

Bereaved Victims of Murder abroad

The Victims' Commissioner for England and Wales, Claire Waxman, is calling for amendments to the Victims and Courts Bill, which will bring bereaved victims of homicide abroad in scope of the Victims' Code, ensuring they have access to support.

Every year, around 80 British Nationals are murdered abroad. Their bereaved families face not only the devastating loss of a loved one, but the challenge of navigating an unfamiliar legal system, overcoming language barriers, managing complex logistical issues such as repatriating the body, and coping with limited updates on the police investigation.

Despite these hardships, they are not formally recognised as victims of crime in the UK. The protections and entitlements set out in the Victims' Code do not apply.

Any support they receive is discretionary, dependent on the decisions made by individual services, criminal justice agencies, or government bodies.

While guidance for victims has been recently issued, this is not statutory, and there is no duty placed on agencies to follow it. As a result, victims remain burdened with the task of seeking help, only to be met with responses that are often unclear and inconsistent.

The proposal

During the passage of the Victims and Prisoners Act 2024, Baroness Newlove pushed for an amendment to give bereaved UK victims of homicide abroad statutory recognition under the Victims' Code by including them within the definition of victim of crime¹. This was rejected by the then government on the grounds that the Victims' Code cannot apply to foreign jurisdiction.

It is recognised that the **Victims' Code cannot apply to a foreign jurisdiction**, but the Commissioner is backing an amendment that would place UK based support within the ambit of the Code.

For the Victims and Courts Bill to deliver real change for these victims, the Commissioner is calling for:

- **A requirement for the Secretary of State to create an appendix to the Victims' Code** which outlines how the code applies to victims whose close relative was the victim of murder, manslaughter or infanticide outside the UK.
- This must include:
 - detail on how services provide **information** to victims and help them understand the Criminal Justice process across all jurisdictions.
 - provisions to ensure access to services which provide victims with **emotional and practical support**.
- It must also enable victims the ability to have their views heard in the criminal justice process, and challenge decisions which have a direct impact on them.

¹ Amendment 2 to Victims and Prisoners Act 2024 to Victims and Prisoners Act 2024 - Parliamentary Bills - UK Parliament

How this will improve victim's experiences

By developing an appendix to the code which will be specifically designed for victims of murder abroad and highlights how the relevant rights apply to them, this amendment seeks to ensure victims are guaranteed:

- **Timely, accurate case information** – Victims often receive fragmented, delayed updates about their case and often have to chase information themselves. Family Liaison Officers have been found to improve communication, but their deployment is discretionary. By placing these victims under the Code, victims will know who is responsible for providing them with information and prompt proactive engagement.
- **Access to support** – Support from the National Homicide Service is currently discretionary, leaving families without dedicated help after life-changing trauma. The Code will make this a right, not an option so no victim is turned away when they need support.
- **Clear access to financial help** – Families face costs for repatriation, funerals, and translations, yet entitlements are unclear and at the discretion of National Homicide Service Caseworkers. The Code will provide certainty to victims on available assistance.
- **Translation support** – Victims often have to arrange translation services themselves and are confronted by inconsistencies in service provision. The Code will ensure the onus is no longer placed on victims to translate documents, and there is parity in the support available to them and foreign nationals victimized in the UK or UK nationals whose first language isn't English.

By ensuring bereaved victims of murder abroad are granted these entitlements, where agencies fail to comply, there should be clear lines of accountability, giving victims' a voice, with a route to complain.

The Victims and Courts Bill

With victims in the very title of this Bill, it provides the perfect legislative vehicle to ensure these often-overlooked individuals are finally recognised and given the support they deserve.

The Victims' Commissioner's amendment, originally tabled by Joshua Reynolds MP during the Commons report stage², secured cross-party backing but was ultimately defeated at the vote.

Baroness Brinton has tabled this amendment in the House of Lords and we are calling on Peers to speak in its favour:

“Application of the Victims' Code in respect of victims of murder, manslaughter or infanticide abroad

(1) The Victims and Prisoners Act 2024 is amended as follows.

(2) After section 2, insert—

“2A Application of the victims' code in respect of victims of murder, manslaughter or infanticide abroad

(1) This section applies in respect of victims as defined under section 1(2)(c)

who are a close relative of a British National resident in England and Wales, who was the victim of—

- (a) murder;
- (b) manslaughter; or

² [Victims and Courts Bill - Hansard - UK Parliament](#)

(c) infanticide,
committed outside the UK.

(2) The Secretary of State must by regulations issue an appendix to the victims' code, setting out how the code applies to victims in the circumstances set out in subsection (1).

(3) The appendix must set out the services to be provided to victims as defined under subsection (1) by those persons based in England and Wales appearing to the Secretary of State to have functions of a public nature relating to—

- (a) victims, or
- (b) any aspect of the criminal justice system.

(4) The appendix must make provision for services based in England and Wales which reflect the principles that victims require—

- (a) information to help them understand the criminal justice process;
- (b) access to services within England and Wales which provide them with emotional and practical support (including, where appropriate, specialist services);
- (c) in circumstances where the criminal justice process is engaged in England and Wales, the opportunity to make their views heard in the criminal justice process; and
- (d) the ability to challenge decisions which have a direct impact on them.

