroopan oikeusportaalissa vuoden 2024 loppuun.

## Uhrien oikeudet jäsenmaittain

Englanti ja Wales

Laissa taataan **rikoksen uhrille** tiettyjä henkilökohtaisia oikeuksia ennen oikeudenkäyntiä, sen aikana ja sen jälkeen. Hän voi myös saada rikoksen uhreille tarjottavaa apua ja vaatia korvausta rikoksesta aiheutuneista vahingoista.

**Englannissa ja Walesissa rikosoikeudellinen menettely** aloitetaan tutkinnalla, jonka aikana poliisi hankkii todisteita. Saatuaan tutkinnan valmiiksi poliisi päättää vähemmän vakavien rikosten yhteydessä, nostetaanko epäiltyä vastaan syyte. Muissa tapauksissa asia saatetaan syyttäjälaitoksen käsiteltäväksi. Syyttäjä tutkii, onko realistista katsoa näytön riittävän epäillyn tuomitsemiseen ja vaatiiko yleinen etu syytteen nostamista epäiltyä vastaan. Jos syyttäjä päättää, ettei syytteen nostamiseen ole aihetta, asian käsittely lopetetaan. Muussa tapauksessa syyttäjä ilmoittaa syyttämispäätöksestä poliisille, joka nostaa syytteen epäiltyä vastaan. Sen jälkeen asia saatetaan tuomioistuimen käsiteltäväksi.

Lievempiä rikoksia käsitellään *Magistrates' Court* tuomioistuimissa, jotka toimivat yleensä kolmen maallikkotuomarin (*lay magistrates*) ja harvemmin yhden ammattituomarin kokoonpanossa. Vakavampia rikoksia (kuten raiskauksia ja ryöstöjä) käsittelevät alemman oikeusasteen *Crown Court* rikostuomioistuimet yhden ammattituomarin ja valamiehistön kokoonpanossa. Valamiehistöön kuuluu 12 jäsentä, jotka valitaan satunnaisesti tavallisista kansalaisista. Valamiehistö kuuntelee oikeudenkäynnin aikana esitettävät todisteet ja päättää, onko vastaaja syyllinen rikokseen. Tuomari ratkaisee oikeudenkäynnin aikana esille tulevat oikeudelliset kysymykset, kuten sen, sallitaanko tiettyjen todisteiden esittäminen. Jos valamiehistö toteaa vastaajan syylliseksi oikeudenkäynnin päätteeksi, tuomari päättää, mikä tuomio rikoksesta määrätään lain mukaisesti.

**Tarvittavat tiedot löytyvät alla olevien linkkien kautta**

1 - Rikoksen uhrin oikeudet
2 - Rikosilmoituksen tekeminen ja rikoksen uhrin oikeudet rikostutkinnan tai oikeudenkäynnin aikana
3 - Rikoksen uhrin oikeudet oikeudenkäynnin jälkeen
4 - Korvaus
5 - Rikoksen uhrin oikeus saada tukea ja apua

Päivitetty viimeksi: 30/01/2019

Tämän sivuston eri kieliversioita ylläpitävät asianomaiset jäsenvaltiot. Käännökset on tehty Euroopan komissiossa. Muutokset, joita jäsenvaltiot ovat saattaneet tehdä tekstin alkuperäisversioon, eivät välttämättä näy käännöksissä.Euroopan komissio ei ole vastuussa tässä asiakirjassa esitetyistä tai mainituista tiedoista. Ks. oikeudellinen huomautus, josta löytyvät tästä sivustosta vastaavan jäsenvaltion tekijänoikeussäännöt.

## (OLD)1 - My rights during the investigation of a crime

How and where can I report a crime?
How can I follow up on what the authorities do after I report a crime?
How can I be involved in the investigation of the crime?
What are my rights as a witness?
I am a minor. Do I have additional rights?
What information can I obtain from police or victim support organisations during the investigation of the crime?
Can I receive legal aid?
How can I get protection, if I am in danger?
What services and assistance can I be given during the investigation of the crime?
Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?
How will my case continue after the end of the investigation?
Can I appeal if my case is closed without reaching the court?
I am a foreigner. How are my rights and interests protected?
More information

### How and where can I report a crime?

If you have suffered from a crime in England and Wales you can **report** it to the **police**.

You can report it by calling or going in person to the nearest police station. For non-urgent cases you can dial the non-emergency number 101 to be connected to the local police force. In urgent cases you can dial the emergency number 999 or 112.

If you are an asylum seeker or a refugee, you can also contact one of the One Stop Services, which will help you to find the nearest police station and can arrange an interpreter free of charge if you need one.

If you do not feel comfortable to report the crime yourself you can ask another person to report it for you or file an **anonymous report** to Crimestoppers by calling 0800 555 111 or filling in their online form. Remember though that if you are the victim of the crime the police will need to speak with you at some point to progress the investigation effectively.

If you do not speak English you can report the crime in your own language or any other language you understand. Translation services will be provided free of charge, if necessary.

When you report a crime to the police, you will be asked for all relevant details about the crime, the person you think committed the crime (if known), and relevant personal details (e.g. your name, address, and other contact details).

The police officer to whom you report the crime will record it on a special form. For most crimes there is no deadline for reporting but it is preferable to report crimes as soon as possible.
More detailed information about how to report a crime to the police is also available online.

**How can I follow up on what the authorities do after I report a crime?**

You will receive a written acknowledgement that you have reported a crime including the basic details of the offence and the crime reference number. You can use this information to follow the progress of your case. You are entitled to be contacted by the person dealing with your case at regular intervals to update you on the investigation (or a decision not to proceed with, or end an investigation; or not to prosecute the offender) and the details of any trial. If you require further information you can call using the non emergency 101 number. You can also go to the police station but, if doing so without an appointment, the person dealing with your case may not be available.

**How can I be involved in the investigation of the crime?**

If the police deal with the crime you will be able to make a Victim Personal Statement, in which you can detail the financial, emotional, physical and psychological impact of the crime on you (and, where applicable, your family). You can do this when reporting the crime or at any time thereafter. Depending on your needs you will be provided free of charge with an interpreter, medical examination, and other services. However, this does not include legal advice and/or representation as in the UK the victim is not a party to the proceedings, which are between the state and the defendant. As a victim of crime, if you do participate in court proceedings then this will be as a witness.
During the investigation you are entitled to regular up-dates on progress, and to be told of any arrests. However, you will not be allowed to see any documents or data concerning the proceedings. Any further involvement in the investigation is at the request of the police (e.g. responding to additional questions or participation in an identity parade). You are not obliged to take any further part if you do not wish to do so (though you may be obliged to participate in any court proceedings that might follow).
Because in the UK victims are not party to proceedings, you are not specifically entitled to representation. However, if you choose to instruct a lawyer (which will be at your own expense) to put information or arguments before the authorities they will generally take such representations into account.
You will be informed if and when formal charges have been brought against a suspect and your views will be taken into account by the prosecution service. The prosecution service is not obliged to act in accordance with what you say, although you can make them aware of your views through making a Victim Personal Statement.
Expenses incurred at this stage are not generally reimbursed.

