



Economic Crime Directorate

Fraud Hub Victim Contact Unit

VCOP

Victims' Code of Practice



City of London Police

Foreword

Discovering that you are a victim of a crime is hard to absorb.

I aim for my entire team here at the City of London Police to work together and help you recover from what you have experienced.

This will be done with respect and in accordance to what you prefer. The team are incredibly experienced and skilled in their work and will provide practical advice and support that is bespoke to each person needing our help. Please help the team identify any gaps in service by being frank and telling us if you have additional needs.

We work with partner agencies to champion your needs and ensure that you have a service that is readily accessible.

We are realistic that not all cases generate sufficient evidence to successfully prosecute offenders, but are determined to protect the public from the harm caused by economic crime and prevent its repeat. In this we are proud to deliver an exceptional policing service and aim for you to be totally satisfied with how we support you.

Please do let us know how well we do and tell us if, and how we can continually improve.

Head of Economic Crime
Glenn Maleary



Adult Victims

Part A: Victims' Entitlements

Section 1: Police Investigation

(i) Information, referral to victim support services and needs assessments

1.1 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 (in accordance with paragraphs 18 and 19 of the Introduction) 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 five 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 five 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;

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- 1.2** Victim support services are organisations which offer victims of crime help and support to help them cope and recover after a crime. The police will explain to you that they will automatically pass your details to victim support services within two 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.
- 1.3** If you are making a witness statement the police should explain to you that this may result in you needing to give evidence in court if the case goes to trial.
- 1.4** 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.
- 1.5** You are entitled to be informed by the police of the following information and to have the reasons explained to you within five 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.
- 1.6** If you are a victim of the most serious crimes, persistently targeted or vulnerable or intimidated, you are entitled to receive this information within one working day.
- 1.7** You may discuss and agree with the police different timings to receive the information and services in paragraphs 1.1-1.5 to suit your needs.

1.8 If you are being interviewed by the police, you are **entitled** to:

- be accompanied by a person of your choice, unless a reasoned decision has been made to the contrary;
- have any interviews with you conducted without unjustified delay;
- have the number of interviews limited to those that are strictly necessary for the purposes of their investigation;
- have medical examinations kept to a minimum and carried out only where strictly necessary for the purposes of the criminal proceedings;
- have the interview, where necessary, conducted in premises designed or adapted for that purpose;
- have the same person, where possible, conduct all the interviews (unless to do so would prejudice the proper handling of the investigation);
- be offered the opportunity to have a person of the same sex conduct the interview where you are a victim of sexual violence, gender-based violence, or domestic violence (any request will be met where possible unless to do so would prejudice the proper handling of the investigation).

1.9 The police will ensure, wherever possible, that you and your family members do not come into direct contact with the suspect whilst on police premises.

1.10 In addition to the entitlements outlined above, **if you are a victim of the most serious crime, persistently targeted or vulnerable or intimidated, you are entitled** to the following from the police:

- to have information on Special Measures explained to you, where appropriate (see Chapter 1, paragraphs 1.13-1.14);
- to be referred to a specialist organisation, where appropriate and available;
- to receive information on pre-trial therapy and counselling where appropriate;
- on being advised that a case has been concluded without charge, to be asked if you wish to be informed if the investigation is to be reopened. The police must consider your views if the case is reviewed.

1.11 In addition to the entitlements outlined above, if you are a **bereaved close relative of a victim who died as a result of a criminal offence, you are entitled to:**

- have a Family Liaison Officer assigned to you by the police, where the Senior Investigating Officer considers this to be appropriate. This will happen in the majority of cases;
- be offered accessible advice on bereavement and information on available victim support services by the police.

(ii) Victim Personal Statement

1.12 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.

1.13 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. When making your VPS, you are **entitled** to say whether or not you would like to have your VPS read aloud or played (where recorded), in court if a suspect is found guilty. 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). The decision as to who reads out the VPS is ultimately for the court, but it will always take into account your preferences, and follow them unless there is good reason not to do so.

