

VICTIMS **FIRST**

Care | Empower | Recover



This Victim Information Pack is designed to inform you of your rights under the Code of Practice for Victims of Crime and assist you in finding any support services you may need to help you cope with the impact of the crime.

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The **Thames Valley Victim Information Pack** is designed to assist you in finding support services to help you cope with the impact of the crime as well as inform you of what will happen now that you have reported a crime to the police.

01

Supporting victims of crime



Victims First provides free emotional and practical support to all victims and witnesses of crime across Berkshire, Buckinghamshire and Oxfordshire.

Being a victim or a witness of a crime can be an emotional and difficult time and Victims First is dedicated to making sure that you can get the support you need to cope and recover from the impact of the crime.

Some of the services Victims First can provide include:

- Practical advice
- Telephone support
- Face to face emotional support
- Help through the criminal justice system
- Victim-led restorative justice
- Specialist therapeutic counselling

This support is available to all victims, regardless of whether a report has been made to the police or not. It can also provide assistance to parents and family members of victims under the age of 18.

You can contact Victims First on:

Tel: 0300 1234 148

Website: www.victims-first.org.uk

(Live chat or using our online referral form)

Opening hours

Monday, Wednesday and Friday 9am – 5pm and Tuesday and Thursday 9am – 7pm

The website also includes practical advice and a directory of other services that are available across the Thames Valley and nationally.

02

What are your entitlements?



If you are a victim of crime, or a close relative of somebody who has been killed as a result of a crime in England and Wales, you are entitled to support from the criminal justice agencies involved (as outlined in the Code of Practice for Victims of Crime). Criminal justice agencies include the police, the Crown Prosecution Service, the courts, prisons and probation services, as well as a number of other organisations, and this support should start from the initial contact with the police and continue throughout the process.

Under the Victims Code you are entitled to:

- To be able to understand and to be understood
- To have the details of the crime recorded without unjustified delay
- To be provided information when reporting the crime
- To be referred to services that support victims and have services and support tailored to your needs
- To be provided with information about compensation
- To be provided with information about the investigation and prosecution
- To make a Victim Personal Statement
- To be given information about the trial, trial process and your role as a witness
- To be given information about the outcome of the case and any appeals

03

Young victims of crime



- To be paid expenses and have property returned
- To be given information about the offender following a conviction
- To make a complaint about your Rights not being met

The full version of the Code of Practice for Victims of Crime can be found on the Victims First website

www.victims-first.org.uk/code-of-practice

A young person, under the aged of 18, gets the same entitlements from the Victims Code as adults. Support services are also still available.

Young people in the Thames Valley can receive help through the Victims First service for young victims. This support is available to anyone under 18 and can also provide assistance to the parents of the young person.

To access this support the police officer in charge of the investigation can refer you or you can access this by contacting Victims First directly.

If the case goes to court a young victim is entitled to request additional measures, such as having your statement video recorded to make it easier for you to tell the police what happened. This also means that you don't have to repeat this evidence in court, but you can if you choose to. You are also entitled to a video-recorded cross examination (known as section 28)

Support is also available for children 24/7 through Childline on **0800 1111** or online www.childline.org.uk

04

Making a victim personal statement



A victim personal statement (VPS) allows you to say, in your own words, how a crime has affected or continues to affect you physically, emotionally, financially or in any other way.

The VPS gives you an opportunity to have a voice in the criminal justice process and is different from a witness statement, which just describes the facts and evidence of what happened at the time of the crime.

All victims who report a crime have the right to make a VPS and it can either be taken at the same time as the witness statement to the police or at a later stage. The parent or carer of a vulnerable adult or of a young person under the age of 18 can also make a VPS. You can choose not to make one and if you change your mind you can make one at a later point, providing it is before the case goes to court. However, you should be aware that some cases may be brought to court quickly.

