

Victims’ Commissioner for England and Wales submission to the Ministry of Justice’s consultation on a new Victims’ Code.

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Executive Summary

Victims’ Commissioner for England and Wales – Submission on the New Victims’ Code

Purpose and Context

This submission sets out the Victims’ Commissioner’s response to the Ministry of Justice consultation on a revised Victims’ Code. The Code is central to victims’ experiences of the criminal justice system (CJS), yet evidence consistently shows that victims’ rights are poorly understood, inconsistently delivered, and weakly enforced.

The submission draws on engagement with victims, bereaved families, specialist support services, and criminal justice professionals to assess whether the revised Code will meaningfully improve victims’ experiences.

While the Commissioner welcomes the ambition to strengthen the Code, the submission concludes that **without systemic reform, robust accountability, and genuine cultural change**, the revised Code risks remaining **aspirational rather than transformative**.

“The victims’ code gave me a false sense of hope. I thought that if the code wasn’t upheld, I could complain and find a meaningful solution. However, currently there are no repercussions for agencies failing to uphold the code. This needs to be rectified for it to hold any real meaning or the code is redundant.” (Victim of coercive control)

Key Findings:

1. The Victims’ Code is poorly implemented and inconsistently applied

- Victims frequently experience superficial or “tick-box” compliance rather than meaningful delivery of their rights.
- Awareness of the Code remains very low among victims, limiting their ability to understand, exercise or challenge unmet rights.
- Fragmentation across criminal justice agencies undermines consistency, communication, and accountability.

2. Lack of enforcement and accountability is the Code’s greatest weakness

- Systems and processes for monitoring and oversight of the Code’s implementation remain weak, with compliance mechanisms lacking reliable data, independent scrutiny, victim feedback and adequate capture of victims’ lived experience.
- Victims are often forced to self-advocate or navigate complex complaints systems when rights are breached.
- The 2004 Domestic Violence, Crime and Victims Act gave the Victims’ Commissioner a clear statutory role to keep the code under review. The new Victims and Courts Bill extends this by giving the Victims’ Commissioners Powers to scrutinise compliance with the Code. Yet without a system of national data collection, this is unenforceable.

3. System fragmentation drives poor victim experience

- There is no single system or agency responsible for navigating and supporting victims through the criminal justice process.
- Multiple agencies operate in silos, with separate IT systems and unclear ownership of victim communication.
- Victims are repeatedly required to retell their story and re-explain their needs.
- Information gaps between police, CPS, courts and probation frequently leave victims uninformed and unsupported.

- Too often, victims feel abandoned, having to navigate a complex system alone.

4. Marginalised victims experience compounded disadvantage

- Trust in the criminal justice system is significantly lower among victims with protected characteristics.
- Disabled victims, D/deaf victims, migrant victims, victims from minoritised backgrounds, and victims of VAWG face additional barriers to access, understanding and participation.
- The Code does not consistently translate equality duties into practical, enforceable action.
- Significant gaps across the system in supporting child victims including lack of child advocacy services and specialist training for CJ agencies.

5. Failures in victims needs assessments:

- Needs assessments are inconsistent, police-led, overly procedural, and too often fail to result in tailored support to victims.
- Many victims do not recall having had their needs assessed.
- Assessments are rarely shared between agencies or reviewed over time.

6. Poor communication and information sharing:

- Poor communication is one of the strongest drivers of victim distress and disengagement.
- Victims value clarity, explanation and human contact more than frequent automated updates.
- Digital innovation risks depersonalising the system if poorly designed.
- Victim services provide vital support to victims but statutory services often fail to collaborate with them.

7. Lack of Victims Voice and participation

- Victims tell us they want to feel heard in the justice process. But many feel they have no say.
- For many victims, procedural justice is valued just as much, if not more, than a criminal justice outcome.
- Opportunities for participation are often poorly explained, procedurally driven and not trauma-informed.
- Victim Impact Statements (VIS) are highly valued but undermined by their evidential status.

- Lack of information and support to enable victims to be informed about sentencing, parole, and release processes.
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Key Recommendations:

Implementation and oversight of the Code

1. Make the Victims' Code enforceable and accountable

- Introduce **robust, transparent monitoring and oversight** of Code compliance across all criminal justice agencies.
- Move beyond tick-box compliance to **measuring quality and impact**, including routine collection of **victim feedback**.
- Finalise and implement the **Code compliance monitoring framework** under the Victims and Prisoners Act without further delay.
- Strengthen **complaints and redress mechanisms**, with clear lines of accountability for breaches and meaningful consequences for non-compliance.
- Properly resource the **Victims' Commissioner** to provide independent scrutiny and victim-led monitoring of Code delivery.
- Develop a Code specifically for statutory services, making clear their responsibilities and standardising good practice.

2. Deliver culture change, not just procedural reform

- Do not raise expectations through an ambitious Code unless **delivery is properly resourced with clear accountability**.
 - Embed trauma-informed, victim-centred practice throughout.
 - Success should ultimately be judged by **victims' experience**, not simply by compliance statistics.
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Needs Assessment & System Design

3. Reform how victims' needs are assessed

- End reliance on inconsistent, police-led, one-off needs assessments that encourage a **procedural, tick-box approach**.

- Embed needs assessment as a **continuous, evolving process** that follows victims through their journey in the justice system.
- Develop a **standardised, best-practice (“gold standard”) needs assessment**, co-designed with victims and specialist services.
- Ensure needs assessments:
 - Are trauma-informed and victim-led
 - Do not act as gatekeepers to support
 - Avoid stereotyping by offence type or perceived vulnerability
- Introduce routine **review points**, particularly where victims disengage, delays occur, or circumstances change.

4. Introduce an end-to-end Victim care model:

- Implement a **Victim Care Hub** as a single, independent point of contact to:
 - Coordinate communication
 - Track needs and rights delivery
 - Support navigation of the justice system
 - Refer victims to support services
 - Troubleshoot issues to keep victims engaged and justice progressing.
 - Use data collected by the Victim Care Hub to inform and improve justice agencies performance.
- Introduce a **Victim Unique Identifier** to:
 - Reduce repetition
 - Enable information-sharing across agencies
 - Improve continuity, safeguarding and accountability
- Use needs assessment data to **inform commissioning and funding** of specialist services, particularly by-and-for provision.

5. Meet the needs of marginalised groups

- **Design the Code around those most likely to be excluded**
 - If the Code works for the most marginalised victims, it will work for all victims
 - Intersectionality must be built in at every stage.
- **Move away from “neutral” delivery models**
 - Standardised, one-size-fits-all processes should be replaced with flexible, victim-led approaches.
- **Shift responsibility back to agencies not victims**
 - Systems, not victims, must adapt.

6. Improve engagement with Children and Young People

- Move away from rigid age-based categories and instead prioritise **capacity and capability to engage**.
 - Ensure **direct engagement with children is the norm**, not the exception
 - Provide **specialist training and resourcing** for statutory agencies working with children.
 - Expand investment in **specialist child advocacy**, including CHIDVAs and CHISVAs.
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Communication & Case Information

7. Transform how information is communicated to victims

- Prioritise **quality, clarity and explanation** over frequency of updates.
- Require agencies to explain:
 - Decisions (including charging and NFA decisions)
 - Delays and adjournments
 - What processes mean in practice
- **Implement the Victim Care Hub** model to facilitate this.
- Clarify responsibilities between police, CPS and Witness Care to avoid gaps.

8. Ensure digital tools are victim-led

- Any digital portal must:
 - Be **optional**, not the default
 - Complement—not replace—human contact
 - Be accessible, secure and trauma-informed
 - Sensitive information must always be delivered **personally first**.
 - Embed the **Victim Unique Identifier** into any digital offer.
 - Guarantee consent, data security and transparency including around AI use.
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Participation, Voice & Procedural Justice

9. Reform Victim Impact Statements (VIS)

- Acknowledge the **critical value** of VIS while recognising current harms caused by their evidential status.
- Stop pressuring victims to submit VIS at early, traumatic stages.
- Improve information to victims on VIS and how they are used.
- Provide victims with:
 - Realistic expectations

- Flexibility to provide additional and / or later statements
- Appropriate support when preparing statements
- Explore and implement **alternative formats** (e.g. video) where appropriate.

10. Strengthen victim participation in sentencing and beyond

- Consult victims on **offender attendance at sentencing**, with decisions being victim-led.
 - Improve understanding of sentencing, release and appeals through:
 - CPS-led explanations
 - Clear, accessible materials
 - Joined-up communication post-conviction
 - Ensure victims can access **special measures** at sentencing and beyond, including via live-link.
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Post-Conviction & Protection

11. Improve the Victim Contact Scheme (VCS)

- Strengthen automatic referral processes so eligible victims are not missed.
- Implement the Victim Care Hub to support in the offer of the scheme.
- Allow genuine choice over updates while prioritising safeguarding.
- Ensure communication preferences and needs are shared across agencies.
- Strengthen probation resource in relation to VCS so they can deliver on their VCS duties consistently.

12. Centre protective orders and safety throughout

- Make protective orders much more visible in the Code.
 - Require agencies to **consult victims** when applying for, varying or discharging orders.
 - Ensure victims understand what protections are available **regardless of conviction**.
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Code Awareness & Accessibility

13. Re-design how victims understand and access their rights

- Low awareness reflects **design and delivery failures**, not victim disengagement.
- Make Code awareness:
 - Ongoing, not one-off
 - Supported by explanation, not just signposting
- Promote the Code beyond the justice system i.e. GPs, schools, community settings.
- Ensure accessibility for D/deaf, disabled, marginalised and criminalised victims.

- Recognise that many victims disengage early or never report—and shape awareness strategies accordingly.

Role as Commissioner

1. As Victims' Commissioner for England and Wales, I welcome this opportunity to respond to the Ministry of Justice's consultation on the new Victims' Code. The Victims' Code forms a central part of my role as Victims' Commissioner, and I have long called for it to be strengthened.
2. My role as Victims' Commissioner is appointed by the Secretary of State for Justice but is independent of government.
3. My remit is set out in the Domestic Violence, Crime and Victims Act 2004¹. My statutory duties include:
 - promoting the interests of victims and witnesses;
 - taking such steps I consider appropriate with a view to encouraging good practice in the treatment of victims and witnesses;
 - Reviewing the operation of the code of practice issued under section 32.
4. My responsibilities in relation to the Victims' Code have been strengthened by the Victims and Prisoners Act 2024². The following sections of the Act are yet to come into force. However, I continue to push government to swiftly implement these duties to strengthen the Code and improve compliance.
5. Section 3 and 4 of the Act requires the Secretary of State to consult the Commissioner for Victims and Witnesses when drafting the Victims' Code and when proposing any revisions to it.
6. Section 6 of the Act also aims to ensure that those with obligations under the Code comply with its requirements, and it places a duty on the Secretary of State to consult the Victims' Commissioner when introducing regulations relating to the monitoring of compliance.
7. Section 11 of the Act further requires the Secretary of State and the Attorney General to keep Code compliance under review, publish an annual report on compliance, and issue notices where non-compliance is identified. Before publishing a report or issuing a non-compliance notice, they must consult the Victims' Commissioner.

¹ Domestic Violence, Crime and Victims Act, 2004 (Chapter 3). Accessed at: <https://www.legislation.gov.uk/ukpga/2004/28/part/3/chapter/3/crossheading/commissioner-for-victims-and-witnesses>

² Victims and Prisoners Act, 2024. Accessed at: <https://www.legislation.gov.uk/ukpga/2024/21/part/1/crossheading/victims-code>

8. The Victims and Courts Bill³, which is currently progressing through parliament, also intends to further strengthen my responsibilities in relation to the Victims' Code by placing a duty on the Commissioner to produce an independent report on code compliance, which the Attorney General and Secretary of State must have regard to when preparing their own report.
9. I am committed to amplifying the voices of victim-survivors and those that support them in this consultation to ensure their experiences influence policy, improve the Victims' Code, and ultimately ensure victims do not face the barriers I all too often hear of now.
10. To inform my response, I have engaged with a number of stakeholders, including victims, survivors, bereaved families, victim's services, and criminal justice professionals. I am extremely grateful for their time and insight and have provided a list of thanks at the end of this consultation (page 69).
11. I recognise that this is a detailed response to the consultation. However, as Victims' Commissioner, oversight of the Victims' Code sits at the heart of my statutory role. It is therefore essential that I scrutinise the Code thoroughly and reflect the views and experiences of victims, as well as the organisations that support them.

Chapter 1 – Assessing victims' needs effectively

12. Due to the overlap in questions in Chapter 1, I will not be providing responses to each question individually. Instead, this section will look at who should be conducting needs assessments, when they should be conducted, and how they are embedded.

Who is best placed to conduct needs assessments

13. Throughout my victim and stakeholder engagement, concerns have consistently emerged about whether the police and other criminal justice agencies professionals have the appropriate expertise, capacity, and resources needed to carry out effective victim needs assessments. Some victims and victim services have questioned the appropriateness of police led assessments, in particular, citing low levels of trust that victims have in the criminal justice system generally and policing specifically.

³ [Victims and Courts Bill - Parliamentary Bills - UK Parliament](#)

14. Trust in the system can be impacted by previous poor or negative interactions with statutory services, observing or perceiving poor treatment of other victims as well as by perceptions of the culture and inherent trustworthiness of an institution⁴.

*“I didn't want to go through the legal system and all the additional trauma that involves”.
(Victim of rape and sexual assault)⁵*

“I was worried about not being believed. It was by someone I knew, and I was drunk at the time. I also knew people who reported sexual assault and had a horrible time reporting it and going through the courts.” (Victim of rape and sexual assault)⁶

15. Intersectionality is a critical factor in this. Evidence shows that victims from certain groups are more distrusting of criminal justice agencies due to their perceptions of organisational culture gleaned through direct experience and/ or vicarious experience of how the system treats people who share their characteristics. This lack of confidence in the justice system is especially pronounced among disabled victims⁷ ⁸ and, LGBTQ+ victims and Black and minoritised victims⁹.

16. The 2024 Victim Survey found less than half of disabled victims (47%) were confident in the fairness of the criminal justice system and only 33% of bisexual and gay/lesbian respondents were confident they could receive justice by reporting a crime¹⁰. Similarly, 32% of Asian and Black victims surveyed said the incident was not reported to police, with some respondents highlighting the lack of trust they had in the police to take appropriate action.