**What are my rights as a witness?**

During the investigation the police may ask you to give a **witness statement**. Usually you will be invited to say what happened and the police officer will write an account of what you have said. Then you will be asked to verify if your statement was recorded correctly and sign it. The police officer will be able to make corrections if you feel they are necessary and you will be asked to endorse them.
If you are providing a statement, the police will carry out an assessment of your needs as a witness. This will cover when and how you can be contacted and what language and communication needs you may have. The police will also assess whether a communication specialist (called a Registered Intermediary) might help you to give your statement or whether your witness statement will be video recorded.
Your witness statement may not be used as evidence in court in certain circumstances, such as if your evidence is not being challenged by the defence, but it is likely to be used and you may also be requested to give evidence at the trial in person.
For further information on your rights as a witness, please consult the Witness Charter (coming soon)

**I am a minor. Do I have additional rights?**

If you are a child **under 18 years of age** you are able to receive enhanced support and assistance in giving evidence in court if you are required to do so. Your witness statement will be video recorded unless you ask to make a written statement. However, you may still be required to attend court to be questioned about your evidence.

**What information can I obtain from the police or victim support organisations during the investigation of the crime?**

When you report a crime to the police you will be told whether or not the police will investigate the case and you will be asked what views you have about prosecution.
You will be asked if you wish to receive further information (e.g. about prosecution decisions and court proceedings). The police will keep you regularly updated on progress during the investigation for example about the suspect's arrest. You will be informed on the conclusion of the investigation (e.g. whether the defendant has been charged or cautioned).
For further guidance about matters such as emotional and practical support and compensation you are entitled to be referred to local victim support services based in the area where you live (England and Wales only).
Where applicable you will also be referred to other specialist services (e.g. in relation to domestic violence or sexual assault).

**Can I receive legal aid?**

You do not have a right to legal aid unless you are seeking private prosecution where in some cases legal aid is available. This is because victims are not party to proceedings in the UK and therefore do not normally require representation. The only exception is where the nature of the crime requires specialist assistance or assessment (e.g. medical), which will then be provided free of charge.

**How can I get protection, if I am in danger?**

If you feel you or your family are at risk from criminal activity you should report this to the police immediately so that appropriate action can be taken. The police will provide such protection, as they assess is necessary and reasonable, bearing in mind the level, probability and immediacy of the risk.
Protection can take different forms e.g. regular patrols near the victim’s home, or an alarm that will ring in the local police station. Only in the most serious cases are more drastic protection measures taken (such as anonymity during trials or witness protection programmes).

**What services and assistance can I be given during the investigation of the crime?**

If the allegation is a police matter, you will be referred to victim support services which will give further support and guidance as appropriate.
Where applicable you will also be referred to other specialist services (e.g. in relation to domestic violence or sexual assault), if you want to be.
Services are usually free of charge.

**Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?**

The police and the prosecution service (or Youth Offending Team in the case of an under 18 offender) will consider whether any form of diversion from prosecution is appropriate, and this may include mediation. A formal warning from the police or conditional warning (also known as a “caution”) from the prosecution service often requires offenders to engage in some form of conciliation with victims, and this could also include mediation.
You would normally be invited to participate in this procedure and have your views taken into account when a decision is made. Mediation can only be pursued with your consent and is carried out by police or probation staff.

**How will my case continue after the end of the investigation?**

Once the police have completed the investigation, they will decide whether the case should be referred to the prosecution service to determine if it should proceed to a trial. The prosecution service will examine whether there is enough evidence against the defendant and whether it is in the public interest to prosecute him/her. If the prosecution service decides that a prosecution should go ahead the suspect will be charged and the case will go to court. In more minor cases the police can make this decision themselves without referring it to the prosecution service. The police will always inform you whether your case will go to court, regardless of whether they or the prosecution service make the decision.

**Can I appeal if my case is closed without reaching the court?**

You cannot appeal to the police or the prosecution service against a decision not to prosecute. However, in certain circumstances you are entitled to ask the police to review a decision made by them not to prosecute a suspect or not to refer the case to the prosecution service to make a decision; and to ask the prosecution service to review their decision if they decide not to prosecute.

You can also ask the High Court to **review** the decision (which is known as "judicial review"). The High Court will only make a ruling against the decision-maker if it decides that the decision was irrational or otherwise unlawful (as distinct from undesirable). If you succeed it is likely that the court would order the decision-making organisation to review its decision in the light of the court's findings. If you are considering this course of action you will need legal representation. Legal aid is available in some circumstances, but only if certain criteria are satisfied (particularly concerning financial circumstances).

It is possible that you may be able to seek a **private prosecution**, although this is not common in the UK. It is done by asking the local magistrates court to issue a warrant for the arrest of the suspected offender or a “summons” requiring him/her to appear in court on a specified day. Legal aid is unlikely to be available in such cases. In addition, if a prosecution has begun and then been terminated it will not usually be possible to start proceedings again. The magistrates will require sufficient evidence of the guilt of the suspected offender that he/she would be convicted in the absence of any rebuttal from him/her.

**I am a foreigner. How are my rights and interests protected?**

If you are a foreigner you have all the rights listed above.

In addition, if you do not understand or speak English you are entitled to request an interpreter and are entitled on request to translation of certain information.

**More information:**

Code of Practice for Victims of Crime – in English

The Witness Charter – in English

Domestic Violence, Crime and Victims Act 2004 – in English

Victim Personal Statement: A guide for police officers, investigators and criminal justice practitioners – in English

Final Warning Scheme – in English

Code of Practice on Conditional Cautions – in English

Criminal Evidence (Witness Anonymity) Act 2008 – in English

Criminal Injuries Compensation - Criminal Injuries Compensation Authority

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## (OLD)2 - My rights during the trial

How can I be involved in the trial?
What are my rights as a witness?
I am a minor. Do I have additional rights?
Can I receive legal aid?
How can I get protection, if I am in danger?
How can I claim damages from the offender or receive compensation from the State?
Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?
I am a foreigner. How are my rights and interests protected?
More information

**How can I be involved in the trial?**

You will be informed of the date of the court hearing, and what type of hearing it will be. It could be:

a preliminary hearing, e.g. to decide on bail or to decide whether the case will be heard at a higher or lower court;

a trial, where the defendant contests guilt and evidence is heard;

a guilty plea hearing, where the defendant does not contest guilt, and conviction is certain;

a sentencing hearing (in many cases the penalty is decided at a special hearing a week, or even a month, following the determination of guilt).