If you do choose to make a VPS then you can either write it or have it recorded and you will have the opportunity to let the police know whether you would like it read out/played in court. The court will make the final decision on whether the VPS is read out. Once you've completed a VPS you cannot change it, but you can give a further VPS at any time before sentencing.

The VPS will form part of the prosecution case but will only be considered by the court once the offender has been found guilty of the offence. If the court agrees, you can either read the VPS out yourself in court or request that someone else does it on your behalf.

The VPS cannot contain your thoughts or opinion on how the alleged offender should be punished this is for the Magistrate or the Judge to decide. However, the court will consider your VPS and the level of harm caused by the offence before they decide on sentencing.

The VPS will always be shared with the Crown Prosecution Service so it is important to note that if the case reaches court, the VPS will be disclosed to the defence and you may be cross-examined on its content.

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

Case study

05

Business Impact Statement

All businesses or enterprises (such as charities) that are victims of crime are entitled to make a Business Impact Statement explaining how the crime has affected the business.

This could include any direct financial impacts (assets stolen or damaged), indirect financial impact (loss of custom, loss of staff) and non-financial impact such as reputational damage.

Making a Business Impact Statement does not prevent you or any other individual victim from making a separate Victim Personal Statement.



If your case goes to court you may be a witness in the trial. If your case does not go to court, you should be told the reason for this decision.

If the suspect pleads not guilty, you will be allocated a Witness Care Officer from Thames Valley Police who will keep you up to date about what's happening in the trial

and answer any questions you have. This includes keeping you informed about whether the suspect has been bailed or held in custody, dates and locations of court hearings and whether you will be required to give evidence.

You will usually hear from the Witness Care Officer once the suspect has been charged, and they will continue to keep you informed until the case is over.

Do I have to attend court to give evidence?

It is important to note that it is highly likely that if a defendant pleads not guilty you, as a victim, will be required to provide evidence in the case.

If you have any problems or concerns about going to court, you must let your Witness Care Officer or the officer in charge of your case know as soon as possible. This will enable any issues to be resolved as quickly as possible and allow for any special measures to be considered. Please be aware that the court does have the power to make you attend court but will try to avoid using these powers if at all possible.

What support will I receive when going to court?

Your Witness Care Officer and the officer in charge of your case will consider what, if any, support you might need to attend court, including whether you could benefit from any Special Measures.

They may also be able to arrange a visit to the court before the trial if you would like. The Witness Care Officer will continue to be a point of contact until the case is finished, including updating you on the outcome of the case. If you have been a victim of rape, sexual assault or domestic abuse you may benefit from accessing an Independent Sexual Violence or Independent Domestic Violence Advisory service who can support you through the criminal justice process, including court. Details of your local service can be found through Victims First or you can ask the police officer in charge of your case to refer you.

What will happen when I give evidence?

The court will ensure, where possible, that you can wait in a separate location to the suspect and their friends and family.

You will also have the opportunity to request to speak to the prosecutor, the person trying to prove the suspect did the crime, to ask about the trial.

If you choose to you can watch the trial, but only after you have given your evidence or if you don't need to give evidence at all. Please inform the court that you will be there.



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Special Measures available to victims

Special Measures are arrangements that can be put in place if you are a vulnerable or intimidated witness. They can be used during the trial to help you give the best possible evidence in court.

You would normally be eligible for Special Measures if you are under 18 on the date of the trial, or considered to be a vulnerable or intimidated adult.

You can speak to your Witness Care Officer or with the police officer in charge of your case to find out more information about any measures that can be put in place for you. The police or the Crown Prosecution Service can apply for Special Measures on your behalf but the court will make the final decision about whether the Special Measures requested can be used.