1.14 If you do not want to read your VPS aloud yourself or have it read aloud on your behalf, you do not have to choose this option. Your VPS will still be considered as part of the evidence before the court prior to sentencing if the defendant is found guilty. If at first you choose to have your VPS read aloud but later decide you do not want this, you can change your mind.

1.15 Although you are entitled to make a VPS, you do not have to do so. If you are initially unsure about making a VPS when you are giving a witness statement about what happened, you may **choose** to make a VPS at a later time - provided this is before the case comes to court or the suspect is sentenced. You should be aware that if you **choose not** to make a VPS when initially offered, you may not have another opportunity to make one later on. This is because the case may be dealt with by the courts very quickly.

1.16 In addition to the entitlements outlined above, **if you are a victim of the most serious crime (including bereaved close relatives), persistently targeted, or vulnerable or intimidated**, you are entitled to make a VPS to the police at any time prior to sentence whether or not you make an witness statement about what happened.

1.17 If you are not giving a witness statement about what happened and you are not a victim in one of the three priority categories as outlined in paragraph 1.15 above, the police may make arrangements for you to make a VPS at their discretion.

1.18 Once the statement is completed and signed, a VPS (like any other formal statement) cannot be changed or withdrawn if you have second thoughts about what you have said. However, you may submit a further VPS to the police to add to or clarify your original VPS.

(iii) Victim Personal Statement and the Court

1.19 A VPS will always be shared with the Crown Prosecution Service (CPS). If the case reaches court, then the VPS will be served on the court and the defence if it is included as evidence in the trial, so the suspect will usually be able to see it.

1.20 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.

1.21 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.

1.22 The court will pass what it judges to be the appropriate sentence, having regard to all the circumstances of the offence and of the offender. This will include taking into account, so far as the court considers it appropriate, the impact of the offence on you as set out in your VPS. Your VPS will be considered in exactly the same way whether or not it is read or played in court.

Section 2: Pre-Trial – Charge and Bail

(i) Charge and Bail

2.1 You are **entitled** to be informed of a decision:

- to prosecute the suspect;
- to give the suspect an out of court disposal, such as any caution given by the police; or
- not to prosecute the suspect.

2.2 Following a police or CPS decision not to prosecute you are entitled to be notified of the reasons why this decision was made, how you can access further information about the decision and how you can seek a review of the decision if you are dissatisfied with it, in accordance with their 'Victims' Right to Review' Schemes (see the text box on page 9).

2.3 You are **entitled** to be informed by the police of the following information within five 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.

2.4 You are **entitled** to receive the information at paragraphs 2.1-2.3 within five working days of the suspect being charged, being told that no charges will be brought or being given an out of court disposal. **If you are a victim of the most serious crime, persistently targeted or vulnerable or intimidated**, you are **entitled** to the information in paragraphs 2.1-2.3 within one working day.

2.5 In addition to the entitlements outlined above, if you are a **bereaved close relative**, in a **qualifying case** you are **entitled** to be offered a meeting with the CPS prior to or following a CPS decision about whether or not to charge a suspect. If a decision is made to charge, the CPS will explain how the case is likely to progress, and answer any questions that you may have. The CPS will also discuss your needs and jointly agree the frequency of contact.

The Police and CPS Victims' Right to Review Schemes

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.

2.6 In certain **specified cases** where the CPS informs you of a decision not to charge, you are also entitled to be offered a meeting with the CPS. The CPS is responsible for holding the meeting and may conclude that in all the circumstances, the meeting should not take place. If the CPS decides that a meeting is not appropriate, the decision will be explained to you.

(ii) Out of Court Disposals

2.7 In some cases, the police, CPS or Youth Offending Team (YOT) (if the offender is under 18) may consider it appropriate to deal with an offence without taking it to court. This enables the incident to be dealt with relatively quickly and may prove more effective in preventing further offences. Where an out of court disposal is being considered by the police, CPS or YOT, you are entitled, where practicable, to be asked for your views and to have these views taken into account when a decision is made.