You may take part in trial proceedings:

as a **witness** (if the defendant pleads not guilty and if you are required to give oral evidence);

as an **observer**;

by making a Victim Personal Statement (1) if you wish to do so.

You have the right to be present throughout court proceedings unless:

it is held in private (usually only juvenile court hearings); or

you will be giving evidence (in which case you can only attend the hearing after you have given your testimony).

You do not need to attend trial proceedings unless you are requested to be a witness and you are compelled to give evidence.

**What are my rights as a witness?**

You will also be told if you will be needed to give evidence as a **witness**, which will generally only be if the defendant contests guilt. As a witness you have to attend the hearing and answer the questions you will be asked.

If you have made a witness statement during the investigation and you have been requested to give oral evidence at the trial, you will be allowed to see the statement again before you testify.

In the beginning of your hearing you will be asked to take an oath or make an affirmation that you will tell the truth. During the hearing the prosecutor and the defendant’s lawyer will ask you questions. The questioner may say or suggest something that you think is wrong. If this happens, you should clearly say that you disagree. Your role as a witness is to tell the truth. When there are no more questions the judge will release you. You can then leave or, if you wish and are aged 14 or over, you can remain in the courtroom and listen during the remainder of the hearing.

If you feel vulnerable or intimidated you are entitled to ask for special measures to be used during the trial and you meet the relevant criteria, the prosecutor may apply to the court before the hearing, for special measures to assist you give evidence. These measures include a screen to shield you from the

defendant when in court and giving evidence by live video link from outside the courtroom. The court decides what measures you can use but must take your views into account when making the decision.
Usually you will be heard as a witness only once. However, if necessary, you may be requested to go to court again and answer additional questions.
You can claim certain expenses for travelling to court, and an allowance for meals and lost wages or other financial loss, such as childcare. The amount you can claim will depend on the length of time you have to be away from home or work to go to court.
In England and Wales you can benefit from the assistance of the local Witness Care Unit. A witness care officer will contact you after the defendant is charged. This will be your single point of contact until the end of the trial. Your witness care officer can arrange for you to visit the court before you give evidence, so it will not seem strange to you. He/she will take care of all other assistance you might need such as transport, interpretation, medical help, etc.
Depending on where the crime was committed you can also get assistance from the Witness Service, a voluntary organisation, which helps witnesses cope with going to court by providing information and support.
For further information please consult the booklet Witness in Court. For further information on your rights as a witness, please consult the Witness Charter.

**I am a minor. Do I have additional rights?**

If you are a child aged **17 years or under** you can ask the prosecutor to apply to the court before the trial for one or more special measures to assist you give evidence in court.
The special measures available include:
giving evidence through a TV link from outside the courtroom (you will be able to see the courtroom and those in the courtroom will see you on a television screen);
giving video recorded evidence (if your statement to the police was video recorded it will be played to the court);
giving evidence behind a screen (a screen will be placed around the witness box to prevent the witness seeing the defendant);
removal of wigs and gowns (the judge and lawyers will not wear gowns and wigs so that the court feels less formal);
giving evidence in private – in sex offence cases and those involving intimidation (members of the public will not be allowed in the court room);
use of communication aids such as an alphabet board;
examination through an intermediary if you have communication difficulties, e.g. someone who can help you understand the questions being asked.

**Can I receive legal aid?**

You have no rights to legal aid unless you are seeking private prosecution, where in some cases legal aid is available. This is because in the UK victims are not party to proceedings.

**How can I get protection, if I am in danger?**

During the trial you can get the same protection as during the investigation. The police will provide such protection, as they assess is necessary and reasonable, bearing in mind the level, probability and immediacy of the risk. Protection can take different forms e.g. regular patrols near your home, or an alarm that will ring in the local police station. Only in the most serious cases are more drastic protection measures considered (such as anonymity during trials or witness protection programmes).

**How can I claim damages from the offender or receive compensation from the State?**

In some circumstances **the court may make a compensation order** in respect of any personal injury, loss or damage you have suffered, in these cases you will have to provide details of your losses to the police when you report the crime or soon after. The police will pass these details onto the prosecution service and the prosecution service will request compensation on your behalf. If someone is convicted of the crime, and where personal injury, loss or damage has resulted from the offence, the sentencing court can order that the offender pays an appropriate amount of compensation. The court will take the offender's ability to pay into account and payment may be on a weekly or monthly basis. This compensation order takes priority over any fine that the offender may have to pay.
If you are a victim of violent crime you may be eligible to receive **financial compensation from the State**. Your application has to be submitted to the Criminal Injuries Compensation Authority. Please consult the factsheet on compensation to victims of crime in England and Wales (available in English and multiple other languages) of the European Judicial Network.

**Are there opportunities to reach settlement/conciliation or to start mediation between the offender and myself?**

During the trial conciliation and/or mediation may be possible, depending on the nature of the crime.
You would normally be invited to participate in such a procedure. Mediation can only be pursued with your consent and is carried out by police or probation staff.

**I am a foreigner. How are my rights and interests protected?**

If you are a foreigner you have all the rights listed above.
In addition, if you do not understand or speak English you are entitled to request an interperter and are entitled on request to translation of certain information. The authorities will endeavour to ensure that a translation or interpreter is provided where necessary, in particular when you are called to give evidence in court as a witness.

**More information:**

Code of Practice for Victims of Crime – in English
The Witness Charter – in English
Domestic Violence, Crime and Victims Act 2004 – in English
Victim Personal Statement: A guide for police officers, investigators and criminal justice practitioners – in English
Going to court as a victim or witness – in English

*Notes:*

*1. Victim personal statement*

*The Victim Personal Statement is a written statement, in which you can explain how the crime has affected you. It is an official document, which will become part of the file relating to the crime and will be seen by everyone involved in the case. In the Victim Personal Statement you can explain how the crime has affected you physically, emotionally , financially or in any other way. The Victim Personal Statement is not used to determine guilt or innocence but to inform the court of the harm caused to the victim. You are also able to say whether you would like to read your Victim Personal Statement aloud or have it read aloud on your behalf (usually by a Crown Prosecution Service prosecutor) in the event that the defendant is found guilty. The final decision on whether you can read out all or part of your Victim Personal Statement will be made by the court. You can make your Victim Personal Statement at any time before the court hearing.*

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## (OLD)3 - My rights after the (first) trial

Can I appeal against a sentence or if the defendant is declared not guilty?
What rights do I have after the court sentence enters into force?
More information

### Can I appeal against a sentence or if the defendant is declared not guilty?

At the end of the trial, if you wish, you will be told about the outcome and any sentence imposed by the court.