“Because the world has turned it to a normal thing and no one cares about minorities, the case would not be taken seriously or be dismissed.” (Victim of hate crime)¹¹

17. Evidence shows that the police often fail to recognise victims' vulnerabilities and protected characteristics, and how these affect their ability to engage with the criminal justice system, including in cases where needs have been clearly articulated, but then dismissed¹².

⁴ [Almost half of women have less trust in police following Sarah Everard murder | End Violence Against Women](#)

⁵ Extract from [Annual Victims' Survey 2024 - Victims Commissioner](#)

⁶ Extract from [Annual Victims' Survey 2024 - Victims Commissioner](#)

⁷ ⁷ [Disabled victims face hurdles at every step of the justice process, Victims' Commissioner review finds - Victims Commissioner](#)

⁸ [Perception and experience of police and criminal justice system, England and Wales, year ending March 2025 - Office for National Statistics](#)

⁹ [Annual Victims' Survey 2023 - Victims Commissioner](#) and [Annual Victims' Survey 2024 - Victims Commissioner](#)

¹⁰ [Annual Victims' Survey 2024 - Victims Commissioner](#)

¹¹ Extract from [Annual Victims' Survey 2024 - Victims Commissioner](#)

¹² [An Evaluation of Victims' Needs in the Criminal Justice System](#)

18. Due to failures in responding to victims' needs, many victims are discouraged from continuing with the process and withdraw entirely. I am also aware of some cases, often involving vulnerable disabled victims, being recorded as No Further Action (NFA), at times citing ill-defined "communication" or "cultural" barriers¹³. Specialist services have also informed me of cases where police cite the reason for an NFA in cases where the victim has a communication barrier, as 'no response from the victim', despite it being made clear communication should be via an advocate or through another specific means which did not happen, resulting in these victims being prevented from accessing justice.
19. In addition, for some victims, sharing information with the police can raise concerns or anxiety regarding how this information might be used against them in the investigation. For example, victims with disabilities, mental health needs, or other vulnerabilities may feel this will be used to undermine their credibility¹⁴ and their cases consequently being closed¹⁵.
20. These concerns are reinforced by the difficulties victims, particularly of VAWG related offences, have faced whereby third-party materials and counselling notes have been used to question their credibility¹⁶. While progress has been made, and it is positive to see privacy rights included in the draft Code, further reassurance is likely needed to rebuild trust.
21. For migrant victims in particular, there can be significant reluctance to engage with the police due to fears that their immigration status may be disclosed to the Home Office. This concern has been consistently reflected in inspection findings and government reviews, which have highlighted that data-sharing practices can deter migrant victims with insecure or uncertain immigration status from reporting crime^{17 18}.
22. The Government has committed to introducing a requirement that victims' data should only be shared with immigration authorities where the victim-survivor has provided informed consent¹⁹. Once this policy is finalised, the Victims' Code should be updated to clearly set out the rights of victims with insecure immigration status within this process, including the requirement for informed consent and support.

¹³ [Listen to us!](#)

¹⁴ [Disabled victims' experiences of criminal justice systems: A systematic literature review - Victims Commissioner](#)

¹⁵ [National Stalking Awareness Week 2026 | Suzy Lamplugh Trust](#)

¹⁶ [Keep Counselling Confidential | Rape Crisis England & Wales](#)

¹⁷ [Immediate action needed by government and police to ensure vulnerable migrant victims of crime can confidently report to police - report | Independent Office for Police Conduct \(IOPC\)](#)

¹⁸ [FINAL-DOC Firewall-Report 2023 V2.pdf](#)

¹⁹ [Freedom from violence and abuse: a cross-government strategy - GOV.UK](#)

23. If the Code delivers for the most vulnerable, it will improve access to justice across the board and reduce victimisation too often seen in cases involving vulnerable people^{20 21}.
24. I am aware of calls for specialist support services to take responsibility for conducting needs assessments, given their expertise in trauma-informed practice. However, the system is already highly fragmented, with victims and agencies often unclear about roles and responsibilities. Simply reallocating responsibility risks exacerbating confusion rather than improving outcomes.

“As a victim, I didn’t experience a joined-up system – I experienced being passed around it. Chasing updates, navigating processes alone, and trying to understand my rights without clear support became part of the journey. The gap between policy and reality is where victims disengage.” (Rape survivor)

25. I have long called for a specialist **Victims’ Care Hub**²² that is integrated into the justice process that provides victims with a single point of contact throughout their journey. The Hub would not replace the statutory functions of criminal justice agencies or duplicate existing support services. Instead, it would act as the front face for victims, operating as a justice navigator and central point of liaison. This would enable agencies to discharge aspects of their duties to a body with the expertise, capacity, and focus to engage effectively with victims, supported by appropriate access to criminal justice data systems to facilitate collaboration and information sharing. The Hub would also refer victims to support services for ongoing holistic support.
26. The Hub would also function as a point of expertise that criminal justice agencies can rely on for guidance. Staff would be trained to identify and respond to the needs of marginalised victims, working with agencies to ensure appropriate procedural and reasonable adjustments are made. International practice, including the use of Rights Protection Officers, highlights the value of dedicated roles that support D/deaf and disabled people to access procedural and reasonable adjustments²³. This is a function I would expect a Victim Care Hub to fulfil.
27. By maintaining oversight of the victim journey, the Hub would support the consistent and meaningful delivery of Victims’ Code rights, ensure that needs assessments are carried out effectively throughout the justice process, and help tailor support to individual circumstances. This would improve system coherence, strengthen joint working, and enhance the overall response to victims without adding complexity. Independence is also essential to victim confidence²⁴, and the Hub should therefore

²⁰ [Crime in England and Wales: Annual Trend and Demographic Tables - Office for National Statistics](#)

²¹ [Disabled victims’ experiences of criminal justice systems: A systematic literature review - Victims Commissioner](#)

²² [Policy Paper - Victim Care Hub Blueprint](#)

²³ [Systematic-literature-review-into-Disabled-victims-experiences-of-the-Criminal-Justice-System.pdf](#)

²⁴ [Victims-Commissioner-Going-Above-and-Beyond-Mapping-the-Provision-and-Impact-of-Victim-Advocacy-in-the-Criminal-Justice-System-1.pdf](#)

operate independently of criminal justice agencies, enabling it to hold them to account when rights are not met.

28. Victims routinely report frustration at having to repeat information to multiple agencies and a lack of confidence that their needs are addressed in a coordinated way. Communication needs are not recorded or shared systematically²⁵, and fragmented IT systems further undermine continuity. For example, Witness Care Units operate on 'old' CPS systems that are separate from police systems, limiting continuity and effective support. A Victims' Care Hub would address these issues by simplifying the victim journey, reducing repeated disclosure, and providing clear and consistent communication through a single, knowledgeable point of contact.
29. I am therefore calling for the Victim Care Hub model to be piloted in a number of areas in England and Wales, with learning used to inform a wider system roll out.

When should needs be assessed

30. The draft Code identifies key points at which needs assessments should be completed and recognises the importance of ongoing assessment.
31. **It is important that a needs assessment is carried out as soon as possible after a crime is reported**, to determine appropriate follow-up engagement and communication, and to ensure early barriers to participation are identified and addressed. I also recognise the importance of establishing clear timeframes for needs assessments to help ensure they are undertaken at these critical stages.
32. However, by specifying assessment at three fixed stages, the draft Code risks reinforcing a tick-box culture and setting a minimum standard that does not reflect victims' individual or emerging needs. This is particularly problematic given lengthy delays across the system, which increase the risk that needs are missed, addressed too late, or not disclosed outside formal assessment points.
33. To reassure victims and avoid repetition, the focus should be on **regular reviews of needs, not repeated assessments**. Reviews should build on existing information and reflect ongoing, purposeful engagement as circumstances change.
34. Regular review is especially important given the length of investigations and significant court delays, which can compound the impact of crime and give rise to new or shifting pressures over time. Trauma may deepen, priorities may change, and further incidents may occur. Ongoing review is therefore essential to prevent further harm and support sustained engagement with the justice process.

²⁵ [To be understood victims of crime report October 2024.pdf](#)

35. My London Victim Attrition Review²⁶ found that early attrition was driven by poor initial police interactions, inadequate protection, the criminalisation of victims, and language barriers. As investigations progressed, lengthy²⁷ and intrusive processes, poor communication, uncertainty, and a lack of trauma-informed responses.²⁸ Latest police data shows victim attrition at the police stage remains high, with 54% of rape offences assigned this outcome between October and December 2025²⁹. Attrition was then compounded at the pre-trial stages, whereby issues with communication persisted alongside by prolonged delays^{30 31} that hindered recovery, and victims' ability to move beyond the crime. For rape cases that proceed past the charging stage, just under a fifth (17%) of non-convictions at post-charge are as a result of victim attrition.
36. We must do everything possible to prevent victim withdrawal, as without victims coming forward and remaining engaged, justice cannot be delivered.
37. While the draft Code references assessments during the investigation and prior to trial, it does not sufficiently account for the extended period between report and charge and between receipt at the Crown Court and the trial itself, during which needs may change substantially.
- "There were points where I was just like where do I draw the line with this? How many more times can I do this? And I think in January I was, I was starting to think, OK, [if it] doesn't go ahead in March, maybe it's time to call it quits because that would have been seven times." (Victim respondent to Justice delayed report)³²*
38. Existing police guidance on domestic abuse recognises that an expressed intention to withdraw should prompt consideration of additional support or protective measures³³. This approach should be applied consistently across all offence types. **Expressions of disengagement should trigger an active review of needs** to identify whether further support, protective measures or adjustments could address the underlying causes of withdrawal, while also improving understanding of the drivers of attrition.

²⁶ [The London Victim Attrition Review | London City Hall](#)

²⁷ The average time to charge in rape cases was 166 days in Q3 25/26, increasing from 150 days in the previous quarter. [Crown Prosecution Service statistics summary for Q3 2025/26](#)

²⁸ [Victim of the system](#), and [Annual Victims' Survey 2024 - Victims Commissioner](#)

²⁹ [Police recorded crime and outcomes open data tables - GOV.UK](#)

³⁰ [Justice delayed: The impact of the Crown Court backlog on victims, victim services and the criminal justice system - Victims Commissioner](#)

³¹ At the end of December 2025, there were 80,203 cases outstanding in the Crown Court, a new record high. 21,002 of these outstanding cases remained open for over a year, a new record high. This represents over a quarter (26%) of all outstanding cases at the Crown Court. The duration between the case being received and completed at Crown Court is particularly high for rape offences with an average of 429 days. [Criminal court statistics quarterly: October to December 2025 - GOV.UK](#)

³² [OVC-Crown-Court-backlog-report-10.03.25.pdf](#)

³³ [Victim strategy | College of Policing](#)

39. The draft Victims' Code states that victims should be offered reassessment if they report a change in need. However, awareness of the Code is low (see response to Chapter 5), thus many are not aware of this right, meaning changes may go unrecognised. **Criminal justice agencies must therefore take responsibility for proactively reviewing and responding to victims' evolving needs**, rather than relying on victims to initiate further action. The Code should more clearly reinforce this duty.
40. While needs assessments are included in the Code, risk assessments are not. **The relationship between risk, impact and need should be clearer to ensure individual circumstances are properly recognised.** Victims frequently report that even where an incident is not assessed as high-risk, the impact can be severe. For example, in cases involving anti-social behaviour³⁴. Similarly, HMICFRS found that in cases perceived as one-off incidents, such as burglary, there was an assumption that further needs assessments were not required³⁵. Conversely, some victims categorised as high-risk may not identify as vulnerable and can feel disempowered by such labelling. This highlights the importance of the victims' voice in determining their needs, and the need to look at risk, impact and need holistically.
41. I also note that Right 1 makes no reference to protective or safeguarding measures. My London Victim Attrition Review identified concerns about personal safety and a lack of effective protection as a key driver of victim withdrawal. Where victims did not understand what protections were available, or felt these were absent or inconsistently applied, confidence in the justice process was significantly undermined. **Needs assessments must therefore explicitly consider victim safety, and the Code should make clear reference to the protective measures that can be offered.** This would help reassure victims at an early stage, support informed decision-making, and reduce the risk of disengagement. I explore this further in my response to Chapter 4 and 6.
42. The consultation also refers to post-conviction needs assessments. Victims frequently report feeling abandoned once proceedings conclude, despite the ongoing impact of crime, although it is important to recognise that most victims will not reach the point of conviction.

"Sentencing took place on the same day as the plea hearing and a suspended sentence was the outcome - no one ever explained the reasons as to why this was the outcome. I felt it being a historic case it was less important - and that they just wanted to rush it through. I had no closure following this, I did not feel empowered by the process and I did

³⁴ [Still living a nightmare: Understanding the experiences of victims of anti-social behaviour - Victims Commissioner](#)

³⁵ [Meeting the needs of victims in the criminal justice system - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#)

not feel I got justice - I instead felt like a dismissed statistic.” (Victim of rape and sexual assault)³⁶

43. **At the end of a case, regardless of outcome, victims should receive clear information, appropriate support, and signposting to onward pathways.** Given resourcing constraints and the risk of raising unrealistic expectations, this stage may be more appropriately addressed through a proportionate, case-by-case review rather than a further formal assessment where the aim is to ensure support is in place. If a Victim Care Hub was introduced, however, they would be responsible for this assessment, referring them to onward support.
44. Where a victim is referred to the Victim Contact Scheme, it is essential that any communication barriers or additional needs are shared with their Victim Liaison Officer (VLO) ahead of initial contact so appropriate adjustments can be made. **A targeted post-conviction or end-of-case needs review** could help address these gaps and prevent victims from falling through gaps in the system. The Victim Care Hub could also do an additional check-in at a later date to confirm if the victim has taken up the offer of the scheme, and to check their understanding of what support it can provide.