(iii) Post-Charge

2.8 You are **entitled** to be informed and be given reasons for any decision the CPS makes to:

- discontinue a charge and proceed on another;
- substantially alter a charge;
- discontinue all proceedings;
- offer no evidence in all proceedings.

2.9 In addition, where the CPS discontinues or offers no evidence in all proceedings, you are also entitled to be informed of how you can access further information about the decision and to seek a review of the decision if you are dissatisfied with it, in accordance with the **CPS' Victims' Right to Review Scheme**.

2.10 You are **entitled** to receive the information in paragraphs 2.8 and 2.9 above within five working days of the decision being made. If you are a **victim of the most serious crime, persistently targeted or vulnerable or intimidated**, you are **entitled** to receive this information within one working day.

2.11 In addition, if you are a **bereaved close relative** in a **qualifying case**, or a victim in a **specified case** you are **entitled** to be offered a meeting with the CPS to explain further a decision to discontinue or substantially alter a charge, discontinue all proceedings or offer no evidence in all proceedings. This is unless the CPS concludes that in all the circumstances a meeting should not take place. If the CPS decides that a meeting is not appropriate, the decision will be explained to you.

(iv) Pre-trial

2.12 In this section, where your **Witness Care Unit** is required to provide you with some of the services listed below, the police may provide some or all of those services instead where they act as a single point of contact for victims. You will be told by the police if this is the case.

2.13 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;
- be informed by your Witness Care Unit if you are required to give evidence within one working day of them receiving notification from the CPS. You are

also entitled to be told about what to expect, including how to access the “Witness in Court” leaflet;

- view your statement to help refresh your memory – if you made a written statement, it will be available for you at court on the day; if you made a video recorded statement, arrangements will be made for you to view this separately before the trial.

2.14 If you are required to give evidence, you are **entitled** to be offered a full needs assessment by your **Witness Care Unit** to make sure you are supported in giving your best evidence. This may include the use of Special Measures (see Chapter 1, paragraphs 1.13-1.15). You are also **entitled** to visit the court before the trial date to familiarise yourself with the building and the court room.

2.15 In addition to the entitlements outlined above, if you are a **victim of the most serious crime, persistently targeted, or vulnerable or intimidated**, you are also **entitled** to:

- be informed by the Witness Care Unit within 1 working day of them receiving the information from the court if an arrest warrant is issued for a suspect and the outcome of the hearing if the suspect is re-arrested;
- be informed of the outcome of any Special Measures application.

2.16 If you are a **bereaved close relative**, you are also **entitled** to:

- request from your Witness Care Unit a visit to the court before the trial date to familiarise yourself with the building, whether or not you are required to give evidence;
- be offered a meeting with the CPS or the advocate who will be presenting the case in court. This meeting will usually take place shortly before the trial and is an opportunity for you to be introduced and to ask any questions that you may have.

(v) Measures for victim’s protection in case of escape

2.17 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.

Section 3: Trial

(i) Attending Court as a Witness

3.1 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.

3.2 If you need to leave the court building at any time, you should give your contact details to court staff so they can contact you if necessary.

3.3 Part of the court process involves the cross-examination of witnesses to test their evidence. It is up to the court to make sure the trial is conducted in a fair and just manner, taking into account representations from the defence advocate and the CPS advocate representing the Crown. The CPS will treat victims who are witnesses in court respectfully and, where appropriate, will seek the court's intervention where cross-examination is considered by the advocate to be inappropriate or too aggressive.

3.4 If you are not a witness in the case you are entitled to observe court proceedings from the public gallery.

(ii) After the trial

3.5 Following the trial, where your Witness Care Unit is required to provide you with some of the services listed below, the police may provide some or all of those services instead where they act as a single point of contact for victims. You will be told by the police if this is the case.