It is not possible for you to appeal against any decisions of the courts but for certain serious offences if you are not satisfied with the sentence imposed by the court following conviction, you can contact the Attorney General who has the right to appeal to the Court of Appeal, if he considers that the sentence was unduly lenient.

### What rights do I have after the court sentence enters into force?

If you are the victim of a sexual or violent offence for which the offender receives a sentence of 12 months or more, or is detained in secure hospital for treatment, you will be eligible to opt in to the Probation Victim Contact Scheme (VCS). The purpose of the VCS is to provide eligible victims with information and advice about the criminal justice process by a designated Victim Liaison Officer. You will be entitled to make representations about the licence conditions or other conditions that can be attached to the offender's release. In addition, you will be kept informed of key stages of the offender's sentence, at the discretion of the probation body.

Your participation in the scheme is completely voluntary and you can opt out at any time if you change your mind.

### More information:

Section 35 of the Domestic Violence, Crime and Victims Act 2004 – in English

Code of Practice for Victims of Crime - in English

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## (OLD)4 - Help and support for victims of crime

### Ministry of Justice

The Ministry of Justice has overall lead on policy on criminal justice and victim and witness care in England and Wales

Following public consultation in 2012 the majority of emotional and practical support services for victims of crime are commissioned by democratically elected and locally accountable **Police and Crime Commissioners** (PCCs) in 41 police force areas and the Mayor's Office for Policing and Crime in London (including for the City of London).

PCCs are best placed to understand the needs of their local communities and target funding to help victim's cope and recover from the effects of crime. Information on services available in local areas can be found on individual PCC websites and through the Victim Information Service.

Nationally the Ministry of Justice continues to fund the provision of a number of services for victims and witnesses of crime:

### Victims' Information Service

The Victims' Information Service comprises a web portal and a Victims' Information Line **0808 168 9293**. The Victims' Information Line is delivered by Victim Support, a national charity, under grant funding by the Ministry of Justice.

The Victims Information Service:

provides victims of crime with information on their entitlements to support, and on where they can access local support arrangements. The Victims' Information Line also provides callers with immediate emotional and practical assistance when needed, whilst focused on getting the victim to local support arrangements as quickly as possible.

### National Homicide Service

The national Homicide Service is provided by the national charity Victim Support and funded by the Ministry of Justice. Originally set up in 2010, the service was re-commissioned in 2014. The new Service continues to provide support to people in England and Wales bereaved by homicide (murder and manslaughter) since 2010. This includes a range of emotional and practical support, specialist support including counselling for both adults and children, access to legal services and, for the first time, incorporates peer support.

CONTACTS:

Support line on 08 08 16 89 111

Victim Support

**Note:** The Ministry of Justice also helps fund a number of independent organisations who provide support for families bereaved by homicide prior to 2010. These include the specialist therapy organisations Winston's Wish, Cruse Bereavement Care and ASSIST Trauma Care.

### Court based Witness Service

The Ministry of Justice grant funds Citizens Advice, a national charity, to provide a court-based Witness Service at over 200 criminal courts in England and Wales.

The Witness Service provides free and confidential emotional and practical support and information for prosecution and defence witnesses giving evidence in criminal courts, including supporting family and friends attending court where that support is material to the effective support of the witness.

Contact: witnessservice@citizensadvice.org.uk

### Rape Support Centres

Rape Support Centres in England and Wales provide a range of specialist services for all victims of rape or sexual violence whether as adults or as children through the Male and Female Rape Support Funds.

Rape Support Centres:

offer specialist support, advocacy, counselling and information to all victims of rape and sexual violence, free of charge and in confidence, in a safe and non-threatening environment (NB: some centres may restrict access to protect female-only counselling)

acknowledge all forms of sexual violence including; rape, sexual assault and childhood sexual abuse, sexual harassment, rape in marriage, forced marriage, **and so-called** honour-based violence, female genital mutilation, trafficking and sexual exploitation and ritual abuse irrespective of whether the violence is from known or unknown perpetrators

We also fund Survivors UK for a national website as part of the Male Rape Support Fund to deliver support to male victims across the country and have arranged for Safeline to pilot a telephone helpline (until March 2017) to support male victims of rape and sexual abuse.
CONTACTS:
A list of the rape support centres funded under the Female Rape Support Fund 2014-16 can be accessed at the link below (NB: this does not include the two centres in Grantham and Crawley commissioned in 2014 that have recently opened):
Rape support centres
An infographic showing where the rape support centres funded under the Male Rape Support Fund are located can be accessed here
A list of other Rape Support Centres across England and Wales can be found through the following websites:
Rapecrisis England and Wales
The Survivors Trust
A link to the new online support service provided by Survivors UK can be accessed here

**Support for victims of terrorism**

The Survivors' Assistance Network
provides emotional and practical support including peer support to help victims of terrorist attacks address their medium to longer term support needs and increase their sense of personal safety and well-being.
will signpost and refer members to third parties as appropriate and as agreed as part of any support provision .
Contact: SAN@foundation4peace.org
The national Homicide Service continues to provide support to people in England and Wales bereaved by homicide (murder and manslaughter), including terrorism, since 2010.
The Ministry of Justice also helps fund a number of independent organisations who provide support for families bereaved by homicide prior to 2010. These include the specialist therapy organisations Winston's Wish, Cruse Bereavement Care and ASSIST Trauma Care.
Victim Support
supports statutory agencies with their criminal humanitarian assistance response in the event of a terrorist attack. Within the Humanitarian Assistance Centre Victim Support will provide an initial assessment of individual need and support, (including onward referral and signposting to other organisations) for victims referred to them.

**Support for bereaved and seriously injured victims of road crime**

In addition to support commissioned locally by PCCs the MoJ funds the road safety charity Brake for the provision of:
A specialist, Freephone helpline, 0808 8000 401 or helpline@brake.org.uk, open 10am-4pm weekdays. Run by experienced professionals, the helpline offers emotional support, practical information, guidance on criminal justice system procedures, help overcoming problems or getting answers to questions, and help accessing services like counselling, group support or legal advice.
Support packs and books, handed to families by police following all road deaths and available here. They include information on practical and emotional matters following road death and injury and are available for families bereaved by crashes in England & Wales, Scotland or Northern Ireland, serious injury victims, and bereaved children. Information in them can be explained over the phone or they can be ordered in hard copy through the Brake helpline.
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## 1 - My rights as a victim of crime

### What information will I get from the authority after the crime occurred (e.g. police, public prosecutor) but before I even report the crime?

