

Hem>Dina rättigheter>Brottsoffer>Rättigheter för brottsoffer per land

Det här landet befinner sig i en övergångsperiod (utråde ur EU).

Rättigheter för brottsoffer per land

England och Wales

Som **brottsoffer** har du enligt lag vissa rättigheter före, under och efter domstolsförfarandet (rättegången). Du kan också få olika typer av stöd och kan begära ersättning för de skador som brottet orsakat.

Brottsmålsförfaranden i England och Wales börjar med en utredning där polisen samlar bevis. När polisen är klar med utredningen beslutar den, om det gäller ett mindre allvarligt brott, om den misstänkte ska åtalas. I allvarligare fall lämnas ärendet över till åklagarmyndigheten. Åklagaren undersöker om det finns tillräckligt med bevis mot den misstänkte för en fällande dom och om det ligger i allmänhetens intresse att åtala honom/henne. Om åklagaren beslutar att fallet inte ska gå vidare till åtal läggs det ned. Annars råder åklagaren polisen att väcka åtal mot den misstänkte och fallet förs till domstol.

Ärenden som rör mindre allvarliga brott avgörs vid Magistrates' Courts (underrätt), oftast av en panel med tre lekmannadomare och mer sällan med en enda yrkesdomare. Allvarligare brottsfall (som våldtäkt eller rån) avgörs vid Crown Courts (brottsmålsdomstol) av en yrkesdomare och en lekmannajury. Juryn består av tolv personer som slumpmässigt väljs ut bland allmänheten. Juryn får lyssna på bevisen som läggs fram under rättegången och avgöra om den svarande är skyldig till brottet. Domaren fattar beslut i rättsliga frågor under rättegången, till exempel om vissa bevis får läggas fram. Om juryn finner den svarande skyldig fastställer domaren i slutet av rättegången domen för brottet enligt lag.

Mer information

1 - Mina rättigheter som brottsoffer

2 - Brottanmälan och Mina rättigheter under förundersökningen

3 - Mina rättigheter efter rättegången

4 - Ersättning

5 - Min rätt till stöd och bistånd

Senaste uppdatering: 05/09/2018

Sidans nationella språkversion sköts av respektive medlemsland. Översättningarna har gjorts av EU-kommissionen. Det är möjligt att översättningarna ännu inte tar hänsyn till eventuella ändringar som de nationella myndigheterna har gjort. Europeiska kommissionen fritar sig från allt ansvar för information och uppgifter i detta dokument. För de upphovsrättsliga regler som gäller för den medlemsstat som ansvarar för denna sida hänvisas till det rättsliga meddelandet.

De EU-länder som ansvarar för det nationella innehållet på den här webbplatsen håller på att uppdatera delar av sitt innehåll mot bakgrund av Storbritanniens utträde ur EU. Det kan dock ta ett tag innan vi har uppdaterat alla sidor.

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?

¹ [The Code of Practice for Victims of Crime](#) ('the Victims Code') is made under ² [Section 32 of the Domestic Violence, Crime and Victims Act 2004](#) ('DVCVA 2004') and commenced by way of Order made under ³ [Section 33, DVCVA 2004](#), ⁴ [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.

⁵ [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 ⁶ [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 Stress 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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