3.6 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 form¹¹;
- be informed by the **Witness Care Unit** about the outcome of the trial including, where available, a brief summary of reasons for the decision¹². 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.

3.7 If you are a **bereaved close relative** in a qualifying case, you are also **entitled** to be offered a meeting with the CPS:

- following conviction of the suspect to confirm that a VPS has been made or to confirm that it is up to date. This meeting will usually take place at court;
- in cases which result in an acquittal or in a conviction on a less serious charge. The offer of a meeting will be made a few weeks after the case has concluded unless the police advise that this is inappropriate. The actual timing of the meeting will be informed by the wishes of the family so you will be contacted to discuss when the meeting should take place.

¹¹ In accordance with the Crown Prosecution Service (witnesses' etc Allowances) Regulations 1988.

¹² The duty to provide reasons does not apply to the final outcome of a jury trial.

Section 4: Sentencing Information

- 4.1** Your Witness Care Unit is required to provide you with some of the services listed below. In some cases, the police might act as a single point of contact for victims and provide some or all of those services instead where they act as a single point of contact for victims. You will be told by the police if this is the case.
- 4.2** You are **entitled** to be informed by the Witness Care Unit of the sentence given to the suspect (if convicted) within one 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.
- 4.3** 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.
- 4.4** 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.

Section 5: Appeals

- 5.1** Where your Witness Care Unit is required to provide you with services in this section, the police may provide some or all of those services instead, where they act as a single point of contact for victims. You will be told by the police if this is the case.
- (i) If an application is made to the Crown Court to appeal against a conviction or sentence in the Magistrates' Court.
- 5.2** You are **entitled** to be informed of the following information by your Witness Care Unit within one working day of them receiving it from the court:
- any notice of appeal that has been made;

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- the date, time and location of any hearing;
 - the outcome of that appeal, including any changes to the original sentence.

5.3 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.

5.4 You are **entitled** to:

- be told that the appellant has been given leave to appeal within five 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 one working day;
- receive information about the date, time and location of any hearing from the Witness Care Unit within one 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 one 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 one 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 five 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

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- receive this information within one 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.

5.5 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.

(iii) The Court of Appeal and Victim Personal Statements.

5.6 In determining an appeal against sentence, the court will always take into account any Victim Personal Statement (VPS) that is presented to it which was provided to the sentencing court.

5.7 It is not normally necessary for a further VPS to be provided to the Court of Appeal. However, if there is information the court should know about the continuing impact the crime has had on you, a new or further VPS may be sent to the court through the police or CPS. In very rare cases, you may be asked questions about your VPS in court. If the VPS is used in evidence, it will be disclosed to the defence and should not contain any comments about the sentence given or whether the appeal should succeed or not.

Section 6: Post Trial

(i) Criminal Cases Review Commission

6.1 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.

- 6.2** You are entitled to be notified by the Commission if it deems there is a reasonable prospect of a review coming to your attention.
- 6.3** 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.
- 6.4** 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.

(ii) Unwanted contact from offenders

- 6.5** Prisoners are not allowed mobile phones and are allowed access to the internet only for educational purposes, employment and resettlement activities. They are not permitted to use social networking sites. If you receive unwanted contact from a prisoner in any form, you can speak to your Victim Liaison Officer if you have one, or report this by calling the National Offender Management Service Victim Helpline on 0300 060 6699.
- 6.6** If you receive unwanted contact from an offender who is on licence in the community, you can contact the National Probation Service, the police, or your VLO if you have one. If the offender is under 18 and being supervised by a Youth Offending Team, you can contact that Youth Offending Team to report any unwanted contact.

(iii) Victim Contact Scheme

- 6.7** 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.
- 6.8** If you are the victim of an offender who has committed a violent or sexual offence¹³ 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.
- 6.9** 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 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

¹³ As defined in section 45(2) of the Domestic Violence, Crime and Victims Act 2004.

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.

6.10 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.

6.11 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.

6.12 If the offender in the case is under 18, the Youth Offending Team will refer your details to the National Probation Service so you can be offered an opportunity to take part in the VCS.