You are entitled to receive 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 that information.
Depending on the type of crime, your personal circumstances, or its relevance to the particular stage of the investigation or criminal proceedings access to the following information must be offered to you from your first contact with the police:
where and how to get advice or support, including access to medical support, any specialist support (such as psychological support) and alternative accommodation;
what you need to do to report a criminal offence, and who you should contact in case you have any questions about the case;
any measures available for your protection, if required;
how to seek compensation;
the arrangements available if the victim is not present in England and Wales;
the availability of interpretation and translation services;
how to make a complaint about a service provider;
the availability of restorative justice services;
how to recoup expenses incurred as a witness in a criminal trial.
You are entitled to access victim support services at any time, whether you have reported a crime or not, and after the conclusion of the investigation and prosecution.

### I don't live in the EU country where the crime took place (EU and non-EU citizens). How are my rights protected?

You are entitled to receive the services set out in this Code if the crime took place in England or Wales, or if the services relate to criminal proceedings that are taking place in England or Wales. [1]
*[1] 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 to remain.*

### If I report a crime, what information will I receive?

You are entitled to receive the following from the police:
a written acknowledgement that you have reported a crime including the basic details of the offence. The written acknowledgement could be in the form of a letter, an electronic notification such as an email or text, or it could be written by hand. You may request not to receive such acknowledgement. Where the police consider there may be a risk of harm to you from sending the written acknowledgement (for example in domestic violence cases), they may agree with you not to send one;
a clear explanation of what to expect from the criminal justice system when you report a crime or are contacted as a victim in the course of investigations;

an assessment of whether you want support, and if so what help or support you may need. This will help to identify whether you are in one of the three categories of victim who may need enhanced support, and to determine whether and to what extent you may benefit from Special Measures. Victim support services may do a more detailed assessment on behalf of the police;
either 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 reporting the crime or being contacted as a victim in the course of investigations;
to be informed how often you will receive updates on the status of the case following discussion with the police;
an explanation, within 5 working days of a decision not to investigate a crime;
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.
You are entitled to receive information about victim support services including their contact details from the police so that you can access their support at any time.
You are entitled to be informed by the police of the following information and to have the reasons explained to you within 5 working days of a suspect being:
arrested;
interviewed under caution;
released without charge;
released on police bail, or if police bail conditions are changed or cancelled.

**Am I entitled to free interpreting or translation services (when I contact the police or other authorities, or during the investigation and trial)?**

If you do not understand or speak English, you are entitled to request interpretation into a language you understand:
when reporting a criminal offence [1]
when being interviewed by the police; and
when giving evidence as a witness
If you do not understand or speak English, you are entitled on request to translation of the following information:
the written acknowledgment of the reported crime;
where it is essential for the purposes of the interview or court hearing to see a particular document that is disclosed to you, a copy of the relevant parts of the document;
the document informing you of the date, time and place of trial; and
the outcome of criminal proceedings where so entitled under this Code and at least brief reasons for the decision where available.
*[1] You are entitled to report the crime in a language you understand or with the necessary linguistic assistance if you don’t speak English.*

**How does the authority ensure that I understand and that I am understood (if I am a child; if I have a disability)**

Service providers under the Victims’ Code must communicate with you in simple and accessible language, taking appropriate measures (e.g. EasyRead, Braille or the use of a Registered Intermediary) to assist you to understand and be understood. In considering appropriate measures, service providers must take account of any relevant personal characteristic which may affect your ability to understand and be understood.
A range of information leaflets are available using simple language, in a variety of formats.

**Victim support services**

**Who provides victim support?**

Section 56 of the Domestic Violence, Crime and Victims Act 2004 provides for the Ministry of Justice (MoJ) to commission national victims’ services by grant. It also provides grants to Police and Crime Commissioners (PCCs) for the local commissioning/provision of emotional and practical support services to victims of crime in accordance with Section 143 of the Anti-social Behaviour, Crime and Policing Act 2014.

**Will the police automatically refer me to victim support?**

The police will explain to you that they will automatically pass your details to victim support services within 2 working days of reporting the crime. You are entitled to ask the police not to pass on your details to victim support services.
If you are a victim of a sexual offence or domestic violence, or if you are a bereaved close relative, the police will seek your explicit consent before sending your details to victim support services.

**How is my privacy protected?**

Where required to share information under the Victims’ Code, service providers must do so effectively and in accordance with their obligations under the Data Protection Act 1998 and other relevant legislation.

**Do I have to report a crime before I can access victim support?**

No - you are entitled to access victim support services at any time, whether you have reported a crime or not, and after the conclusion of the investigation and prosecution

**Personal protection if I’m in danger**

**What types of protection are available?**

Where a victim reports a crime to a service provider responsible for investigating offences, the service provider must ensure that the victim is individually assessed to identify any specific protection needs and to determine whether and to what extent the victim would benefit from specific protection measures or Special Measures in the course of being interviewed or Special Measures when giving evidence
The nature of the assessment will depend on all the circumstances, including the severity of the crime and the degree of apparent harm suffered by the victim. The assessment must take into account the victim’s personal characteristics, his or her views, and the nature and circumstances of the crime.
Where, as a result of the individual assessment, a service provider has identified a victim as having specific protection needs and who would benefit from specific protection measures in the course of being interviewed, the service provider responsible for investigating an offence must also ensure, subject to operational and practical constraints, that the following are available:
if possible, ensure that the same person conducts all the interviews with the victim, unless doing so would prejudice the proper handling of the investigation;
that the interview takes place, where necessary, in premises designed or adapted for the purpose;
that interviews are carried out by or through professionals trained for the purpose; and
that in cases of sexual violence, gender-based violence or domestic violence, victims are offered the opportunity to have their interview conducted by a person of the same sex. Any such request should be agreed to if possible, unless doing so would be likely to prejudice the proper handling of the investigation.
In the unlikely event of a suspect escaping from custody, the police, once aware of the escape or notified of it by the prison, Youth Offending Team, hospital or immigration detention centre, will notify you wherever possible of the escape and any measures taken for your protection if it is assessed that the suspect poses a significant risk of harm to you.

**Who can offer me protection?**

Where a victim reports a crime to a service provider responsible for investigating offences must ensure that the victim is individually assessed to identify any specific protection. In most cases this will be the police.

**Will someone assess my case to see if I am at risk of further harm by the offender?**

All victims of a criminal offence are entitled to an assessment by the police to identify any needs or support required, including whether and to what extent they may benefit from Special Measures. 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 characteristics, the nature and circumstances of the crime, and your views. The more information you are able to provide during the assessment, the more tailored the level of support will be to your individual needs.