(5) In setting out the services to be provided to victims under this section, the Secretary of State must specify the following:

- (a) how victims will be provided with accessible information, and
- (b) how victims access emotional and practical support.

Case Examples

The following case studies are from the Victims' Commissioner's 2019 report- ["Struggling for Justice: Entitlements and Experiences of Bereaved Families Following Homicide Abroad"](#)

Case Study 1 -Trudy (Italy, 2016)

In June 2016, Trudy's husband Russell died while on a charity car rally in Italy. Although Italian authorities initially ruled his death a tragic accident, the subsequent UK inquest could not rule out third-party involvement. Throughout this period, Trudy expected the Foreign and Commonwealth Office (FCO) to support her with communication, information, and police liaison. Instead, she and her family felt abandoned. With no official interpretation service, she relied on the manager of the hostel where Russell died, leaving her without professional guidance at a critical time.

Determined to seek the truth, Trudy paid out of pocket to hire an Italian lawyer. The lawyer discovered inconsistencies between the original Italian documents and the translated versions she had been given. One translation stated that a security guard had attempted to resuscitate Russell, yet the original Italian documents made no mention of this, raising serious concerns about the accuracy of the information she had been provided.

Despite third-party involvement not being ruled out, Trudy received no support from the Homicide Service or UK police. Her MP expressed sympathy but could do nothing to help. The only meaningful assistance she received came from her bank, which supported the repatriation process, and from the charity Murdered

Abroad, whose emotional support and practical guidance, particularly from a former police officer, proved invaluable. As Trudy reflects, Russell was a British citizen and RAF veteran, yet she feels the country he served “turned its back” on their family. -party involvement not being ruled out, Trudy received no support from the Homicide Service or UK police. Her MP expressed sympathy but could do nothing to help. The only meaningful assistance she received came from her bank, which supported the repatriation process, and from the charity Murdered Abroad, whose emotional support and practical guidance

Case Study 12 – Claire (Greece, 2014)

In 2014, Claire’s son James was killed in Greece by a drunk driver while on holiday with friends after finishing his A levels. Claire was informed of his death when two local PCSOs arrived at her home. They confirmed James was her son, told her he had died on a quad bike, wrote down the FCO’s phone number on a piece of newspaper, and left. The exchange took place in the hallway, and Claire received no guidance or further information at that stage.

Claire received no assistance with repatriating James’s body, and a family friend raised the necessary funds by running a sponsored marathon. She was also not initially assigned a Family Liaison Officer (FLO) and the onus was placed on her to write to the Chief Constable and the Association of Chief Police Officers and meet with senior officers. Only then was she allocated an FLO. However, the officer had limited knowledge of the case, and Claire often found herself updating him rather than receiving updates. She had been told he would accompany her to Greece for the trial, but he did not attend, and she later received conflicting information that FLOs could not travel overseas.

Afterwards, Claire sought a summary of the court proceedings but did not receive support from the FCO to obtain it. She paid the required €50 fee to the court, left her passport as security, photocopied the documents herself, and then paid for translation. The onus was placed on her to try and understand the details of the case and what had happened to her son.

Case study 11 – Cheryl (Tunisia, 2015)

Cheryl’s husband John was killed in the Sousse beach terrorist attack in Tunisia in June 2015. John was one of 30 British victims to lose their lives in the massacre. Seven men were convicted and given life sentence and others were given sentences between one and 16 years. A further 25 men were acquitted and released from prison.

When the terrorists responsible for the Sousse attack were put on trial in Tunisia, Cheryl and her family wanted to be kept informed about how the case was progressing. She wanted to know who the perpetrators were, that they had been tried and how they would be punished, to bring justice for the death of her husband and the other victims of the attack. She received snippets of information from the FCO, but often this was after some of the families had already come across trial information updates in the international media.

The FCO stance was that the victims should sign up as ‘civil parties’ to the court proceedings in order to be kept fully informed. However, the legal representatives hired by the victims for the case against the travel company advised the victims not to register as ‘civil parties’ because it would compromise their civil case. The victims did not attend the trial because of this and there was no British representation at the trial by the FCO.

Seven men were convicted and given life sentences and others were given sentences between one and 16 years. A further 25 men were acquitted and released from prison. The families knew nothing about the details of the convicted, the offences they were convicted of and why some received life sentences, others

did not. They believed the public prosecutor is not happy with the sentences handed down and plans to appeal. The reasons for the appeal again were unknown.

Cheryl asked on four occasions to be given more information regarding those who have been charged, and convicted and clarification of what role they took in the attack and the sentence they were given, but to no avail. This is in stark contrast to the way victims of the attack from Belgium and France were treated by officials from their home countries. The French and Belgian Governments liaised with the Tunisian authorities and arranged for a video-link to be established so that victims living in those countries could watch the proceedings. No such arrangements were put in place for victims based in the UK. It is not clear why.