(iv) Measures for victim's protection in case of escape

6.13 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.

Victim Contact Scheme for victims of mentally disordered offenders

- 6.14** If you are the victim of an offender who committed a specified violent or sexual offence¹⁴ but has been detained in a hospital for treatment because he or she has a mental disorder, you will still be entitled to participate in the VCS. If the offender's detention was made subject to 'restrictions by the court, you will be provided with information by your VLO. If no restrictions are imposed, hospital managers will provide you with information.
- 6.15** In these circumstances, as the offender has been diverted away from the criminal justice system and is being treated in hospital as a patient, some of the decisions about the offender's management will be related directly to his or her medical treatment, and as such will be confidential medical information.
- 6.16** You are entitled to make representations about the offender's conditions of discharge, such as conditions that prevent the offender making contact with you or your family or entering the area in which you live.
- 6.17** You are entitled to be informed if the offender is to be discharged either with conditions or absolutely (this applies to restricted patients) or discharged subject to a Community Treatment Order (this applies to non-restricted patients), and if so you will also be informed of:
- the conditions, if any, in place for your own or your family's protection;
 - changes to those conditions; and
 - when those arrangements end (because the offender has been recalled to hospital; absolutely discharged; or the Community Treatment Order has been lifted).

¹⁴ As defined in section 45(2) of the Domestic Violence, Crime and Victims Act 2004.

(v) Serious Further Offence Victim Summary Reports

6.18 In the event that an offender commits a Serious Further Offence¹⁵ (SFO) while they are under statutory supervision by the provider of probation services, or shortly after this supervision has ended, the provider of probation services will carry out a SFO Review to investigate how the case was managed and whether or not there are any lessons to be learned to improve future practice. In the case of particular kinds of SFO¹⁶ where the offender was charged on or after 1 April 2013, the victim is entitled to ask for a victim summary report of the SFO Review.

6.19 If you are a victim or the bereaved close relative of a victim of such a SFO, you are entitled to:

- be informed by the Witness Care Unit of your entitlement to ask for a Victim Summary Report. This provides you with a summary of how the case was managed and whether or not there are any lessons to be learned to improve future practice. Your details will be referred to the provider of probation services so that they can contact you about this;
- ask the provider of probation services to prepare a Victim Summary Report for you;
- have your details sent to the provider of probation services by the Witness Care Unit, unless you ask them not to;
- have a meeting with a senior manager from the provider of probation services who will explain the findings in the Victim Summary Report and will try to answer any questions you might have.

¹⁵ An offence listed in Annex C to Probation Instruction 15/2014 'Notification and review procedures for serious further offences' (as amended from time to time). These are currently all serious violent or sexual offences which attract a maximum of 14 years' imprisonment or an indeterminate sentence.

¹⁶ These are murder, manslaughter or death by dangerous driving; rape, assault by penetration, or a sexual offence against a child under 13 years' of age; or an attempt at any of the above.

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- 6.20** You are entitled to receive a Victim Summary Report even if you decide not to opt in to the VCS.
- 6.21** If your single point of contact is not the Witness Care Unit, the police officer who has been acting as your single point of contact, such as a Family Liaison Officer, must provide you with this service.

(vi) Sex Offender Notification Requirements Review Process

- 6.22** Registered sex offenders are subject to 'notification requirements'. This means they must tell the police about some of their personal details. The notification requirements are an automatic consequence of a conviction or caution for a Schedule 3 offence under the Sexual Offences Act 2003. The information the offender needs to give to the police and how long they need to do this for depends on the sentence they were given.
- 6.23** Offenders who are subject to notification requirements for life can apply to have this reviewed after a set period of time following their first notification, which usually takes place at release from prison. The set period of time is 15 years for adults and 8 years for juveniles. If the offender makes such an application, the police will then carry out a review, including a risk assessment to decide whether the offender's notification requirements may be stopped. Sex offenders who are assessed as still being a risk will remain subject to notification requirements and will do so for life if necessary.
- 6.24** If you are a victim of an offender who makes such an application, you are entitled to make representations to the police as part of the review. For more information, you should contact your local police force.