How needs should be assessed and implementation

45. Questions 1E and 1F enquire into how needs assessments can be carried out in a high-quality, trauma-informed way, and the role the Victims’ Code should play in supporting this.
46. While the new Victims’ Code makes clear improvements in emphasising the role of needs assessments, it must do more to guarantee standardised needs assessments that deliver individualised, tailored responses to every victim rather than being treated as a tick box exercise by agencies.
47. There is currently no consistent needs assessment used across the 43 police forces. Whilst the College of Policing provides guidance³⁷, there is no way to ensure it is applied consistently in practice. The Police Reform White paper³⁸ and any resulting legislation presents an important opportunity to address these shortfalls through **mandating a national needs assessment model developed with the victim sector and based on best practice.**
48. HMICFRS’s joint 2023 report³⁹ highlights the poor quality of service provided to victims in meeting their needs and found that needs assessments were often not completed or failed to capture important information

³⁶ Extract from [Victim Survey 2024](#)

³⁷ [Identify and record needs and vulnerabilities | College of Policing](#)

³⁸ [From local to national: a new model for policing - GOV.UK](#)

³⁹ [Meeting the needs of victims in the criminal justice system - His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services](#)

49. Through my engagement with victims and victim services, it is clear that many victims do not recall having their needs assessed by the police. This raises serious questions about how needs assessments are conducted and whether victims are aware that these assessments are taking place at all.

“Only after my case had ended, I discovered I should have received a needs assessment but at no point during my case was I offered one or made aware it existed. This affected my overall ability to engage in support services because there was no professional referral. This could have been a game changer for how I experienced my entire justice process.” (Rape survivor)

50. The lack of differentiation when a needs assessment is taking place can act as a barrier to disclosure as there is an assumption that what a victim says may form part of the investigation as referenced in paragraph 19-20. A trauma-informed approach requires transparency and meaningful engagement, so victims understand what is happening, why information is being sought, and how it will be used to support them. To support this, **there must be consistent practice across agencies to clearly set out their intentions when assessing or reviewing victims’ needs.** Without this clarity, opportunities to build trust, prevent re-traumatisation, and support victims’ access to justice are missed.

51. HMICFRS also identified an over-reliance on process and tick-box compliance, rather than meaningful and trauma-informed engagement with victims, to the detriment of the quality of assessments⁴⁰. It is essential that the new Victims’ Code does not reinforce a procedural approach to compliance, but instead drives genuinely meaningful, victim-centred and trauma-informed practice.

52. Needs assessments must be genuinely victim-centred, avoiding assumptions based on offence type or victim characteristics, such as treating one-off crimes like burglary as low need⁴¹, which weakens assessments by overlooking communication barriers and limiting access to redress. Assessments must not gatekeep support; lack of a formal vulnerability, intimidation, or high-risk finding should never bar access. Assumptions based on crime type or victim characteristics further undermine the quality of assessments.

53. It is also important to recognise that trauma manifests in different ways. Differences in behaviour or presentation, even where they may appear challenging, must not be used as a basis for limiting access to support or diminishing victims’ entitlement to it. Through my engagement with specialist services supporting neurodiverse victims and victims

⁴⁰ [Meeting the needs of victims in the criminal justice system - His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services](#)

⁴¹ [An Evaluation of Victims’ Needs in the Criminal Justice System](#)

with learning disabilities, concerns were raised that some victims may minimise the impact of the crime, or the nature of the harm they have experienced, raising concerns that their cases are taken less seriously and their credibility questioned.

“Stop prejudicing against disabled people. [I] feel like the police don't investigate or take things seriously when a disabled person reports a crime, in fact they often make the victim feel like they are on trial.” (Victim of hate crime)⁴²

54. **Criminal justice agencies must be trained to recognise these responses** and work collaboratively with specialist services, and the Victim Care Hub if implemented (see paragraph 25-29) to identify and address any resulting barriers. The Code should clearly reassure victims that reasonable adjustments will be made to address systemic barriers and shortcomings, not because of any perceived failing on their part.
55. Victims and the services that support them also have told me that needs assessments conducted in police stations can be intimidating and distressing, particularly when undertaken immediately after an incident, while they are still in shock or experiencing acute trauma. As previously explored, conducting assessments in such environments can inhibit disclosure and undermine their effectiveness. Wherever possible, **needs assessments should be carried out in neutral, safe, and victim centred settings** that promote trust, support engagement, and enable a more accurate assessment of needs. Victims should be able, where they wish, to also have a supporter present or to be represented by an advocate in the assessment process.
56. Given the length and complexity of the Victims' Code, and the likelihood that many victims will struggle to engage fully with its content, particularly at a time of distress, there is a strong case for developing **separate, practice-focused guidance for criminal justice agencies on how the Code should be implemented**. Understanding or interpreting trauma-informed practice is a professional responsibility of agencies, not victims.
57. Separate statutory guidance providing a standardised needs assessment across forces, supported by proformas, good-practice guidance, training, and clear expectations on information sharing, would promote consistency and help embed trauma-informed responses as standard, rather than relying on victims to advocate for themselves. This is particularly important in the context of policing reform, which presents an opportunity to strengthen standardisation and accountability.
58. It is essential that neither the Victims' Code nor the agencies carrying out needs assessments raise expectations that cannot be met. Victims are too often systematically let down, and where promised adjustments are not delivered this can be retraumatising and further erode trust.

⁴² Extract from [Annual Victims' Survey 2024 - Victims Commissioner](#)

59. **The Code must therefore be underpinned by the infrastructure and resourcing required to ensure identified adjustments can realistically be provided.** This is particularly important in relation to special measures, which must be explained clearly and accurately. As these remain subject to judicial discretion⁴³, victims are too often told they will be put in place, only to be disappointed later.
60. This is particularly an issue for trials heard in the Magistrates Court which include matters tried in the Youth Court where the full range of special measures are not always available. **I am calling for the introduction of “standard measures”** that are applied automatically, similar to the Scottish Model⁴⁴, subject to the victim’s choice, to provide greater certainty and consistency.
61. Relatedly, I urge government to ensure that **all courts get the necessary investment to ensure that special measures can be delivered to all eligible victims regardless of venue.** Crumbling court infrastructure means that court buildings are not always accessible to victims, or court staff⁴⁵. Similarly, I have heard from frontline services of cases where victims have been told they can access separate entrances and separate waiting rooms, but these may not always be available; while the draft Code acknowledges this, it is important that criminal justice agencies also have a responsibility to open, transparent and manage expectations.
62. In addition, as set out in paragraph 28, siloed working across the justice system limits effective information sharing on victims’ needs, undermining agencies’ ability to meet their obligations under the Code and causing frustration for victims. I have long called for the introduction of a **Victim Unique Identifier**⁴⁶, which would help to address this fragmentation and support a more trauma-informed approach to assessing and reviewing victims’ needs. By enabling information to follow the victim, rather than remaining siloed within individual agency systems, a shared identifier would reduce the need for repeated disclosure and allow agencies to build on existing understanding over time. This would support more informed and consistent decision-making, including by the CPS when considering the need for special measures.
63. This lack of joined-up information-sharing is also reflected in referrals to support services. Although access to support is central to trauma-informed engagement, referrals frequently lack the information needed for timely and effective support, with missing details such as contact information or communication preferences creating avoidable barriers. **Information gathered through needs assessments should therefore be shared**

⁴³ [Special Measures | The Crown Prosecution Service](#)

⁴⁴ [Simplified notification procedure for standard special measures for vulnerable witnesses | Scottish Courts and Tribunals Service](#)

⁴⁵ [State of the courts research 2025.pdf](#)

⁴⁶ [Victims-and-Courts-Bill-the-Victims-Commissioner-briefing-RE-Unique-victim-identifier.pdf](#)

with support services, with statutory and support agencies working collaboratively to monitor and respond to emerging needs.

64. Trauma-informed support is also linked to timely access to specialist provision. By-and-for services in particular face challenges within competitive commissioning processes⁴⁷, and insufficient Criminal Justice data means that the need for their services often goes unrecognised⁴⁸. **Improved collection and use of needs assessment information could help to inform commissioning decisions** by evidencing the diverse and complex needs of victims within the system and demonstrating the ongoing need for dedicated specialist services with the expertise to meet them.
65. Consideration must also be given to how compliance with the Code is monitored in relation to needs assessments, to ensure both quality and accountability. Data that simply records whether a needs assessment has taken place provides little insight into whether it was conducted meaningfully or improved the victim experience. At present, there is limited ability to assess the quality or impact of needs assessments in practice.
66. HMICFRS has previously called for a performance framework that incorporates measures of victim satisfaction⁴⁹. Monitoring should therefore be embedded throughout the victim's journey, rather than applied retrospectively, to ensure that information about victims' needs is consistently identified, recorded, reviewed, and acted upon as circumstances change. This requires routine prompts to review needs at key points of contact, clear accountability for responding to changes, and effective information-sharing between agencies.
67. If **post-conviction or end-of-case reviews** are introduced, this could offer a valuable opportunity to engage with victims about their experience of needs assessments and whether their needs were identified and responded to appropriately. This would support system learning, highlight where victims have been let down, and provide a stronger basis for accountability and improvement in practice.

Chapter 2 – engaging with child victims

68. In order to respond to this section of the consultation my office have engaged with the office of the Children's Commissioner, the NSPCC and The Children's Society.

⁴⁷ [Going above and beyond: Mapping the provision and impact of Victim Advocacy in the Criminal Justice System - Victims Commissioner](#)

⁴⁸ [Evidence to the Home Affairs Select Committee Inquiry - Tackling Violence Against Women and Girls: Funding - Victims Commissioner](#)

⁴⁹ [Meeting the needs of victims in the criminal justice system - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#)

69. My response to the questions reflects some of their top-level (and where relevant other stakeholders we have consulted) concerns but I refer you to their responses for a more in-depth analysis.

2A. Do you think a framework guiding criminal justice agencies' engagement with children should be introduced?

70. The new chapter reflects a significant shift in providing specific guidance to agencies on how they should engage with and deliver the code to children. This is welcome.

71. Both statutory agencies and specialist organisations have raised concerns about the ability of statutory agencies to directly engage with children and young people – in particular, their lack of expertise and specialist training to equip them to do so.

72. Specialist organisations and the Children's Commissioner relay that engagement with children and young people both as victims and defendants is hugely variable.

73. The default position tends to be that agencies communicate with parents and carers rather than with children themselves. This can exacerbate feelings of loss of control, particularly for victims of abuse and exploitation. There is also a significant safeguarding risk as parents/ carers can be complicit in abuse and that may not always be apparent at the outset of an investigation. This underscores the importance of direct engagement with children, including giving them safe spaces and opportunities to talk about their experiences and feelings away from parents/ carers.

74. Setting out how agencies engage with children is an important step forward but in order for the code generally and the framework specifically to be meaningful agencies must be appropriately resourced to deliver their duties.

75. I also heard from statutory agencies that they have concerns about their ability to effectively deliver their duties to children under the code.

76. At the very least **frontline staff will need to receive appropriate training in areas such as safeguarding and communicating with children**, but agencies may also need to engage specialist expertise to help them develop communication and information provision.

77. In addition to the importance of statutory agencies being appropriately resourced, there is a dearth of specialist support for children and young people, and **significant investment is required to ensure that this provision is in place and children are appropriately supported to engage in the system.**

2B. Do you agree with the proposed framework for how criminal justice agencies could engage with children?

78. Specialist organisations have concerns about the framework. They are in favour of child victims being given more autonomy and control in the criminal justice system. In particular they echo what I have heard from organisations that represent and support

adult victims, that the sense of loss of autonomy and control they experience due to their victimisation must not be repeated by the criminal justice system.

79. Greater autonomy must be accompanied by appropriate support by people and/ or organisations with specialist expertise, although currently there is a dearth of specialist provision.
80. Work conducted by the NSPCC⁵⁰ found that less a quarter of areas had specialist advocate provision. Meanwhile an FOI request by Barnardo's⁵¹ found just 16.9% of all advocates commissioned to support victims of domestic abuse and sexual abuse by police and crime commissioners in the financial year 2023-24 were there to specifically support children, i.e. CHIDVAs and CHISVAs. Further, the FOI found that more than an additional 1900 FTE CHIDVAs and almost 500 FTE CHISVAs were needed to sufficiently support the number of child victims of domestic abuse and the number of child victims of sexual abuse identified by local authorities.
81. Specifically, they are in favour of more bespoke **engagement with children and young people being led by the capability of the child rather than an 'arbitrary' age bracket** and fear the suggested framework will be proscriptively applied.
82. Specialist children's organisations also flag the importance of information sharing in the context of assessing competency to engage. Information must be sought from other sources including teachers and social workers which can help understanding of a child's developmental age which may vary from their chronological age.
83. This could be explored through examples or a 'what good looks like' section in the code which addresses information sharing and assessing competence to engage.
84. Although the requirement for needs assessments to be 'trauma -informed' is welcome, for children what that looks like could be quite different from that of an adult and will require input from additional specialist agencies. Children's organisations would like to see **specific guidance about what a trauma-informed needs assessment** would look like for children.
85. The Children's society also raised concerns about what happens to children who transition into adulthood during the life of the case. They would like to see transitions to adulthood better addressed in the code.

⁵⁰ [Gap in support for young people who have suffered abuse – NSPCC | The Independent](#)

⁵¹ <https://www.barnardos.org.uk/sites/default/files/2024-01/Victims%20and%20Prisoners%20Bill%20%E2%80%93%20CHIDVAs%20and%20CHISVAs%20Freedom%20of%20Information%20Data%20.pdf>

2C. Do you think the proposed age categories that are being used to guide criminal justice agencies' engagement with child victims are the right ones?

86. Specialist organisations have concerns that the age categories may end up being treated as age-restrictions rather than as guidelines rather than strictly and proscriptively applied. Children within an age range can have significantly different needs, so any model proposed must have some flexibility. Although as worded the code does suggest that the framework should be applied flexibly, it is vital that agencies are required to equip staff to work flexibly around the framework and not just apply it prescriptively.
87. The Children's Commissioner would prefer to see the categories describe capacity / capability to engage rather than age ranges.
88. In particular the first age category of 0-11 is problematic. Developmentally there will be huge variation within this group and as such small categories would likely be more appropriate, for example 0-5 and 5-11.
89. In this initial grouping agencies are advised that information should go via parents unless the child expresses the desire to be involved in which case agencies could consider a bespoke approach. This puts onus on the child to express their wishes and this is unlikely to happen unless agencies are required to proactively facilitate different approaches for all children.
90. The NSPCC raised concerns about how the voice of the youngest children (Infants) are captured by the system. They argue that organisations should be required to capture this and point to the Scottish Government's Voice of the Infant Pledge⁵².

2D. Do you think the right level of engagement is reflected in each category, for example a presumption of direct engagement with 16- and 17-year-olds?