**Will someone assess my case to see if I am at risk of further harm by the criminal justice system (during investigation and trial)?**

All victims of a criminal offence are entitled to an assessment by the police to identify any needs or support required, including whether and to what extent they may benefit from Special Measures. 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 characteristics, the nature and circumstances of the crime, and your views. The more information you are able to provide during the assessment, the more tailored the level of support will be to your individual needs.

**What protection is available for very vulnerable victims?**

You are eligible for enhanced entitlements under the Victims' Code as a vulnerable victim [1] if the quality of your evidence is likely to be affected because:
you suffer from mental disorder within the meaning of the Mental Health Act 1983;
you otherwise have a significant impairment of intelligence and social functioning; or
you have a physical disability or are suffering from a physical disorder.

*[1] 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 paragraphs 1.13-1.15 of Chapter 1)*

**I am a minor – do I have special rights?**

You are eligible for enhanced entitlements under the Victims' Code as a vulnerable victim [1] if you are under 18 years of age at the time of the offence. This includes eligibility for Special Measures if you give evidence at court.

*[1] 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 paragraphs 1.13-1.15 of Chapter 1)*

**My family member died because of the crime – what are my rights?**

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

**My family member was a victim of crime – what are my rights?**

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

If you have a disability or have been so badly injured as a result of a criminal offence 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.

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

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.[1]

*[1] 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 interests for your parent or guardian to receive such services.*

**Can I access mediation services? What are the conditions? Will I be safe during mediation?**

Restorative Justice is the process of bringing together victims with those responsible for the harm, to find a positive way forward.

Restorative Justice is voluntary – you do not have to take part, and both you and the offender must agree to it before it can happen. You can ask to participate in Restorative Justice at a time that is right for you or you may be asked to take part because the offender has requested Restorative Justice. Even if both parties want to take part, it might not be appropriate and the facilitator will make an assessment of this.

Appropriate measures will be put in place to make sure that anything you agree to take part in is safe; a trained facilitator will always be present during any meeting between you and the offender. 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.

Restorative Justice is not the same as Community Resolution. Community Resolution is an informal police disposal that enables the police to deal more proportionately with low level crime and anti-social behaviour, outside the formal criminal justice system. Community Resolutions are primarily aimed at first time offenders where genuine remorse has been expressed, and where the victim has agreed that they do not want the police to take formal action.

**Where can I find the law stating my rights?**

The Code of Practice for Victims of Crime ('the Victims Code') is made under Section 32 of the Domestic Violence, Crime and Victims Act 2004 ('DVCVA 2004') and commenced by way of Order made under Section 33, DVCVA 2004, The Domestic Violence, Crime and Victims Act 2004 (Victims' Code of Practice) Order 2015 (Statutory Instrument 2015 No. 1817) was laid before Parliament on 23rd October 2015, and brings into force a revised version of the Victims' Code on 16 November 2015.

The Victims Code sets out the services that are to be provided in England & Wales to victims of crime by the main criminal justice organisations (Introduction, Chapters 1-4) and other organisations with relevant functions (Chapter 5). These organisations are referred to as 'service providers'. The Victims Code specifies the entitlements owed to victims of criminal offences and the reciprocal duties placed on relevant service providers.

Chapter 3 of the Victims' Code sets out, in language that is comprehensible for children, the services that are to be provided to child victims of crime. It is to be read in conjunction with the Introduction to, and Chapters 1 and 2 of the Victims' Code.

Victims' Code, Introduction, Paragraph 1 and Chapter 5, Paragraph 1 ensure that the over-arching objectives of the Directive are taken into account by competent authorities when exercising their functions under the Victims' Code.

The entitlements in the Victims' Code apply to all victims, regardless of their residence status.

Section 56 of the Domestic Violence, Crime and Victims Act 2004: the Ministry of Justice (MoJ) commissions national victims' services by grant. It also provides grants to Police and Crime Commissioners (PCCs) for the local commissioning/provision of emotional and practical support services to victims of crime in accordance with Section 143 of the Anti-social Behaviour, Crime and Policing Act 2014.

Clause 3 of the Grant Agreement between MoJ and PCCs requires that PCC commissioned services are compliant with the Victims' Directive and in particular articles 8 and 9. Clause 4 requires stipulates that services commissioned or provided must comply with the conditions listed in article 8.1.

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## 2 - Reporting a crime and my rights during the investigation or trial

### How do I report a crime?

She should in the first instance report a crime to the police. Information about how to do so is available here: reporting a crime

### How do I find out what's happening with the case?

If you are a victim of crime you are entitled to be informed by the police of the following information and to have the reasons explained to you within 5 working days of a suspect being:

arrested;

interviewed under caution;

released without charge;

released on police bail, or if police bail conditions are changed or cancelled.

You are entitled to be informed by the police of the following information within 5 working days of the police receiving it:

the date, time and location of the first court hearing;

where the suspect is released on police bail to appear in court, any bail conditions and any changes to these bail conditions.

### Am I entitled to legal aid (during the investigation or trial)? Under what conditions?

Victims and witnesses are not parties to criminal proceedings and are therefore not eligible for legal aid in England and Wales.

### Can I claim expenses (for taking part in the investigation/trial)? Under what conditions?

Service providers responsible for prosecuting an offence must have rules under which victims have the possibility of reimbursement of expenses incurred from attending court to give evidence.

More information on claiming expenses for witnesses are available here

And here

### Can I appeal if my case is closed before going to court?

If you are dissatisfied with the police or CPS's decision not to prosecute, you are entitled to seek a review of that decision in accordance with the National Police Chiefs Council (NPCC) and CPS Victims' Right to Review schemes.

The CPS launched their Victims' Right to Review Scheme on 5 June 2013. Police forces in England and Wales adopted a Victims' Right to Review scheme on 1 April 2015. The schemes give victims of crime a right to request a review of a police or CPS decision not to prosecute, or otherwise to terminate criminal proceedings.

Where you are notified of a decision that qualifies for a review under either the NPCC or the CPS Scheme, you are entitled to receive sufficient information in the notification to enable you to decide whether or not you wish a review to take place.

### Can I be involved in the trial?

If you know something about an incident you may be asked to give evidence in court for the prosecution or defence.

### What is my official role in the justice system? For example, am I or can I choose to be a: victim, witness, civil party or private prosecutor?

For the purposes of the Code of Practice for Victims of Crime ('Victims' Code), a "victim" is:

a natural person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence.

a close relative (see glossary) of a person whose death was directly caused by a criminal offence.

If you know something about an incident you may be asked to give evidence in court for the prosecution or defence. If you know one of the people involved in a case, you may be asked to provide evidence as a character witness, usually by the defence. In either event, your evidence can be crucial to securing the conviction or the acquittal of the defendant.