Possible Special Measures include:

- Screens – available to screen you from the defendant in the court room so that you cannot be directly intimidated whilst giving evidence.
- Live Link – you can give evidence during the trial from a room outside of the court via a live TV link. Thames Valley has Live Link facilities available at a number of police stations which would enable you to give evidence from a location outside of the court house.
- Evidence given in private – members of the public can be excluded from the court room whilst you give evidence.
- Removal of wigs and gowns – Judges and lawyers remove their wigs and gowns to create a less formal environment. This is used predominately for young witnesses and at Crown Court.
- Video Recorded Interview as Evidence in Chief – in certain circumstances the police will obtain your account by video interview rather than a written statement. The prosecution can apply for this video interview to be used in place of you physically giving evidence in court.
- Having an intermediary – you can have someone with you to help understand questions when being interviewed or giving evidence. Intermediaries explain questions and answers to enable you to understand but without changing the substance of the evidence.
- Aids to communication – intended to help if you need a device to communicate when giving evidence (e.g. a hearing loop, an interpreter, etc).



08

The verdict and after the trial

After the trial

The conclusion of the court case, whether it be a guilty or a not-guilty verdict, can be a difficult time for a victim or witness. However, there are still processes in place to make sure you continue to have support, as well as receive the information you need.

The Verdict

Your Witness Care Officer will contact you to tell you the outcome of the court case and, if the suspect has been found guilty, will explain what the sentence means.

If you have any questions about the sentence that the Witness Care Officer can't answer then you can ask the Crown Prosecution Service for more information.

If the offender is allowed to appeal against the sentence or the conviction you should also be told if an appeal application has been made and the details and outcome of any appeal hearing.

Victim Contact Scheme

The Victim Contact Scheme is a service for victims of sexual and/or violent crimes where the offender is sentenced to 12 months or more in prison.

If you take part in the scheme, you will be given a Victim Liaison Officer (VLO) who will keep you up to date about what happens to the offender after they are found guilty. You will also have the chance to give your views on any conditions you think should apply to the offender when they are released back into the community. This could include the offender being banned from visiting areas near where you live.

Compensation

If you have been a victim of a violent offence, you may be eligible for compensation from the Criminal Injuries Compensation Authority (CICA). You usually have to claim within 2 years of the crime and the crime must be reported to the police before you apply.

To find out more, visit:
www.gov.uk/claim-compensation-criminal-injury
or call their helpline on 0300 003 3601.

Unwanted contact from a prisoner

If you receive unwanted contact in any form from a prisoner you can report it to your Victim Liaison Officer if you have one, or contact:

HM Prison and Probation Service Victims Helpline
victim.helpline@justice.gov.uk
Telephone: 0300 060 6699
Monday to Friday, 9am to 4pm

What support is available at the end of the trial?

You may find the conclusion of the trial distressing and have mixed emotions about the outcome. Remember, no matter the sentence, you can still access support from an organisation that specialises in helping victims of crime. If you feel you need any support please contact Victims First and we will work with you to put appropriate support in place.

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Restorative Justice

As a victim of crime you have the opportunity to request Victim-Led Restorative Justice during any stage of the criminal justice process.



What are the benefits of Restorative Justice?

Restorative Justice aims to increase the empowerment and wellbeing of the victim and helps the offender to make amends and/ or understand the personal impact crime can have on someone.

What is Restorative Justice?

Restorative Justice is about bringing the victim and offender together to encourage communication and help the victim in their recovery.

It can empower the victim by giving them an opportunity to both ask questions of and explain to the offender the real impact of the crime. Offenders are held to account for what they have done and encouraged to take responsibility and make amends. There are many different reasons why people may want to do this and this would be discussed thoroughly with you beforehand. This is voluntary and both sides need to agree for any contact to take place.

Possibilities for restorative processes include;

- contact or indirect contact via a facilitator
- the “shuttle process” - where the facilitator goes back and forth between the parties
- the exchange of written correspondence directly between victim and offender
- A Restorative Justice “conference” - where a facilitator brings together a victim and offender and together they talk through the offence and its impact

“[The abuse] left me even years later feeling quite weak. So I needed to be able to look him in the eye and see him in prison, to be able to get my strength, well my power back really”

“I want him to see me as a human being.”