91. The NSPCC are not in favour of the direct presumption against direct communication with under 12s for the reasons outlined above. They also suggest that agencies should consider whether simultaneous communication with children and parents / guardians may be appropriate for some children.

2E. Are there any circumstances in which the proposed framework for how criminal justice agencies engage with children should not apply?

92. Agencies should not narrow their assessment of whether parent/ carer/ guardian engagement is appropriate to whether a specific harm, for example a criminal offence, exists but rather should consider the relationship more widely, for example where in the case of a looked after child they have only recently been placed with a new carer. Information sharing between agencies is critical here.

⁵² [Voice of the Infant: best practice guidelines and infant pledge - gov.scot](#)

93. Where it is not appropriate for a parent or carer to be receiving direct communication, the need for specialist support is even more critical.

2F. Please provide your views on what agencies could do to make sure that direct engagement with children is undertaken in a quality and trauma-informed way.

94. As stated elsewhere training and resourcing will be absolutely crucial.

95. I would recommend that statutory agencies engage the expertise of organisations who work with children in a trauma -informed way.

2G. Do you think the specific sections detailing what child victims can expect should be included in the Code? (as yellow boxes throughout)

In general specialist organisations thought the boxes were useful. Two organisations I spoke to raised concerns about the accessibility and tone of some of the language.

2H. In general, do you think that the impact of a crime on victims under the age of 12 should be relayed by a parent or guardian (for example, by making a Victim Impact Statement on the child's behalf)?

96. As with engagement more broadly for this age group, **agencies should aim to be flexible**, there will be instances where it is appropriate for a child under 12 to do this directly.

97. We know that Victims are often very confused about the evidential nature of the impact statement and ensuring understanding with child victims will be crucial. **The code should also recognise that some young victims of crime have also been defendants, and vice versa.** This victim-offender paradigm is particularly the case for children and young people in the criminal justice system, as both crime and victimisation can be linked to vulnerability.

Other observations:

98. Where the perpetrator is also a child (under the age of 18 yrs) the case will likely be heard in a Youth Court. Youth Courts are rightly different and distinct to adult courts. Hearings are held in private, there are strict reporting restrictions, the culture is more informal and the approach more rehabilitative. For child victims, this may mean that their entitlements under the code are different i.e. they are unable to attend the court hearing aside from giving evidence. It is key that **child victims are able to access support and information when attending youth courts**, which includes understanding the differences in youth court processes. Support to child victims should also acknowledge that, in cases where both the victim and the perpetrator are children, they may well attend the same school and / or be in the same peer group, which brings with it added pressures and issues. **Safeguarding needs to be front and centre of support offered**, drawing in expertise from key professionals as appropriate i.e. social workers; teaching staff etc.

Chapter 3 - Quality and timeliness of providing case information

99. In this chapter, I will respond individually to questions 3A-3G. My response will be informed by the insight provided by victims and the services that support them. However, I also want to first set out the importance of communication to victims throughout the justice process.

100. It is positive to see the draft Code set out in further detail how victims should be communicated with and the consultation consider how digital innovation can address communication issues further. However, prior to considering digital innovation, we must ensure that we get basic communication right.

101. Indeed, victims and bereaved families raised with me that if criminal justice agencies can send timely updates via email, why would a digital portal make any difference.

102. Victims regularly tell me of the issues they face with communication at every stage of the justice process. In the 2024 Victims' Survey, 42% of respondents disagreed that they were kept regularly informed about the police investigation, and victims raised frustrations with the lack of explanation regarding charging decisions⁵³.

"I felt entirely detached from the whole process - although I was the victim of the crime, I might as well have been receiving a very occasional update on an administrative process that had absolutely nothing to do with me. I understand the crime was an accident and it wasn't the crime of the century, but the experience gave me very little confidence in the criminal justice process." (Victim of road traffic accident due to careless and drunk driving)⁵⁴

"One area that could be improved is the timeliness of case updates. There were times when I felt left in the dark, waiting for important information. More frequent communication would have been reassuring." (Victim of Assault,)⁵⁵

103. I believe that quality and timely communication should be a key priority for criminal justice agencies to improve victim experiences and throughout my response to Chapter 3, I will explore what changes would meaningfully improve engagement with victims. This includes my proposal for a Victim Unique Identifier⁵⁶, and a Victim Care Hub⁵⁷.

⁵³ [Victims-Survey-2024-report-16.10.25.pdf](#)

⁵⁴ Extract from [Victim Survey 2024](#)

⁵⁵ Extract from [Victim Survey 2024](#)

⁵⁶ [Victims-and-Courts-Bill-the-Victims-Commissioner-briefing-RE-Unique-victim-identifier.pdf](#)

⁵⁷ [Policy Paper - Victim Care Hub Blueprint](#)

Question 3A. What information would be most valuable for victims going through the criminal justice process including during the investigation and pre-trial to

104. Victims are not a homogenous group, and their needs and communication preferences vary. Any digital service/platform must be shaped by individual victims' choices, not imposed as a one-size-fits-all solution.
105. Some victims I have spoken to support the option of a digital portal, particularly as a single, accessible source of information and routine updates. However, they are clear that **it must complement, not replace, personal communication**. Victims need opportunities to ask questions, seek clarification, and discuss updates to support understanding and decision-making, and any digital platform must not reduce the priority placed on personal contact following updates.
106. Although this consultation question focuses on the investigation and pre-trial stages, **any digital portal should be equipped to support victims throughout the criminal justice journey, from report to post-trial**, when this is something they want.
107. Routine information, including case reference numbers, key milestones and the listing of trial dates, may be shared through a digital platform where this aligns with a victim's preferences and can support transparency. However, this should only take place following direct, personal engagement. In particular, the listing of a trial or any changes to a trial date must be communicated through direct engagement in the first instance, enabling victims to understand what is happening and to ask questions or raise concerns. It should also never be assumed that a victim has seen information shared solely via a portal, and procedures must be in place to prompt timely personal follow-up.
108. While some victims may indicate a preference for written or digital updates, this should never be assumed. Communication must not rely solely on a digital platform, as this places the responsibility on victims to actively monitor information. Victim preferences may also change as a case progresses, and this must be recognised and revisited through regular needs assessments.
109. A portal must also support engagement by clearly setting out contact details for the officer in charge - or, for bereaved victims, the family liaison officer (FLO) - and the Witness Care Officer. While the draft Code specifies that victims will receive written confirmation and contact details for the police officer dealing with their case, this does not appear to extend to Witness Care Officers. Victims and support services have raised concerns that some victims are unclear about who their Witness Care Officer is, and the draft Code does not clearly define the respective responsibilities of police and witness care services. While responsibility should not rest with victims to initiate contact, they must feel able to do so when needed, with prompt and reliable responses.

110. Individual forces may also offer alternative communication routes for victims who are unable to make contact with their officer in charge; for example, within the Metropolitan Police, victims should be provided with the contact details for the Victim Focus Desk⁵⁸, which can supply case updates where the OIC is unreachable, a situation that is often the case. The digital portal should provide information on such services/alternative contact routes to victims.
111. Where relevant, contact details for CPS Victim Liaison Officers should be made available. In qualifying cases, these officers ensure that victims, survivors, and bereaved families receive clear explanations of key charging or case-ending decisions, are supported to exercise their Victims' Right to Review, and are able to discuss substantial changes to charges or outcomes under the CPS Victim Communication and Liaison Scheme⁵⁹.
112. Beyond the pre-trial and trial stages, a digital portal could also play an important role in **supporting engagement with the Victim Contact Scheme**. Eligible victims must be provided with clear, accessible information on how to contact both the Victim Contact Scheme and their assigned Victim Liaison Officer (VLO). While a digital portal may not, in itself, resolve all communication failures, it could help boost awareness of the scheme, and strengthen accountability by enabling victims to record and manage their contact preferences, including what information they wish to receive, how and when they wish to be contacted, and what information they do not wish to receive. I explore these issues further in my response to Chapter 4.
113. I am also aware of the persistent communication challenges victims face when applying to the Criminal Injuries Compensation Scheme⁶⁰. It would be of significant value for **the digital portal to provide clear, accessible information about the CIC Scheme** and the application process, and to integrate direct communication routes with the Scheme, helping to streamline what is often a complex and frustrating experience for victims.
114. Across the criminal justice process, digital functionality should support contact being scheduled around victims stated availability, reduce missed communication and help avoid contact at times likely to cause additional distress. This may include family occasions, birthdays, or anniversaries of the offence, as well as particular times of day that are unsuitable due to work commitments or the impacts of trauma, such as disrupted sleep. A portal could enable victims to clearly record these preferences, including their availability in relation to trial arrangements.

⁵⁸ [Met Police: Victims of crime to get more support - BBC News](#)

⁵⁹ [Victim Communication and Liaison \(VCL\) Scheme | The Crown Prosecution Service](#)

⁶⁰ [Compensation without re-traumatisation: The Victims' Commissioner's review into criminal injuries compensation - Victims Commissioner](#)

115. Some victims may not wish to receive full case updates through a portal but would welcome notifications confirming when a call or appointment has been scheduled, providing certainty about when contact will take place and allowing time to prepare.
116. Where information is provided in writing, victims may also prefer it to be shared through a portal rather than personal inboxes, enabling them to track communications in one place and keep potentially distressing correspondence separate from everyday messages.
117. Victims frequently describe feeling overwhelmed by information in the immediate aftermath of a crime, limiting their ability to absorb key details or understand their options. A digital portal could help address this by **bringing together clear, accessible information about local support services and the Victims' Code in one place, allowing victims to engage with it at a time and pace that suits them**. This would help make victims' rights more visible and meaningful in practice. Relevant parts of the Code should also be highlighted by the portal at relevant points of the justice process. For example, where a decision is taken not to charge, victims should be informed of their Victims' Right to Review (VRR); my predecessor's Victims' Survey found that, in such cases, only 14% of victims were aware of the scheme⁶¹. While this information must also be accompanied by direct contact with the police or CPS, access via a portal would give victims time to consider it independently and provide a clear record if issues of timeliness arise.
118. I would also expect a digital portal to include clear guidance on Victim Impact Assessments, alongside straightforward and timely mechanisms for victims to make additional statements. The portal should additionally enable victims to clearly record their preferences on reading their statement aloud at sentencing, what special measures could help them to do this and to express their views on offender attendance at the sentencing hearing.
119. Consideration should also be given to **the benefits of a shared digital portal accessible to all relevant criminal justice agencies**. The 2024 Victims' Survey found that 55% of respondents were not confident that the police, Crown Prosecution service, and the courts communicate effectively with one another, leading to poor case handling and unnecessary distress for victims⁶². The fragmented system as a contributing factor to the delays in the Crown Court was also highlighted in Sir Brian Leveson's review of the Courts⁶³.

⁶¹ [Victims-Survey-2024-report-16.10.25.pdf](#)

⁶² [Victims-Survey-2024-report-16.10.25.pdf](#)

⁶³ [Independent Review of the Criminal Courts – Part II: Volume 1](#)

120. While the fragmented system, and siloed approach to the justice process persists, communication issues will remain.
121. A digital portal both victims and criminal justice agencies can access could hold needs assessments, communication preferences, and key case information in one place, visible to all agencies, reducing duplication, preventing information loss as cases move between agencies, and supporting more coherent, victim-centred delivery, essentially **operating as a victim passport**. Built-in prompts could also support compliance with the Code by reminding agencies to confirm preferences and provide required updates, reducing the need for victims to chase agencies.
122. Embedding a **Victim Unique Identifier**, as explored in paragraph 62, with such a portal would further help ensure that victims are not lost as cases move between agencies, support a more holistic understanding of their experiences, and strengthen the identification of risk.
123. This approach would also improve the quality and consistency of data collection, enabling better identification of individuals at risk of repeat victimisation and informing more targeted support. Used appropriately, it could support earlier intervention and a more joined-up, victim-centred response across the justice system.
124. I have previously raised concerns about the lack of transparency and accountability across the justice process, with victims frequently reporting difficulties accessing information about their cases. An accessible, victim-led digital portal could address this by improving access to appropriate information, making processes clearer, and reducing the need for victims to repeatedly chase agencies for updates.
125. Drawing on models such as the NHS App, victims could be given access to relevant information held about them, subject to legal and privacy safeguards. This would enable victims to identify inaccuracies, understand whether their rights are being delivered, and view a clear record of key communications, including whether decisions and entitlements were shared in a timely way.
126. Greater transparency would support victims in holding agencies to account, reinforce trust and confidence in the criminal justice system, and help clarify responsibility across agencies, addressing situations where unclear ownership leads to essential actions being overlooked rather than duplicated.
127. A digital portal should also clearly set out how to make a complaint, identify the body responsible for responding, and allow victims to track progress throughout the complaints process.

Question 3B: What information should not be communicated digitally but instead conveyed through personal communication with victims?

128. As set out above, decisions about communication must be made on a case-by-case basis and should be victim-led. Communication via a digital platform should never be the default, particularly in cases involving ongoing harm or where accessibility and safety risks may arise.
129. When sensitive or distressing information is shared digitally, the necessary support may not be in place. Victims should not be exposed to such updates without meaningful engagement beforehand, including an opportunity to check understanding, ask questions and ensure appropriate support is available. Even where a victim has not been identified as vulnerable, certain updates may still cause significant distress or re-traumatisation and may require a further needs assessment to ensure the victim can continue to engage safely and meaningfully with the process. It is therefore essential that information shared through a portal follows personal engagement with the victim or survivor, rather than replacing it.
130. Certain information is particularly sensitive, including case outcomes and bail conditions. Victims are likely to have questions that require timely and supportive explanation, and legal terminology such as “remand” can be confusing. Without clear communication, misunderstandings may cause unnecessary alarm or, conversely, a false sense of security, for example where a victim believes a perpetrator is in custody when they are not.
131. Similarly, post-conviction information, including sentencing decisions or release arrangements, may be valuable for victims to revisit in their own time, but should not be shared digitally without prior discussion. This information can be highly triggering and requires appropriate explanation and support.
132. Recent incidents of offenders being released in error have highlighted poor and untimely communication with victims with Dame Lynne Owens highlighting that “there is no formal policy framework establishing responsibilities, expectations or minimum standards for victim communication when releases in error occur”⁶⁴. While there is a right to being informed of an offender being released from custody, this does not extend to offenders released in error. Due to the risk and distressing nature associated with such an update, it is crucial that this is provided as soon as possible via personal communications and I am supportive of Dame Lynne’s recommendation⁶⁵ that **the Home Office and Ministry of Justice develop a clear policy when incidents like this occur.**

⁶⁴ [Independent review into releases in error - redacted.pdf](#)

⁶⁵ Recommendation 10- [Independent review into releases in error - redacted.pdf](#)

133. Human communication remains essential to victims' experiences of the criminal justice system. While poorly designed digital communication can feel impersonal, a digital portal, if developed well, can bring real benefits. Any portal should be **user- and victim-led, and used to complement, not replace, human engagement.**

Question 3C. What other considerations should be integral to the design of any digital victim service?