The right to bring private prosecutions is preserved by section 6(1) of the Prosecution of Offences Act (POA) 1985. There are, however, some limitations:

the Director of Public Prosecutions (DPP) has power under section 6(2) POA 1985 to take over private prosecutions;

in some cases, the private prosecutor must seek the consent of the Attorney General or of the DPP before the commencement of proceedings.

More information is available here

### What are my rights and obligations in this role?

The Code of Practice for Victims of Crime sets out the entitlements for victims. It is available here

If you have witnessed a criminal offence, but are not a victim, you can access services under the Witness Charter, rather than under this Code. It is available here

### Can I make a statement during the trial or give evidence? Under what conditions?

If you know something about an incident you may be asked to give evidence in court for the prosecution or defence. If you know one of the people involved in a case, you may be asked to provide evidence as a character witness, usually by the defence.

If you are a victim of crime 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 a witness statement about what happened at the time, such as what you saw or heard.

The VPS gives you a voice in the criminal justice process. However you may not express your opinion on the sentence or punishment the suspect should receive as this is for the court to decide.

You are entitled to be offered the opportunity to make a VPS at the same time as giving a witness statement about what happened to the police about a crime.

If the defendant is found guilty, you are entitled to say whether you would like to have your VPS read aloud or played (where recorded), in court. You are also entitled to say whether you would like to read your VPS aloud yourself or to have it read aloud by someone else (for example, a family member or the CPS advocate). Before deciding whether you wish to have your VPS read aloud or played in court, you will be advised about the possible consequences, including that your VPS could be reported on in the media. You could also be asked questions about your VPS in court by the defence.

If you do request that your VPS is read aloud or played in court, it is for the court to decide whether and what sections of the VPS should be read aloud or played, and who will read it, taking into account your interests. In most cases some or all of your VPS will be read out or played, unless the court decides there are good reasons not to do so. You will be told of the court's decision.

### What information will I receive during the trial?

You are entitled to:

be informed of the outcome of any bail hearing (any relevant bail conditions and any relevant changes to these bail conditions) with reasons within 5 working days. If you are a victim of the most serious crime, persistently targeted or vulnerable or intimidated, you are entitled to receive this information within 1 working day;
be informed of the date, location and outcome of any criminal court hearings in 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 if an arrest warrant is issued for a suspect and the outcome of a hearing if the suspect is re-arrested. If a suspect is re-arrested after a warrant has been issued they normally attend court soon afterwards. This information must be provided within 5 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;
If you are a witness during the trial you are entitled to:
ask the court staff if you can enter the court building through a separate entrance from the suspect and their family and friends;
where circumstances permit, meet the CPS advocate or representative and ask him or her questions about the court process. They will indicate where possible how long you may have to wait before giving evidence;
wherever possible, receive an explanation from the CPS advocate or representative if there is a delay in proceedings on the day and how long the wait is likely to be;
wait and be seated 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 ordered by the court;
be given a contact point at the court so you can find out what is happening in the case whilst it is being heard.

### Will I be able to access court files?

Access to court documents is governed by Part 5 of the Civil Procedure Rules. Most likely the most relevant rules are 5.4C and 5.4D. These are available here

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## 3 - My rights after trial

### Can I appeal against the ruling?

Victims have no right of appeal against the conviction or sentence of the offender.

### What are my rights after sentencing?

Following the trial you are entitled to:
be paid any expenses the CPS have decided are due to you if you have attended court to give evidence not later than 10 working days after the CPS has received a correctly completed claim form;
be informed by the Witness Care Unit about the outcome of the trial including, where available, a brief summary of reasons for the decision. This information will be provided within 1 working day of the Witness Care Unit receiving it from the court;
be directed by the Witness Care Unit to victim support services where appropriate and where they are available.
*(i) If an application is made to the Crown Court to appeal against a conviction or sentence in the Magistrates' Court.*
You are entitled to be informed of the following information by your Witness Care Unit within 1 working day of them receiving it from the court:
any notice of appeal that has been made;
the date, time and location of any hearing;
the outcome of that appeal, including any changes to the original sentence.
You are also entitled to:
wait and be seated in court in an area separate from the appellant and their family and friends. The court will ensure this is done wherever possible;
be provided with a contact point at the Crown Court;
receive information about victim support services where appropriate and 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 UK Supreme Court in a criminal case on a point of law.*
You are entitled to:
be told that the appellant has been given leave to appeal within 5 working days of the Witness Care Unit receiving that information from the court. If you are a victim of the most serious crime, persistently targeted or vulnerable or intimidated you are entitled to receive this information within 1 working day;
receive information about the date, time and location of any hearing from the Witness Care Unit within 1 working day of them receiving the information from the court;
be told by the Witness Care Unit if the appellant is to be released on bail pre-appeal or if the bail conditions have varied within 1 working day of them receiving this information from the court;
receive an update from the Witness Care Unit on any changes to hearing dates within 1 working day of receiving this information from the court;
be provided, by your Witness Care Unit, with a contact point for the Criminal Appeal Office or UK Supreme Court staff;
be told about the result of the appeal within 5 working days of the Witness Care Unit receiving that information from the court. This includes any changes to the original sentence. If you are a victim of the most serious crime, persistently targeted or vulnerable or intimidated you are entitled to receive this information within 1 working day.
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. It is rare for the appellant to attend hearings in the Supreme Court. Special arrangements will be made for you if the appellant is present and you do not wish to sit in the courtroom;
request a copy from the Criminal Appeal Office or UK Supreme Court staff of the court's judgment in the case once it has been published.
Following grant of leave to appeal, if you are a bereaved close relative, in a qualifying case, you are entitled to be offered a meeting with the CPS to explain the nature of the appeal and the court processes.
*Criminal Cases Review Commission*

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 offending. 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 reviewing a case, 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.

You are entitled to be notified by the Commission if it deems there is a reasonable prospect of a review coming to your attention.

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.

If the Commission decides that it is not appropriate to contact you during the review, but subsequently decides to refer the conviction or sentence to the courts, the presumption is that the Commission will inform you of the referral.

**Am I entitled to support or protection after the trial? For how long?**

You are entitled to access victim support services at any time, whether you have reported a crime or not, and after the conclusion of the investigation and prosecution.

**What information will I be given if the offender is sentenced?**

You are entitled to be informed by the Witness Care Unit of the sentence given to the suspect (if convicted) within 1 working day of the Witness Care Unit receiving the information from the court. This includes a short explanation about the meaning and effect of the sentence.

You are entitled to 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.

In addition to the entitlements outlined above, if you are a bereaved close relative, in a qualifying case, you are also entitled to be offered a meeting with the CPS representative who will explain the sentence given. This meeting will usually take place at court.