(vii) The Parole Board and Victim Personal Statements

- 6.25** The Parole Board is an independent body that works with its criminal justice partners to protect the public by risk assessing certain prisoners to decide whether they can be safely managed in the community. They can make directions to the Secretary of State on the release of certain types of offender, namely indeterminate sentenced prisoners, including those who have received a life sentence, and some determinate (fixed term) sentenced

prisoners. The Parole Board can also make recommendations to the Secretary of State about the transfer to open conditions of these prisoners. If you are unsure if the offender in your case will be subject to consideration by the Parole Board, you should discuss this with your VLO.

6.26 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 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.

6.27 The VPS gives you the opportunity to explain in your own words how a crime has affected you and your family, whether physically, emotionally, financially or in any other way. You may have already made a VPS closer to the time of the offence or prior to the trial. At this stage, you will have the chance to make a new VPS for use by the Parole Board to reflect your current views or feelings. The VPS will be taken by your VLO. The Parole Board will always read your VPS when they are considering an offender's release or move to open conditions.

6.28 You should include your views on:

- the impact of the offence on you, both at the time it happened and afterwards; and
- the possible impact that you think the prisoner's release or move to open conditions would have on you.

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- 6.29** You should not include views on whether the prisoner should be released. This is because the Parole Board's decision will be made on the risk the offender currently presents.
- 6.30** If you are worried or have any new evidence suggesting that the offender might currently be dangerous to you, you should discuss this with your VLO. Your VLO will make sure that those responsible for preparing risk reports for the Parole Board are aware of this.
- 6.31** Normally, your VPS will be disclosed to the prisoner. In exceptional cases, you can make an application for your VPS not to be disclosed to the prisoner if you think that such disclosure might place you or your family at risk of serious harm or would have a very negative effect on you. The final decision on disclosure will be taken by the Parole Board.
- 6.32** If you want to attend the hearing to read your VPS in person or have it read on your behalf by someone else, such as your VLO, you are entitled to inform the Parole Board that you wish to do so. The decision on whether you can attend will be made by the chair of the Parole Board panel. Normally, a request to attend in person will be granted, but it is subject to the discretion of the Parole Board panel chair who may have reasons for not granting such a request. The prisoner may or may not be present when you read your VPS, but will definitely not be present if the Parole Board has agreed not to disclose your VPS to the prisoner. You will not be able to attend the whole of the Parole Board hearing. You may also request to read your VPS via live video link or to provide a recording of it to be played at the hearing if the facilities are available.

(viii) Victims of offenders who are under 18 years old

- 6.33** If the offender in your case is under the age of 18 and you are not eligible for the Victim Contact Scheme, the Youth Offending Team may contact you directly. This is in cases where a young offender is sentenced to less than 12 months in custody, 12 months or more for a non-sexual or non-violent offence or a community based order. A community based order puts conditions on an offender serving a sentence in the community rather than

prison. The Youth Offending Team may seek your views prior to sentencing and explore whether you want to get involved in any Restorative Justice initiatives where appropriate and available.

6.34 You are entitled to the following from your Youth Offending Team:

- information about the progress of the offender’s case upon request;
- information on appropriate victim support services if you ask for additional support.

Nothing in this Code requires the City of London Police to provide update information where disclosure of that information:

- a. could result in harm to any person*
- b. could affect the proper handling of any criminal investigation or prosecution, or could otherwise prejudice any civil or criminal case*
- c. would, in the City of London Police view, be contrary to the interests of national security.*

About this booklet

The information in this booklet has been taken from the Victims' Code Of Practice (VCOP) and details the entitlements of being a victim of crime throughout the criminal justice process.

Contact us on **020 7601 6968** for further information and advice.