134. As set out in responses to Questions 3A and 3B, there are significant concerns about over-reliance on digital victim services in place of personal communication. Any digital innovation within the criminal justice system must prioritise the needs, safety, and choices of victims over efficiency or administrative convenience.

135. For some victims, digital communication may be unsafe. Victims may not have secure access to digital devices, or their abuser may have access to those devices. It is therefore essential that digital platforms are never assumed to be universally beneficial or allowed to become the default means of communication. **Victims must retain genuine choice over how they receive information** and engage with the criminal justice system. In addition, victims' informed consent must be obtained before their information is transferred to, or accessed through, a portal, with clear options to review, limit, or withdraw that consent where appropriate.

136. For some victims, digital services may be inaccessible. This is particularly relevant for some elderly victims, as well as victims with disabilities or limited digital confidence. If a victim cannot access a digital service, this must not result in reduced access to information or a lower standard of communication compared to other victims.

137. Victims who are distressed may be less likely to engage actively with a digital portal. While digital access to information is valuable, it is not sufficient on its own and must be complemented by personal conversations with officers or support workers to ensure understanding and appropriate support is in place. Similarly, the receipt and comprehension of information provided digitally should not be assumed, and mechanisms should be in place to actively confirm that victims have reviewed and understood the information.

138. Advocates from specialist support services consistently raise concerns that criminal justice agencies do not communicate with them, even where victims have explicitly requested this. The introduction of a digital portal risks further embedding this disconnect if clear expectations are not set around information-sharing and engagement.

139. This is a particular concern for disabled victims, where updates provided solely through a personal digital portal may not be accessible to the specialist service

supporting them, undermining continuity of care and informed advocacy. To be victim-centred, **digital provision must complement, rather than replace, coordinated communication with trusted support services**, where a victim has given consent.

140. Usability testing is also crucial. This includes considering whether language is trauma-informed and easy to understand, whether accessibility features can be used without affecting the structure or clarity of information, and whether victims feel confident navigating the system. Simple design features, such as clearly front-loading key updates, are essential. It is unlikely that technical development teams will have specialist training in trauma-informed practice, and consideration should therefore be given to **providing trauma-informed training or embedding specialist input at the design stage**.
141. Some victims may also value support with digital literacy. This could include guidance on accessing digital information safely, such as using private browsing, quick exit functions, or managing digital footprints. Digital literacy may also extend to the use of AI-enabled tools. I am aware of work to develop AI chat functionality to support understanding of the Victims' Code. While this has potential benefits, **AI is still an emerging technology and it is essential that victims are clearly informed about how such tools operate, their limitations, and how their data is used**.
142. Clear reassurance around data protection and privacy is critical to building victims' confidence in a digital portal. Victims should be able to trust that their information is secure, protected by appropriate safeguards, and handled responsibly, particularly those with heightened safety risks. This includes transparent, plain-language explanations of what data is held, how it is protected, and which criminal justice agencies or professionals may access it.
143. Transparency is also key, such as making clear when a communication is automated. Including links in automated messages can also cause concerns for victims, particularly those who have experienced fraud.
144. In the context of the rising prevalence of online crime/harms⁶⁶, particularly affecting young people⁶⁷, care must be taken when advising victims to engage with technology. Where abuse has been facilitated through digital means, or where technology has itself been a source of harm, reliance on digital engagement may be inappropriate and risk exacerbating distress. This must be carefully considered when determining how information and support are provided. The timing and presentation of communication also require careful consideration. Victims frequently describe the distress caused by receiving significant updates while at work, during family events, or late at night, disrupting sleep. Digital systems should allow communications to be scheduled at times that work for victims. It is also important that victims have access to timely responses once a message is sent. Updates should not be issued immediately before an officer

⁶⁶ [Crime in England and Wales - Office for National Statistics](#)

⁶⁷ [Online harm and abuse: statistics briefing | NSPCC Learning](#)

goes on leave, leaving victims without a clear route to raise questions or concerns.

145. Finally, I am aware of parallel work by the police through the Police Portal and by the Ministry of Justice through Pathfinder and Track My Case. While the Police Portal enables communication at the investigation stage and Track My Case focuses on court information, there is a risk of duplication and fragmentation if these systems are developed separately. For a digital approach to work effectively for victims, **a single, joined-up service is needed**. Multiple platforms, log-ins, and information sources risk adding further complexity to an already fragmented system and may create additional barriers for victims rather than reducing them.

146. Without these considerations, there is a real risk that a digital service could reduce engagement, increase harm, and deepen existing inequalities in victims' experiences of the justice system.

Question 3D: How could a digital victim service help to prepare victims for what to expect at the court?

147. Information and expectation management is key to preparing victims for court, and also preventing withdrawal⁶⁸. My predecessor's report, *Justice delayed*, highlighted how poor, and sometimes inaccurate communication compounds the impact of the Crown Court backlog on victims, worsening victim experiences⁶⁹, and my attrition review in London found poor communication was a key driver of victim withdrawal⁷⁰.

148. I believe that **greater focus and investment is needed to help victims and witness before they give evidence at court**, so that they feel confident to give evidence, familiar with the court process and receive clear and consistent information⁷¹. However, this requires personal communication and support which a digital service cannot always deliver.

149. A key point raised by victims in this research is the need for expectation management at early stages. This includes explaining the impacts of the delays in the court system to victims so they understand what their experience might look like. Victim-survivors also want transparency in what things mean in practice, including what a certain listing type means, as well as why things happen, such as why a trial adjourned. This requires meaningful engagement, not online signposting.

150. In-person pre-trial visits are greatly valued by victims, and I am pleased to see that this is mentioned in the draft Code.

⁶⁸ In a recent letter to the Criminal Bar Association, the DPP highlighted that victim attrition has risen by over 5% in the last 5 years and almost one-third of contested prosecutions now fail for 'victim reasons' - www.criminalbar.com/resources/news/monday-message-16-02-26/

⁶⁹ [OVC-Crown-Court-backlog-report-10.03.25.pdf](#)

⁷⁰ [The London Victim Attrition Review | London City Hall](#)

⁷¹ [Policy Paper - Witness Preparation and Pre-trial Support in London](#)

All the court staff were absolutely brilliant and supportive. Before the trial I was able to be shown a court room and talked through the procedures, so on the day I appeared in court, it was not as daunting as it could have been. (Victim of domestic abuse)⁷²

151. However, I remain concerned that currently pre-trial visits are constrained by court availability which results in them being completed in haste.

152. I am keen to see the **introduction of dedicated sessions that provides in-depth support and information to help victims understand the court process** further, alongside having the opportunity to see the courtroom layout. These sessions will help victims to understand key skills to navigate the cross-examination process, including offering a roleplay cross-examination on an unrelated topic such as a visit to the cinema, ensuring that this does not lead to witness coaching. This is set out further in my paper⁷³.

153. I recognise the value of online resources. This includes developing standardised guide to cross-examinations, short videos to explain courtroom roles, common questioning techniques and general guidance for victims including the court room layout for those who cannot visit ahead of trial. These can reassure victims that they are not the one's on trial and they will be able to say if they need a break, don't understand a question or cannot recall something.

Question 3E: Please provide your views on what agencies could do to make sure that communication with adult victims is undertaken in a quality and trauma-informed way. Please see question 2F for child victims specifically.

Question 3F: What role can the Code have in supporting quality and trauma-informed communication processes?

154. I am responding to Questions 3E and 3F jointly due to the overlap between the issues they raise.

155. I believe that the current system constrains the extent to which criminal justice agencies can communicate in a trauma-informed way (see Chapter 1). This needs to be addressed alongside guidance to agencies to support them in their engagement with victims.

156. As set out previously, best practice in relation to communication with victims should be articulated through **separate, dedicated guidance for criminal justice agencies, rather than relying solely on the Code**. Clear, operational guidance would better support consistent delivery across agencies and provide a clearer benchmark for practice.

⁷² Extract from [Victims-Survey-2024-report-16.10.25.pdf](#)

⁷³ [Policy Paper - Witness Preparation and Pre-trial Support in London](#)

157. If the standards currently set out in the Code were consistently met, this would be a positive step towards a trauma-informed approach, ensuring that victims are treated with respect, given a voice, supported appropriately, and genuinely understood. However, there is currently no meaningful or systematic way to monitor whether this standard of communication is being delivered in practice.

158. HMICFRS highlighted that, when measuring how well they support victims, forces tend to prioritise quantity over quality⁷⁴. For example, they often record the number of times victims are updated, rather than assessing how effective those updates are in providing meaningful information and support. As a result, victims do not always receive the best possible service. **Robust mechanisms must be built into the system to ensure communication with victims is both consistent and trauma-informed**, rather than aspirational.

159. Victims want to be recognised as individuals and treated as active participants in the criminal justice system with consistent support and communication throughout their journey, not passive recipients of process. Indeed, opaque processes result in victims feeling isolated and left in the dark, and this is prolonged by lengthy delays in all stages of the justice process.

“If the justice system allows such a length of time to get from the initial crime to sentencing, why is there no service to support you for this full length of time? Not one person has been on this full journey with me and for the past 12 months, I've had virtually no contact...”⁷⁵ (Victim of stalking and harassment)

160. Meaningful, consistent, tailored communication is therefore essential. It signals that victims are valued, listened to, and taken seriously, and helps ensure they can engage with confidence at every stage. When communication fails to meet victims' needs, it undermines trust in the system and weakens their willingness to remain involved.

161. **Criminal justice agencies must also be required to engage in regular trauma-informed training.** This training should emphasise the importance of language, tone and timing, and recognise that trauma can manifest in different ways for different victims. Training must also focus on the role of the Victims' Code. Without ongoing training and reinforcement, there is a risk that trauma-informed approaches become diluted or applied inconsistently across the system.

162. To communicate with adult victims in a trauma-informed way, as set out in my response to Chapter 1, criminal justice agencies must recognise victims as individuals

⁷⁴ [Meeting the needs of victims in the criminal justice system - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#)

⁷⁵ Extract from [Victims-Survey-2024-report-16.10.25.pdf](#)

with distinct needs and communication preferences. Assumptions should not be made about the impact of crime, and professionals' own perceptions must not shape how communication is delivered. Victims of anti-social behaviour, for example, consistently highlight the poor quality of communication they receive, reflecting a failure to adequately recognise and respond to their experiences⁷⁶.

“The police just couldn’t care less when I phoned up...I’d already had a harassment case that was being investigated. And excuse me, I just couldn’t believe the apathy of the officer at the time. And that set me back weeks.” (Victim of anti-social behaviour)⁷⁷

163. Communication can also be adversely affected by perceptions of the offender. Research I have recently undertaken with road traffic collision victims and bereaved families highlights concerns that the harm they have experienced is minimised because the offence lacked intent⁷⁸.
164. Similar issues arise for victims of offenders with mental disorders, where limited understanding and insufficient explanation of the context and consequences of offending can undermine communication. A lack of tailored information and sensitivity to these differing experiences presents a significant barrier for victims, and this issue is explored further in my response to Chapter 4.
165. It is also important to be clear that trauma-informed communication does not mean infantilising victims or withholding information “for their own good”. Victims consistently value transparency and honesty, even when information is difficult to receive. Meaningful trauma-informed practice must therefore include clear explanations, realistic expectations, and genuine opportunities for victims to have their voices heard. This not only respects victims’ autonomy but supports a system that empowers victims rather than sidelines them.
166. I also recognise the wider systemic pressures that shape how criminal justice agencies are able to engage with victims. High caseloads and chronic under-resourcing mean that witness care teams are often unable to dedicate sufficient time to individual victims. This was a key finding of my predecessor’s report⁷⁹. The Home Office is currently undertaking a review of Witness Care Units, and I hope this will shine a necessary light on the pressures these teams face, as well as the level of investment required to ensure they can operate as intended for victims.

⁷⁶ [ASB-research-report-COPY-FOR-FULL-PUBLICATION-.pdf](#)

⁷⁷ Extract from [Still Living a Nightmare Report](#).

⁷⁸ I aim to publish this report Summer 2026.

⁷⁹ [Justice delayed: The impact of the Crown Court backlog on victims, victim services and the criminal justice system - Victims Commissioner](#)

167. Similarly, specialist support services are central to trauma-informed communication, helping victims to understand the justice system, remain engaged with proceedings, challenge decisions, and receive holistic emotional support to aid recovery beyond the immediate impact of the crime.

“She acknowledged the gravity of my experience which was a game changer for me personally and in the police taking it seriously...She has helped be my voice when I have been dismissed by police when I have tried to challenge some of their decisions.” (Victim respondent to Going Above and Beyond)⁸⁰

168. However, access to these services is inconsistent and often dependent on insecure, short-term funding, and high levels of demand mean many victims face lengthy waiting lists⁸¹. This reinforces the **need for sustained, long-term investment to ensure equitable provision** and to prevent support being shaped by postcode rather than need.

169. Criminal justice agencies must also better **recognise and embed the role of specialist advocates**, including through enabling court attendance and maintaining regular, collaborative communication. I welcome the changes in the Courts and Tribunals Bill allowing supporters to attend court with victims, and would like to see this role more clearly reflected in the Victims’ Code, reinforcing that victims should not be expected to advocate for themselves where specialist services exist and play a vital role in facilitating communication.

170. Furthermore, the proposed Victim Care Hub would strengthen trauma-informed communication across the justice system and improve collaboration with specialist services by providing victims and their advocates with a single, consistent point of contact responsible for their care and the upholding of their rights under the Victims’ Code. This would streamline the flow of information to victims, ensure communication is trauma-informed, and proactively link victims to appropriate support. See paragraph 25-29.