Quote from someone who has gone through restorative justice

How can I access Restorative Justice?

This facility is available across the Thames Valley through Victims First who will refer you to a local service who can help guide you through what the process entails, what you might expect from it and whether you think it might be beneficial to you. If you would like to discuss the option of Restorative Justice then you can contact Victims First.

More information on Restorative Justice is also available by visiting:

<https://www.victims-first.org.uk/crime-info/guidance-and-support/restorative-justice/>

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Victims' Right to Review



The Verdict

The Victims' Right to Review (VRR) Scheme gives you the right to request a review of a police decision to not charge a suspect or to not refer the case to the Crown Prosecution Service for a charging decision.

A review can be requested by either:

- The victim of crime
- A close family member of someone who has died due to criminal conduct
- Parents/ guardians of a victims under the age of 18.

If the police have identified and interviewed a suspect about the offence (under caution) and decided not to prosecute the offender you can then request a review if you are not satisfied with the decision.

How do I request a review?

You can request a review of a Thames Valley Police decision not to prosecute by writing to:

CJ Admin Support Officer
Police Victims Right to Review Scheme
Thames Valley Police, Criminal Justice HQ
Meadow House
The Boulevard
Kidlington
OX5 1NZ

Or emailing:
victimsrighttoreview@thamesvalley.pnn.police.uk

Except in exceptional circumstances this request will need to occur within three months (90 calendar days).

More information on the Victims Right to Review can be found at www.thamesvalley.police.uk

Crown Prosecution Service

The Victims' Right to Review also applies to decisions made by the Crown Prosecution Service to not bring charges, discontinue proceedings or not bring evidence in the case.

Complaints

You are entitled to be treated in a respectful, sensitive and professional manner by all the organisations that provide support and services to victims under the Victims' Code. As a victim of crime if you feel this hasn't been the case or that you haven't received the services you are entitled to, you have the right to complain.

In the first instance complaints should be dealt with quickly and properly by the relevant organisation's internal complaints service.

If you have been unhappy with how you have been treated by Thames Valley Police then details of how to make a complaint, including an online conduct form can be found at www.thamesvalley.police.uk.

Alternatively you can raise your concerns through attending or writing to your local police station, calling 101 or emailing professional.standards@thamesvalley.pnn.police.uk

How do I request a review?

You can request a review by contacting Thames and Chiltern Crown Prosecution Service:

Telephone: 0118 951 3676

Email: ThameschilternVRRandComplaints@cps.gov.uk

Details of how to make a complaint about any other criminal justice organisation can be found on their websites.

After following the complaints procedure of the relevant criminal justice organisation, if you are still not satisfied with the response and you feel that the organisation has failed in their obligations under the Victims' Code, then you have the opportunity to refer your complaint to the Health Service Ombudsman.

More information on how to do this can be found online at www.ombudsman.org.uk

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Contact information

Victims First

Tel: 0300 1234 148
Website: www.victims-first.org.uk

Opening hours
Monday, Wednesday and Friday 9am – 5pm and Tuesday and Thursday 9am – 7pm

Thames Valley Police

Non-emergency

Call **101** for all non-emergencies including:

- Contacting a police officer or member of staff from Thames Valley Police
- Reporting a crime in a non-emergency

If you're deaf or hard of hearing, use the textphone service on **18001 101**.

You can also contact Thames Valley Police and report crime online by visiting:

www.thamesvalley.police.uk/contact/af/contact-us/

Emergency

Call **999** if:

- a serious offence is in progress or has just been committed
- someone is in immediate danger or harm
- property is in danger of being damaged
- a serious disruption to the public is likely

If you're deaf or hard of hearing, use the textphone service **18000** or text **999** if you've pre-registered with the emergencySMS service.

Contacting from abroad

If you are trying to contact Thames Valley Police from outside of the UK please call **+44 1865 841148**