Report all fraud allegations to Action fraud either online at **www.actionfraud.police.uk** or by telephone on **0300 123 2040**

For immediate 24hr support call:

Victim Support on Freephone **0808 168 9 111**
Samaritans on **116 123**

Further free advice & information is available at:

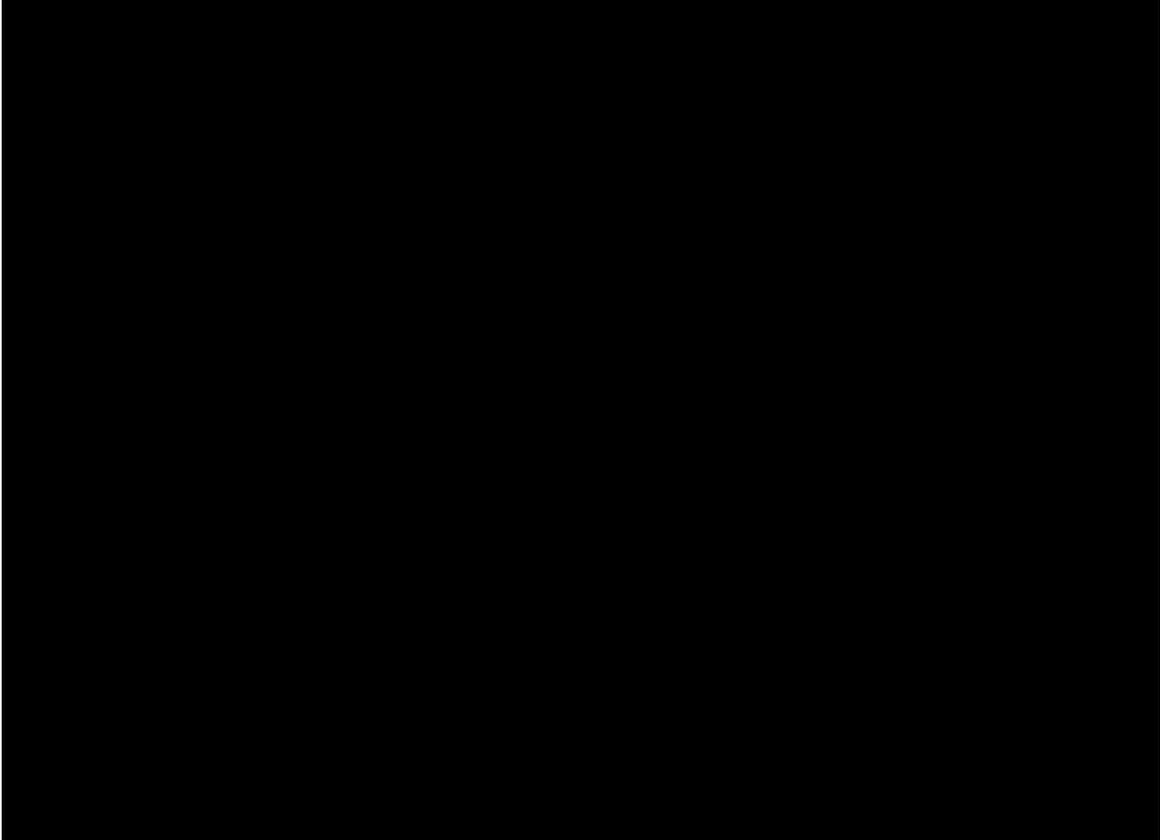
Money Advice Service: go to **www.moneyadviceservice.org.uk**
or phone **0800 138 7777**

Step Change Debt Charity: go to **www.stepchange.org.uk**
or phone **0800 138 1111**

National Debtline: go to **www.nationaldebtline.org**
or phone **0808 808 4000**

Citizens Advice: go to **www.citizensadvice.org.uk**
or phone **0345 404 0506** call charges may apply

Financial Conduct Authority: go to **www.fca.org**
or phone **0800 111 6768**



City of London Police