Question 3G: Do you think agencies should be able to delegate certain responsibilities such as providing information to victims and making referrals to support services? [Yes/No] Please explain your answer.

171. Firstly, I am concerned by how the delegation or outsourcing of certain responsibilities is framed within the draft Code. There is a lack of clarity about what this delegation would mean in practice, and how accountability would be maintained. **I share concerns that delegating responsibilities risks weakening both accountability and compliance monitoring.** The criminal justice system already suffers from fragmented

⁸⁰ [Victims-Commissioner-Going-Above-and-Beyond-Mapping-the-Provision-and-Impact-of-Victim-Advocacy-in-the-Criminal-Justice-System-1.pdf](#)

⁸¹ [Victims-Commissioner-Going-Above-and-Beyond-Mapping-the-Provision-and-Impact-of-Victim-Advocacy-in-the-Criminal-Justice-System-1.pdf](#)

accountability and overlapping responsibilities across multiple agencies, which contributes to poor case progression and inconsistent victim experience. Further delegating duties, without clear safeguards, risks exacerbating these long-standing issues.

172. The proposed delegation of responsibility for referring victims to support services is a particular concern. It is unclear how this would operate in practice, and there is a risk that delegation could inadvertently introduce additional barriers to support. No organisation should act as a gatekeeper to victim support, and I am **firmly supportive of an automatic referral, opt-out model, whereby victims are proactively contacted by support services and then decide whether to consent to ongoing support**. This approach better reflects a trauma-informed system and reduces the risk that victims fall through gaps due to misunderstanding, delay, or administrative burdens.
173. I am also concerned about the potential role of private contractors within any delegated model. The use of private providers within the criminal justice system has already raised persistent concerns about quality assurance, transparency, and oversight⁸²⁸³. I would not want to see these risks further entrenched through additional delegation of responsibilities that involve direct engagement with victims, particularly where monitoring arrangements are unclear.
174. Stakeholders have also raised concerns about the delegation of responsibility for handling third-party material to contractors. This raises significant privacy and data-protection concerns for victims and is an issue I intend to explore further with relevant agencies.
175. There are also significant data protection and privacy implications. Delegation may create confusion for victims about who is responsible for holding, managing, and sharing their personal data, and for what purposes. Without clear, consistent governance arrangements, this risks undermining victim confidence and trust in the system.
176. That said, I do recognise that there may be benefits to delegating certain functions to organisations that are better equipped to engage with victims or explain complex processes. For example, the CPS providing clear explanations of charging and sentencing decisions is something I support, and which could improve transparency and understanding for victims.
177. Similarly, my proposed **Victim Care Hub model** would require the delegation of specific responsibilities due to the need for independence from the criminal justice

⁸² [Serco Faces Criticism Over Electronic Tagging Performance in the UK Justice System - London Daily](#)

⁸³ [Barristers accuse Serco of fuelling criminal backlog](#)

system. However, this would sit within a clearly defined framework that prioritises victim benefit, accountability, and data security.

178. Overall, further clarity and assurance are required before delegation can be supported more broadly. This must include **clear lines of accountability, robust compliance monitoring, and transparent arrangements for data handling**, to ensure that delegation strengthens, rather than undermines, victim confidence and outcomes.

Chapter 4 – Improving how opportunities to participate are offered to victims

179. Throughout this response, I have made clear the importance of the victims' voice. I welcome this consultation chapter and the consideration given to how to improve opportunities for victims to participate in the justice process.

180. I will structure this section by grouping questions by the stages they apply in victims' journeys.

Question 4A: Do you think that the opportunity to make a Victim Impact Statement should be offered to victims once a suspect has been charged and again when a trial is scheduled? [Yes/No] please explain your answer.

Question 4B: How helpful do you think the new information in Right 7 is to ensure victims understand how they can make a Victim Impact Statement? [Likert – Very helpful -> Very Unhelpful].

Evidential status

181. Firstly, it is important to recognise the purpose and role of Victim Personal Statements (VPS), as they are known currently. For the sake of clarity, and my preference for the term, I will refer to them as Victim Impact Statements (VIS).
182. A VIS provides a vital opportunity for victims to articulate the personal impact of the crime. It is generally understood that the VIS will be considered at sentencing, with victims sometimes given the opportunity to read all or part of their statement aloud in court. For many victims, the VIS is profoundly important, frequently representing the only moment in the criminal justice process where they feel their voice and lived experience are genuinely heard and in doing so have fulfilled the aims of government in introducing them⁸⁴. However, this crucial opportunity is being undermined by the

⁸⁴ They were introduced in 2001 following the 1996 Victim's Charter with the loose aim of providing victims a voice in the process.

evidential status of the VIS, which risks diluting its significance and limiting its ability to fulfil this essential purpose

183. In the case of *Rv. Perkins, Bennett and Hall*⁸⁵ the Court of Appeal emphasised the evidential status of the VIS. As the statement forms part of the Crown's evidence, it must be disclosed to the defence in line with disclosure obligations and the defence can cross examine the victim on its' contents.
184. As the VIS has evidential status, practice has developed to mean that victims are usually asked to make their VIS at the same time as their witness statement in line with current guidance⁸⁶. Where the CPS are making the charging decision in a case, they consider the VIS along with all the other evidence provided to them by the police.
185. For example, to a victim of stalking, explaining the impact of the crime in a VIS, can make the difference between the offender being charged with a s.4A offence as opposed to the lesser s.2A offence⁸⁷. In cases where a victim does submit a VIS, this raises concerns that perhaps the impact of the crime will not be factored, and the victim could be disadvantaged.
186. Victims' representatives have argued that victims should not be required to provide a Victim Impact Statement (VIS) at the same time as their witness statement but should instead be given the opportunity to do so later in the process. At the early stages of a case, victims are often still experiencing high levels of trauma and may not yet understand the full or longer term impact of the crime. Requiring a VIS at this point can compound distress, with some victims asked to complete a statement while still in shock and before having had time to process what has happened.
187. While the CPS may need to consider a VIS pre charge given its current status as evidence, the length of investigations means that the true impact of a crime, including its ongoing consequences for victims' daily lives, often only becomes clear over time. Victims should therefore ideally be afforded the time and emotional space to reflect on these impacts before formalising them, to ensure the VIS is meaningful and does not risk exacerbating trauma.
188. There are also concerns that, particularly where a VIS is submitted pre charge, victims may inadvertently disclose information that could be used to question their credibility. For example, a rape complainant may explain that the offence has exacerbated a pre-existing mental health condition, which could then be misinterpreted or relied upon to undermine their account.

⁸⁵ [2013] EWCA Crim 323 [Judgment: Robert Perkins and Billy Bennett and Ronnie Hall -v- R](#)

⁸⁶ <https://assets.publishing.service.gov.uk/media/5a7cd21040f0b6629523c02e/victims-vps-guidance.pdf>

⁸⁷ s.2A 'Offence of stalking' s. 4A 'Stalking involving fear of violence or serious alarm or distress' Protection from Harassment Act 1997

189. Due to its evidential status, I have also heard from victims, those that support them, and parliamentary representatives^{88 89}, concerns that VIS are being edited. This can cause victims to feel that they are being unduly policed, that their statements are being watered down, and their voices not truly heard undermining their understanding of the purpose of the statement. To ensure the statement lives up to its name and it's purpose of giving victims a voice in the system, victims must be able to speak as freely as possible about the impact of the crime on their lives, without feeling constrained in what they can say or fearing that their credibility will be questioned because of its evidential status.
190. The only other part of the process that gives victims an opportunity to voice their experiences is through their evidence, in the form of their evidential statement and evidence given during a trial. However, there are rightly constraints upon what they can say via their evidence due to considerations of procedure and admissibility. When the same considerations are applied to the VIS it can leave victims feeling that the promise of being able to voice the impact of the crime is somewhat empty.
191. I am also aware that, although victims are usually told the statement will be considered as part of the sentencing exercise, evidence suggests that sentencers do not routinely refer to VIS and many report limited or no training on their purpose or use⁹⁰. This raises questions about the extent to which statements meaningfully influence sentencing outcomes, and whether they hold any meaningful value for victims.
192. My predecessor raised these concerns with government and pushed for the evidential status of the Victim Impact Statement be reconsidered. I recommend that that government should consider the impacts of the evidential status of the statement as part of wider research into the scheme – see paragraph 194. It is vital that where we are offering an opportunity to victims to share the impact of the crime upon them, we do not render this meaningless for reasons of procedure.
193. Of course, if the impact statement were recategorized, there would need to be a change of practice; where the impact of the crime constitutes evidence of the offence or its' categorisation, as in the example at paragraph 185 above, this would need to be explored with the victim within an evidential statement.
194. I also support calls for further research into the role of Victim Impact Statements (VIS) in sentencing, including whether they influence outcomes and whether the process is meaningful for victims⁹¹. Such research would help clarify the evidential value of VIS, and if this status benefits victims, or is to their detriment.

⁸⁸ [Matt Bishop extracts from Oral Answers to Questions \(3rd June 2025\)](#)

⁸⁹ [Victims and Courts Bill \(Fifth sitting\) - Hansard - UK Parliament](#)

⁹⁰ [Victim Personal Statements - Sentencing Academy](#)

⁹¹ [Victim Personal Statements - Sentencing Academy](#)

195. Removing the evidential status of VIS, would help ensure that victims are not pressured to provide statements pre charge, enabling the VIS to fulfil a clear and meaningful function by allowing victims to explain, in their own words and time, how the crime has affected them. In the sentencing context, treating the VIS as evidential risks overstating its role and influence, and may reinforce unrealistic expectations among victims about how their statements will be weighed by the court. By clarifying that the VIS informs sentencing without carrying evidential weight, victims' voices can be heard in a transparent and appropriate way, while expectations are better managed and potential procedural difficulties avoided.

Offer of VIS

196. Offering a VIS should be a purposeful, trauma-informed and ongoing conversation, beginning at early engagement with victims and continuing through to post-trial, rather than a single procedural step. From the outset, expectations should be clearly managed about the purpose and limits of a VIS, including when it may be relevant in the justice process and its status as evidence. Victims should be supported to understand what a VIS is and what it is not, how it differs from a witness statement, and what can and cannot be included, as too often I hear of victims being unclear of what a VIS entails.

“Provide more information upfront regarding what constitutes the VPS, when is it taken and how [it] is distinct from the witness statement.” (Victim of domestic abuse)⁹²

197. They should also be reassured that submission is flexible and should not be rushed to provide one if they do not feel ready.

198. Criminal justice professionals should also proactively remind victims of their ability to provide an additional statement where one has already been submitted, particularly where victims describe ongoing impacts on their health, employment, or everyday life.

199. Victims should also have time to access support when preparing their statements and it is positive this is referenced in the draft Code. This will help ensure that the right to make a VIS is accessible to those who may face barriers with communication and articulating the harm caused to them. However, statutory and support services must be given clear guidance on how to write a statement, including how to ensure that a victims' personal voice is captured.

200. If the VIS is to remain evidential in nature, I would like the Code to make clear where edits are required, the reasons should be explained through a conversation with the victim, so they are able to ask questions and raise any concerns. Any feedback must be trauma informed e.g. not just red lines throughout their statement. The guidance victims

⁹² Extract from [Victim Survey 2024](#)

are signposted to in the Code must also be strengthened to make clear what the role and status of a VIS is.

201. If specific guidance on the Victims' Code is developed for criminal justice agencies, as discussed previously, it is critical that this clearly sets out the role of the VIS to help inform the conversation around this entitlement, and the support offered.

VIS at the Sentencing Hearing

202. The 2024 Victims' Survey⁹³ found that when a VIS was written, multiple victims requested to read their statement but were not granted the opportunity to do so leading to frustrations. While the draft Code highlights that a victim may not be always able to read the statement out, it is important that criminal justice agencies communicate this clearly to manage their expectations.

203. *"I was never allowed to speak in court as victim...never allowed any voice...never allowed to read my 3 different VPS ever during 3 cases, 9 hearings in all & 2 sentence hearings. (Victim of domestic abuse)"⁹⁴*

204. It is also important that, where a guilty plea is entered, victims have still had an opportunity to provide a VIS. In some cases, a guilty plea may result in sentencing at the first hearing in the Magistrates' Court. A victim told me of their experience where they were not informed this could happen and was therefore not present at the hearing and did not get to read their statement. Victims should therefore be made aware of this possibility in advance and the relevant timelines, so they can submit a VIS in good time if they wish to do so, and be provided with hearing details if they are able and wish to read their statement to the court.

205. Victims must also be made aware that as the VIS is evidence, the statement will be shared with the defendants. For most victims, this may be welcome as an empowering opportunity to hold the perpetrator to account and make clear the harm they have caused. However, for victims where the offender may not face a custodial sentence, or may live in close proximity with the victim, for example in cases involved anti-social behaviour, there may be concerns for their safety, and how the VIS can be used against them.

206. It should also be made clear to victims and bereaved families that the media can potentially report on their VIS if it is read in court, which for some victims can be a cause for concern and cause further harm.

207. Victims, survivors, and bereaved family members may welcome the option to provide impact statements in alternative formats, such as video. This may be particularly beneficial or preferred by some victims, including child victims, disabled victims, and

⁹³ [Victims-Survey-2024-report-16.10.25.pdf](#)

⁹⁴ [Extract from Victim Survey 2024](#)

those with learning difficulties or literacy barriers, who may find it easier and more empowering to express their experiences verbally rather than in writing. Video statements may also be more impactful where a victim is unable to attend the sentencing hearing to read their statement in person.

Question 4D: At which point(s) during criminal justice proceedings should victims be told about sentencing hearings and offender attendance?

Question 4E: What information would be useful to help victims understand why the judge may or may not decide to order the offender to attend the hearing?

208. I have met a number of victims who would like to see the offenders required to attend sentencing hearings and have campaigned alongside bereaved families on this issue⁹⁵. I therefore welcome the provisions in the Victims and Courts Bill that provide statutory powers for judges to order offenders to attend their sentencing hearings, and I am keen to see this included in the new Code.

209. I am also aware that for some victims they would not like the offender there at all.

210. **It is important that victims are part of the decision-making process** and victims, survivors and bereaved families are consulted on whether offenders should be made to attend. This should be a meaningful conversation that is part of the offer to make a VIS, and as soon as possible post-conviction in meetings with the police and/or CPS. This is of particular importance to bereaved families, who should have the opportunity to explore this with their FLO and the prosecutor. It is also important that support around the victim is in place to provide further reassurance about what to expect.