**Will I be told if the offender is released (including early or conditional release) or escapes from prison?**

The statutory Probation Service Victim Contact Scheme (VCS) is offered to victims of violent and sexual offences where the offender receives a sentence of 12 months or more. The purpose of the VCS is to provide eligible victims with information and advice about the criminal justice process by a designated Victim Liaison Officer. This includes being kept informed of key stages of the offender's sentence, at the discretion of the National Probation Service, such as transfer to open conditions or release, and to make representations about victim- related conditions that can be attached to the offender's release licence.

If you are the victim of an offender who has committed a violent or sexual offence [1] and received a sentence of 12 months' imprisonment or more or has been detained in a hospital for treatment under the Mental Health Act 1983, you are entitled to be notified about the VCS by your Witness Care Unit and be told that your details will be automatically referred to the National Probation Service within 20 working days, unless you have said you do not want them to be.

If you choose to take part in the VCS you are entitled to:

decide whether you want to receive information about key stages of the offender's sentence;

be assigned a Victim Liaison Officer (VLO) who will act as your point of contact in the National Probation Service unless you are a victim of an unrestricted patient (see below);

receive information and make representations to the National Probation Service about victim-related conditions to be included on the offender's release licence or conditions of discharge in the event of release. For example, this could include a condition to prevent the offender from contacting you or your family;

be informed by the National Probation Service about any conditions which an offender is subject to on release or discharge which relate to you or your family;

be informed of the date on which these conditions will end;

be informed about any other information which the National Probation Service considers to be appropriate in the circumstances of the case, including about key stages of the offender's sentence, or treatment in the case of a restricted or unrestricted mental health patient.

If you are a bereaved close relative of the victim of an offender sentenced to

12 months in prison or more for a violent or sexual offence or detained in a secure hospital for treatment, you will also be offered participation in the VCS. However, if you are not the next of kin of the victim, this will be at the discretion of the National Probation Service.

If you are the parent, guardian or carer of a victim who is under 18, a vulnerable adult, or is otherwise unable to fully participate in the VCS, then you will usually be offered participation on their behalf. However, this participation may not be offered to a parent, guardian or carer if it is considered not to be in the best interests of the victim

*Measures for victim's protection in case of escape*

In the unlikely event of an offender escaping from custody, the police, once notified by the prison, Youth Offending Team, hospital or immigration detention centre, will notify you wherever possible of the escape and any measures taken for your protection if it is assessed that the offender poses a significant risk of harm to you.

*[1] As defined in section 45(2) of the Domestic Violence, Crime and Victims Act 2004.*

**Will I be involved in release or parole decisions? For example, can I make a statement or lodge an appeal?**

If you have opted into the VCS and the Parole Board are going to consider the offender's release or a move to open conditions, you are entitled to:

be informed by the National Probation Service if a Parole Board hearing is to take place;

make representations about licence conditions (see glossary) to the Parole Board;

be provided with an explanation if a licence condition you have requested is not included on the offender's release licence;

have the Victim Personal Statement (VPS) explained to you by your VLO, including how it will be used by the Parole Board;

make a VPS which will be sent to the Parole Board;

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.

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## 4 - Compensation

**What is the process for claiming damages from the offender? (e.g. court case, civil claim, adhesion procedure)**

**Criminal Injuries Compensation Scheme 2012**

The Criminal Injuries Compensation Scheme is a government funded scheme designed to compensate blameless victims of violent crime in Great Britain. The Criminal Injuries Compensation Authority (CICA), administers the Scheme and decide all claims. Not all claims for compensation will be successful; you must be eligible under the rules of the Scheme.

Guidance on the Scheme is available here

You can start an application here

**Court-ordered compensation**

A magistrates' court can make a compensation order up to a maximum of £5,000 per charge. The Crown Court has unlimited powers, but should have regard to the means of the offender.

Compensation orders shall be for such amount as the court considers appropriate, taking into account any evidence and representations by the prosecution and defence.

Courts attach considerable importance to the making of compensation orders and must give reasons where they do not make an order.

More information on Crown Court compensation orders is available here:

**Civil Claim**

Whether to make a civil claim is a matter for you, the victim. It may, however, affect other claims for compensation. You may wish to seek legal advice.

Information about how to make a claim is available here

**The court ordered the offender to pay me damages/compensation. How do I make sure the offender pays?**

Enforcement of compensation orders is a matter for the courts.

**If the offender does not pay, can the state pay me an advance? Under what conditions?**

No - there is no up-front payment of court ordered compensation in England and Wales.

**Am I entitled to compensation from the state?**

You may be eligible under the Criminal Injuries Compensation Scheme, more information is available here:

**Am I entitled to compensation if the offender is not convicted?**

Under the Criminal Injuries Compensation Scheme you may still be eligible for an award even if your assailant is not known, or is not convicted. More information is available here

**Am I entitled to an emergency payment while I wait for the decision on my compensation claim?**

Where CICA have decided that you are eligible for a payment but cannot make a final decision then, they may consider making an interim payment. If they are unable to make a final decision this is likely to be because they are waiting until the long term impact of your injury is understood.

More information is available here

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## 5 - My rights to support and assistance

**I am a victim of crime who do I contact for support and assistance?**

The Victims' Information Service offers information about support services near you, restorative justice, the criminal justice system, and the Victims' Code and Witness Charter. Victims' Information Service

The Ministry of Justice (MoJ) commissions national victims' services by grant. It also provides grants to Police and Crime Commissioners (PCCs) for the local commissioning/provision of emotional and practical support services to victims of crime in accordance with section 143 of the Anti-social Behaviour, Crime and Policing Act 2014.

Locally funded services can be accessed via the websites of the relevant Police and Crime Commissioners. You can find the appropriate PCC here

You can find your nearest Sexual Assault Referral Centre by calling the NHS 111 non-emergency service, speaking to your General Practitioner (GP) or the Accident & Emergency (A&E) department of your local hospital, or by visiting the NHS Choices website.

**Victim support hotline**

The Victim Information Service includes a victim information line: +44 808 168 9293.

**Is victim support free?**

Yes.

**What types of support can I receive from state services or authorities?**

The police must provide you with information about where and how to get advice or support, including access to medical support, any specialist support (such as psychological support) and alternative accommodation.

Part 7 of the Housing Act 1996 requires local housing authorities to assist individuals and families who are homeless and apply for help.

The National Health Service provides support for:

post-Traumatic Stess Disorder

Sexual assault

Domestic Violence

**What types of support can I receive from non-governmental organisations?**

Many non-government organisations and charities provide assistance, support advice, counselling and other general and specialised services to victims of crime, nationally, regionally and locally.

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