211. Transparency in the decision-making process is critical, and the Judge should provide details on all that is considered, including the legal basis for the decision. For bereaved families, it would be valuable if a meeting with the Judge and FLO is offered to provide the opportunity for victims to ask questions. This is to ensure the victim feels fully informed of the decision-making process and have more faith in the justice system to come to the best conclusion. The explanation should be provided in plain language, not legal terminology.

“Without a transparent explanation of the reasoning, decisions can feel arbitrary or detached, which risks undermining confidence in the process. Clear, timely communication helps victims make sense of the decision and where they stand within it”.
(Bereaved victim)

212. Victims should be made aware of the risk of disruption if an offender is forced to attend and how this can impact proceedings and the victim’s own experiences of the

⁹⁵ [Victim-centred reform, shaped by lived experience - Victims Commissioner](#)

sentencing hearing, as for some victims, the prospect of the offender being forced to attend resulting in disruptive behaviour is a cause for concern.

213. For victims that will be reading out their impact statement to the court, it is particularly important to consider whether they want to be able to address it to the offender, or to the Judge. The sentencing hearing is one of the very few moments in the justice process where victims and families are given a voice. For some victims, when an offender wilfully refuses to attend, it compounds trauma and strips that moment of accountability.
214. Other Victims need to feel assured that special measures can also be put in place to support them if they do not want to see the offender, and I am pleased that this option is made clear in the Victims' Code. This should not only apply to when they are giving their statement, but throughout the sentencing hearing, so victims can attend/watch the whole hearing feeling safe. The Code must make clear that victims coming back for sentencing can access a live link so they can watch proceedings from another room in the court.

**Question 4F: Do you think that sentencing decisions are well understood by victims?
[Yes/No] Please explain your answer.**

Question 4G: What materials do you think would be useful for victims to help increase their understanding of sentencing decisions?

215. Following the changes made by the Sentencing Act, understanding of sentencing, and when the offender will be released, will become even more complex for victims, the public, and also criminal justice agencies themselves, to understand.
216. I am pleased to see the positive progress made in ensuring victims have access to sentencing remarks⁹⁶, and the consideration being given to how this can go further, including how access to transcripts can be improved⁹⁷. I am a supporter of the Open Justice campaign⁹⁸ and will continue to push government to improve transparency across the justice process, including for cases where the defendant is acquitted.
217. David Gauke's independent review of sentencing⁹⁹ also made a number of recommendations that aimed to improve understanding of sentencing, and also bolster transparency, which I called for in my submission to his review¹⁰⁰. There is a clear and widespread lack of understanding of sentencing among both the public and victims.
- Awareness of how sentencing works, and how sentencing decisions are reached, needs**

⁹⁶ [Free access to sentencing remarks for all victims - GOV.UK](#)

⁹⁷ [AI court transcripts to boost access to justice for victims - GOV.UK](#)

⁹⁸ [OPEN JUSTICE FOR ALL](#)

⁹⁹ [Independent Sentencing Review - Final report and proposals for reform](#)

¹⁰⁰ [Claire Waxman Letter to David Gauke](#)

to be explained more clearly at earlier stages of the justice process and reinforced beyond that point¹⁰¹.

218. This view is supported by stakeholders I have engaged with, who have highlighted that perceptions of sentencing are often shaped by media coverage, which tends to focus on custodial sentences. As a result, misunderstandings about sentencing and how the framework operates can undermine confidence in the fairness of the system, including assumptions that the maximum sentence will routinely be applied¹⁰². I am therefore supportive of David Gauke’s call for a **public awareness campaign on sentencing** to be launched, particularly in light of the changes to sentencing, as well as call to improve transparency about the length of time an offender spends in custody.
219. Victim understanding of sentencing is also impacted by how overwhelming the point of sentencing can be. At this stage, victims describe being bombarded with information, while also reflecting on the traumas they have faced, and in some cases, the loss of a loved one.
220. While easy-to-read guidance and transcripts would help victims to understand sentencing, victims should not be expected to navigate or interpret this information in isolation. Clear expectations, timely communication, and transparency must be accompanied by opportunities to review and discuss information with both criminal justice agencies and specialist support services. This collaboration is essential to ensure victims know who to contact with questions, can access materials together with an advocate, and are given the time and support needed to understand and absorb complex and potentially distressing information.
221. For bereaved families, it is particularly important that information about sentencing is tailored to each individual, allowing sufficient time for them to process what they are told and recognising that different family members may have distinct questions, needs, and ways of engaging with the information.
- “Materials alone are not enough. What is needed is time, repetition, and person-to-person explanation. Understanding sentencing decisions is complex, and victims should not be expected to grasp it from a single document or moment of communication. Information should be revisited more than once, in plain language, and with the opportunity to ask questions.” (Bereaved victim)*
222. A perceived lack of transparency in sentencing is also driven by practical barriers to attending sentencing hearings, with court backlogs contributing to delays¹⁰³ and poor communication limiting victims’ ability to observe and understand sentencing outcomes.

¹⁰¹ [Claire Waxman Letter to David Gauke](#)

¹⁰² [Bridging Gaps, Not Leaping Chasms: Trust, Confidence and Sentencing Councils | International Journal for Court Administration](#)

¹⁰³ [OVC-Crown-Court-backlog-report-10.03.25.pdf](#)

I am aware of case examples where victims had intended to attend the sentencing hearing and read out their VIS, only for it to then go ahead without their awareness. Communication about sentencing dates for some victims is just as important as the hearing date, and it is critical that victims are able to attend where they want to.

223. Victims and bereaved families also report difficulties in contacting criminal justice agencies post-sentence and obtaining information from them. I am aware of the issues victims face in having the sentence explained to them by Witness Care. Issues around communication persist post-conviction, with almost a fifth of respondents in the 2024 Victims' Survey feeling that conviction and sentence was not properly explained to them¹⁰⁴. This lack of explanation left them with unanswered questions and worsened their experience as they were left without closure. There is also a lack of clarity in who is responsible for explaining the sentence, often resulting in fragmented information being provided.
224. **I believe that the CPS is best placed to explain sentencing to victims and answer any questions they may have, and victims should consistently be given the opportunity to meet with them following sentence.** This will ensure there is a streamlined approach where victims do not have to go through a middleman (Witness Care) to obtain clarity.
225. Beyond understanding the sentence itself, the Code must make clear that **victims should be proactively informed about the Unduly Lenient Sentence (ULS) scheme** where relevant. While the draft Code states that victims may ask the Attorney General to refer a sentence to the Court of Appeal and advises that the police will raise the scheme at the point of sentencing, it does not clearly establish a duty to inform victims or set out the strict time limits that can prevent access to the scheme. Provisions in the Victims and Courts Bill, long called for by myself and campaigner and bereaved mother Tracey Hanson, place a duty on a nominated criminal justice agency to inform victims about the scheme and allow the application timeframe to be extended where it is in the interests of justice¹⁰⁵. These changes must be clearly and explicitly reflected in the Code, including the applicable time limits.
226. Victims must also be made aware of offenders' routes to appeal their sentence. While the new Code references appeals process, criminal justice agencies must do more to highlight this possibility. Too often, victims are re-engaged in proceedings without prior knowledge that an appeal may take place. Expectations also need to be managed around retrospective adjustments¹⁰⁶. I recognise the difficulty of explaining the appeals process without causing unnecessary alarm. As set out elsewhere, transparency is critical

¹⁰⁴ [Victims-Survey-2024-report-16.10.25.pdf](#)

¹⁰⁵ [Draft new Victims' Code - GOV.UK](#)

¹⁰⁶ [SENTENCING-REVIEW-SUBMISSIONS-FINAL-08012025.pdf](#)

to ensuring victims are informed, prepared, and not retraumatised by unexpected developments in the process.

Role of the Victim Contact Scheme

227. While not all victims are eligible for the Victim Contact Scheme (VCS), and it should not be seen as responsible for explaining sentencing outcomes at the point of sentence, the Scheme plays an important role in helping eligible victims understand how sentences operate in practice. In particular, the VCS provides ongoing information about changes to an offender's sentence, including progression through the prison estate, release arrangements, and key decision points.

228. Victims frequently raise concerns with me about inconsistent and untimely communication from the Victim Contact Scheme. Too often, I hear of victims learning about changes in an offender's status through social media or other indirect means, rather than directly from their Victim Liaison Officer. Communication can also break down, leaving victims in the dark.

"There needs to be a consistent relationship with a named contact person. In my experience, that continuity broke down. My contact person disappeared, and I became aware of developments through the press before any official communication was made to me. That should not happen..."

Without consistency, proactive communication, and care in delivery, the offer risks feeling procedural rather than supportive". (Bereaved victim)

229. It is essential that **when there is an update or change relating to an offender's sentence, the VCS communicates this promptly and sensitively**, ensuring victims have the opportunity to ask questions and process the information with appropriate support and guidance, rather than encountering significant developments unexpectedly or at a time when they are unable to understand or absorb them.

230. Again, while materials and resources could help victims understand updates provided by the VCS and their rights at this stage further, as the VCS is an information service, not a support service, it is important the scheme collaborates with victim services to ensure victims are supported to absorb what may be distressing updates.

Experiences of victims of mentally disordered offenders

231. Victims of mentally disordered offenders (MDOs) face particular barriers in understanding what sentencing outcomes mean in practice. My predecessor's 2018 review of the experiences of victims of MDOs found that there was limited sentencing guidance available to victims and bereaved families, including a lack of clear explanation of what an indefinite detention order involves. Some victims believed this meant there was little or no prospect of release, without understanding that the first review for

potential discharge takes place one year after sentence¹⁰⁷. Clearer guidance for both victims and criminal justice professionals would be greatly valued to help improve understanding of how these sentences operate in practice, alongside clearer expectation management and opportunities for victims to raise questions and concerns.

232. As victims of MDOs make up a relatively small proportion of Victim Liaison Officers' caseloads, there can be a lack of specialist understanding of how the post-conviction experiences of these victims may differ from those in other cases. **I would therefore like to see specialist training consistently provided to all VLO staff, to ensure they understand how sentencing operates in MDO cases and are better equipped to inform victims about the processes these cases follow.**

233. Victims of mentally disordered offenders (MDOs) face significant barriers in accessing post-conviction information, despite their rights under the Victims' Code. Under the Victim Contact Scheme, responsibility rests with hospital managers and clinicians rather than probation, and concerns about patient confidentiality frequently override victims' needs. Victims may be informed of release decisions at the last minute, often without explanation, and the lack of transparency in hospital decision-making leaves them without clarity or any route of challenge. Hospitals must recognise their role in enabling victims to understand what a sentence means in practice in cases involving mentally disordered offenders, including through clear processes for information-sharing, trauma-informed communication, and transparent decision-making in relation to detention, leave and release.

Protective Orders

234. Beyond sentencing, I also want to explore the role of protective orders¹⁰⁸. I am concerned that there is no reference to protective orders throughout the Code. While these orders may only apply to certain crime types, they play a critical role in protecting victims, often providing early or interim safeguards regardless of whether a criminal justice outcome is secured.

235. Victims often report not being informed about restraining orders, consulted on their conditions, or provided with a copy at sentencing, leaving them unclear about restrictions on the offender and undermining their ability to keep themselves safe¹⁰⁹.

"[The protective order was not] communicated properly... I automatically assumed that a restraining order meant that if he saw me in a certain area, he'd have to leave immediately but we since got told that isn't completely true." (Victim of sexual assault)¹¹⁰

¹⁰⁷ [VC-Victims-of-Mentally-Disordered-Offenders-Review-2018.pdf](#)

¹⁰⁸ [Protective orders | Police.uk](#)

¹⁰⁹ [Sex assault victim says restraining orders should be made tougher - BBC News](#)

¹¹⁰ [Sex assault victim says restraining orders should be made tougher - BBC News](#)

236. The Victims and Prisoners Act 2024 makes clear the Victims' Code must ensure victims are the opportunity to make their views heard in the criminal justice process. I am keen to see victims' voices consistently considered throughout processes relating to protective orders and restraining orders to ensure that the prohibitions work in practice to keep them safe. The conditions must also be clearly explained to victims.
237. Stalking Protection Orders¹¹¹ are an example of a protective order, and evidence shows that these are being underused¹¹². It is important that the Victims' Code clearly sets out for victims the protections available beyond conventional justice outcomes, and that criminal justice agencies explain clearly how these protective orders operate in practice.
238. The statutory guidance for Stalking Protection Orders states that investigators should consult with the victim at an early stage in this process to ensure their understanding of how the order works and consider their views around the risks to ensure the order works as intended¹¹³. The guidance also states that it is expected victims are engaged when the order is renewed, varied or discharged, although this is not set out in the Crime and Policing Bill¹¹⁴ currently progressing through parliament and was something I called for to be explicit in the legislation¹¹⁵.
239. Given the government's commitment in the VAWG Strategy to improve the police and criminal justice's utilisation of VAWG protection orders¹¹⁶, I believe **the requirement to engage with and consult with victims in relation to applications for protective order, and the renewal, variation or discharge of orders must be set out clearly in the Code to ensure consistency in victim participation.**

¹¹¹ [The Stalking Protection Act 2019](#) introduces a civil Stalking Protection Order which the police can apply for.

¹¹² [Tiny proportion of stalking cases result in protection orders - BBC News](#)

¹¹³ [Stalking Protection Orders: statutory guidance for the police \(accessible\) - GOV.UK](#)

¹¹⁴ [Crime and Policing Bill - Parliamentary Bills - UK Parliament](#)

¹¹⁵ [London's Victims' Commissioner - Stalking Amendments Briefing.pdf](#)

¹¹⁶ [Freedom from violence and abuse volume 2: action plan \(accessible\) - GOV.UK](#)

Question 4H: Do you agree that victims should be proactively offered additional opportunities to join the Victim Contact Scheme, where eligible? [Yes/No] Please explain your answer.

Question 4I: At what point(s) do you think this offer could be made to victims (outside of the circumstances accounted for where risk has increased to the victim, or where the case is high profile)?

Question 4J: Do you agree that the victim should have to consent to being contacted in future if they decline joining the Scheme (outside of the circumstances accounted for where risk has increased to the victim, or where the case is high profile)? [Yes/No] Please explain your answer.

240. The key point to recognise when considering the above questions is the importance of victims' choice to opt in and to equally opt out of contact.

241. In current practice, the Witness Care Unit should automatically refer eligible victims to the Victim Contact Scheme (VCS). The VCS aims to then offer the scheme usually in writing within 20 days, and a telephone call 2 weeks later if there is no response. If the offer is not taken up, the Scheme provides their contact details so that the victim can opt-in at a later date. If the Scheme does not receive a response, they will follow up with victims 6 months later via a letter, or, if the offender will be released prior to this date, then one month prior to the earliest release date.

242. For some victims, they will not want to hear anything about the offender post-conviction, and it can be triggering contacting them again to update them on the offender's case. I believe it is important that victims have to consent to being contacted again if they have originally declined the scheme.

243. However, it is important to recognise, as explored above, victims are often overwhelmed post-trial and the offer of the scheme may not seem like a priority.

"After trauma, people may make decisions while shocked, overwhelmed, numb, frightened, or simply unable to take in the full meaning of what is being offered. A refusal at one point should not be assumed to be a settled position forever." (Bereaved victim)

244. If established, the Victim Care Hub could provide information about the Victim Contact Scheme post-trial, as part of the needs assessment outlined in paragraph 44. This discussion would be trauma-informed and grounded in a clear understanding of the case details, victim's needs and concerns. Where a victim declines the scheme, the Hub would also be responsible for a check-in around six months post-trial, reminding them of their eligibility and explaining the scheme's purpose. As the Hub would have supported the victim throughout their justice journey, this follow-up is less likely to be triggering.

245. The initial offer of the Victim Contact Scheme should also be provided through multiple communication routes, including letter, email and telephone, dependent on

victims' preferences. As also indicated in Question 3A, a digital portal could also help signpost victims to the scheme where they are eligible. It would also be useful for VLOs to have the details of an advocate or caseworker provided, as for some victims, particularly those with accessibility issues, contact through their advocate may be preferred.

246. The information provided on the scheme is also crucial to help inform victims decisions as to whether they should engage or not. Victims should be made aware that they have a choice in what updates are provided to them. For example, some victims may only want to know about the offender's release. While this is set out on the scheme's website¹¹⁷, from conversations with stakeholders, there have been cases where victims have received unwanted updates. Victims must also be made aware of the information that the scheme can provide, and what they do not.
247. For some victim, where sentencing is not explained clearly, the scheme may not necessarily seem relevant to the victim at that time. This is often evident in cases involving mentally disordered offenders (paragraph 231-233). In these cases, the victim may believe that the offender is not due for release until years in the future, not necessarily realising they could be released much earlier. In cases like these, the scheme should make clear in their initial contact what the sentence will mean in practice, and what value the scheme can offer, such as helping the victim make representations around conditions placed upon the offender on release.
248. The current referral process is also dependent on Witness Care Units identifying eligible victims. It is known that victims are missed in the automatic referral process. This is also hindered by poor interagency communication and data sharing, particularly around sentencing. Jacki Tapley highlighted issues around inter-agency communication in her review of the Victim Notification Scheme^{118 119}, and how this contributed to delays in victims engaging in the Scheme. Swift engagement with the Victim Notification Scheme is particularly critical due to the risk associated with these cases, and as the Victim Contact Scheme expands to include this cohort of victims¹²⁰, the referral process must be improved.
249. I believe this automatic referral process would be strengthened through the **introduction of a Victim Unique Identifier**. This would provide a clear and consistent

¹¹⁷ [Information about the Victim Contact Scheme - GOV.UK](#)

¹¹⁸ The Victim Notification Scheme (VNS) was piloted in three probation regions. It is a scheme for victims of stalking, harassment and coercive and controlling behaviour, where the length of sentence is less than 12 months.

¹¹⁹ [A Process Evaluation of the Victim Notification Scheme](#)

¹²⁰ [The Victims and Courts Bill](#) currently progressing through parliament extends the Victim Contact to cover victims of the following offences: Serious violent, sexual and terrorist offences where the offender receives a sentence of over 12 months; Death by careless driving offences and injury caused by dangerous driving offences, where the offender receives a sentence of 12 months or more imprisonment; Specified stalking, harassment, and coercive and controlling behaviour offences, regardless of the length of sentence.

way to identify a victim's eligibility for the scheme, as relevant offence and sentencing information would be linked to their case. In turn, this could prompt Witness Care Units to transfer eligible cases to probation at the appropriate stage and ensure that the Victim Contact Scheme is properly informed of any associated risks or needs.

250. **Safeguarding considerations must be prioritised.** As discussed in paragraph 132, in cases where the offender has escaped or been released in error from custody and pose a risk, victims must be contacted and collaboration between the police and probation is critical. I am concerned by recent incidents where an offender has been released in error and victims have not been informed¹²¹. The Victims' Code must make clear that in these cases, not just when an offender escapes, victims are provided with timely updates and any concerns for their safety are swiftly addressed. There may be cases where a victim is not part of the Victim Contact Scheme but issues may occur whereby the offender is released in error¹²². A Victim Unique Identifier can be connected to the offender's case ensuring swift identification of the victim and prompt communication.

251. However, the offer of the scheme is only worth anything if it functions as intended.

“Without consistency, proactive communication, and care in delivery, the offer risks feeling procedural rather than supportive.”

252. **I urge government to look at ways to improve how the scheme communicates with victims,** and what is currently hindering effective engagement. The changes in the Sentencing Act¹²³ and Victims and Courts Bill¹²⁴ will place further pressure on an already strained probation service¹²⁵, and it is vital that the scheme has adequate investment, infrastructure, and resourcing so that it can comply with its responsibilities in the Code and engage with victims in a meaningful way. This includes updated systems that support VLOs to identify risks and prompt contact.

¹²¹ [Independent review into releases in error - redacted.pdf](#)

¹²² [Independent review into releases in error - redacted.pdf](#)

¹²³ [Sentencing Act 2026 - Parliamentary Bills - UK Parliament](#)

¹²⁴ [Victims and Courts Bill - Parliamentary Bills - UK Parliament](#)

¹²⁵ [Building an effective and resilient Probation Service - NAO report](#)

Question 4C: How helpful do you think the new information in Right 11 is to ensure victims understand when they can make a Victim Impact Statement? [Likert –Very helpful - > Very Unhelpful].

Question 4K: Do you think that a way for victims to express their views about an offender’s release should be introduced, recognising that this cannot have an impact on the Parole Board’s release decision? [Yes/No] Please explain your answer.

Question 4L: Please provide your views on how you think victims could express their views about an offender’s release where it is decided by the Parole Board.

253. While it is positive that the revised Code includes clearer information about when victims can make a Victim Impact Statement and opportunities to observe parole hearings, there remains a risk that this information alone does not sufficiently support victims’ understanding of the role and limitations of such statements, particularly in the parole context. Managing expectations is critical. Where victims are not clearly informed about what a VIS can and cannot influence, there is a risk of misunderstanding, frustration, and distress later in the process. The usefulness of the information in Right 11 will therefore depend heavily on how consistently and clearly it is explained by practitioners, rather than on its inclusion in the Code alone.
254. At present, victims are able to express their views through the Victim Impact Statement at the parole stage, supported by Victim Liaison Officers (VLOs). The purpose of this is not to inform the decision of release, but to help in the Parole boards understanding for the impacts of the crime, and the context of representations about licence conditions.
255. There is often a period of back-and-forth between VLOs, victims and the Public Protection Casework Section to ensure statements are compliant, and the Parole Board may disregard any content that falls outside what it is permitted to consider. Similar to Victim Impact Statements at sentencing, it must be clear to victims the potential for changes to be made to statements. Reasoning for decisions to make changes must be provided in a trauma-informed way, as well as explanations to why a victim may not be allowed to attend the parole hearing.
256. A similar process is in place for victims of mentally disordered offenders for their statements to be submitted to the Mental Health Tribunal.
257. It is important to consider in these cases that the Tribunal will consider whether a restricted patient should be discharged at least once every three years, and, at most, once every year. Similarly, the Parole Board considers relevant offenders at tariff expiry and at regular intervals thereafter (at least every two years). Providing statements or attending every hearing may be emotionally challenging, and VLOs should work with victims to support their engagement and minimise further distress.

258. I am aware that updated guidance on Victim Personal Statements in parole hearings is being developed. Guidance must be clear, accessible, and consistently applied to avoid victims including material the Parole Board cannot consider, which can be distressing when those elements are disregarded.
259. Feedback from probation services and victim support organisations indicates that, while some victims may welcome the opportunity to express their views on release, this carries significant risks if not carefully framed. Victims' views do not form part of the Parole Board's release test, and there is concern that new mechanisms could create unrealistic expectations about influencing outcomes, leading to frustration or further trauma. Practitioners also note that victims may lack insight into custodial behaviour and the Board's legal framework, which can result in confusion about the purpose of providing a statement and, in some cases, unsuccessful appeals. Any such process must therefore be explicit that victims' views do not affect release decisions and must not compromise the prisoner's right to a fair hearing.
260. Even in the context of Victims Impact Statements used in sentencing, there is little understanding of what victims themselves hope to gain from submitting a statement or how the process shapes their experience of justice and recovery. As stated in paragraph 194, before introducing a mechanism for victims to express views about release, **in-depth qualitative research is needed to explore victims' motivations, expectations, and experiences, particularly among groups such as homicide bereaved families and victims of sexual offences**¹²⁶. Without this understanding, there is a risk of undermining a process that appears meaningful but in reality, does not align with decision-making structures, potentially impacting trust rather than supporting victims.

Chapter 5 – Helping victims understand their rights under the Code

261. To respond effectively to this Chapter, a systematic approach to Code awareness/understanding and the barriers victims face is needed. While I will look to address questions 5A, 5B and 5C, I will not be providing individual responses to these questions.
262. Ensuring that victims are informed of their rights is essential to the Code's effectiveness and in offering assurance to victims entering the justice process. Despite awareness raising efforts¹²⁷, victim awareness of the Victims' Code remains low. The Victims' Commissioner's 2024 Victims' Survey found that only 17% of respondents had heard of the Code¹²⁸.

¹²⁶ [Victim Personal Statements - Sentencing Academy](#)

¹²⁷ [Government push to inform victims of their rights - GOV.UK](#)

¹²⁸ [Victims-Survey-2024-report-16.10.25.pdf](#)

263. A lack of awareness of victims' rights significantly undermines their ability to exercise those rights in practice. Stakeholders have advised that many victims only became aware of the Victims' Code during the consultation process, and reported that, had they known about it earlier, the Code would have provided much-needed guidance throughout their engagement with the criminal justice system. In particular, it would have helped them to understand what to expect at each stage of the process, to challenge criminal justice agencies when standards were not met, and to identify and access appropriate support.
264. However, there remain multiple barriers that prevent victims from accessing the Victims' Code and understanding their rights, and these barriers must be addressed. Responsibility for promoting awareness of the Code sits collectively with criminal justice agencies, support services and government, each of which has a role to play at different stages of a victim's journey.
265. Section 6 of the Victims and Prisoners Act places a duty on criminal justice agencies to promote awareness of the Code¹²⁹; however, this provision is not yet in force. This duty must be implemented as a matter of urgency.
266. Victims often tell me the difficulties they face absorbing all the information that is provided to them after the trauma and upheaval caused by being a victim of crime. Consequently, while victims may be provided materials on the Code, or briefly told about their rights, it may not appear initially relevant to them, and they may not engage with it.
267. Similarly, while a physical or digital product is a valuable resource, and the Code will hopefully lead to consistency in the offer of the product, for some victims this may present as another barrier if they are not able to safely access digital platforms, or struggle with written communication.
268. While informing victims of the Code at report and the needs assessment stage is useful in embedding a standardised promotion of the Code, and it is critical victims are made aware of their rights as soon as possible, this could result in the tick-box approach remaining, which does not necessarily improve understanding.
269. Victims' capacity to absorb and retain information fluctuates throughout the justice process, particularly where trauma, delay or disengagement are present. Understanding when victims are most able to engage with information about their rights is therefore as important as ensuring that information is provided at all. A system that focuses solely on whether victims have technically been informed risks overlooking whether those rights are understood, remembered, or felt to be relevant at the point when they matter most.
270. Consequently, if monitoring code compliance, it may appear that victims are being informed of the Code because they have technically been told about it and provided

¹²⁹ <https://www.legislation.gov.uk/ukpga/2024/21/section/6>

resources, but this does not mean they understand it or have engaged with it. This is why it is also important that victims' voices are also considered in monitoring the code. If opportunities for review and feedback was embedded in throughout the justice process, it will ensure that rather than finding out about the Code when it is too late, victims are proactively engaged with it.

271. The draft revised Code is currently 79 pages long. While I recognise that detail and transparency are vital to improving victims' understanding of their rights, it is equally important that information is communicated in a trauma-informed, personal and user-friendly way that is easy to access and digest.
272. Engagement with the Victims' Code must be also meaningful and continuous, rather than a one-off interaction, and delivered through a genuinely cross-agency approach. To be effective, the Code must be actively explained and reinforced throughout the justice process, with all criminal justice agencies taking responsibility at key stages, for discussing victims' rights, checking understanding and awareness, and emphasising their importance. This is essential to avoid assumptions that victims have already been informed by another criminal justice professional, and to ensure a consistent standard of practice across regions and services.
273. D/deaf and disabled victims, in particular, face significant barriers in accessing and exercising their rights under the Victims' Code. While it is positive that the draft Code is available in BSL and Easy Read formats, this approach continues to rely largely on victims proactively engaging with written materials and with the justice process itself. This risks placing an unreasonable burden on victims, especially those who are disabled or experiencing trauma.
274. Collaboration with specialist support services, interpreters and registered intermediaries is therefore integral to ensuring that information about the Code is communicated effectively and that victims are able to fully understand their rights in practice.
275. If implemented, the **Victim Care Hub** would play a critical role in promoting awareness of the Victims' Code, ensuring victims understand and can access their rights, and holding agencies to account where those rights are not upheld, removing this burden from victims themselves. Acting as a single, trusted point of contact, the Hub would provide clear, consistent guidance on victims' entitlements under the Victims' Code whenever they have questions or concerns about the justice process. By making the Code visible, accessible, and actively applied, the Hub would reinforce agencies' responsibilities under the Code and help drive a culture in which victims' rights are delivered in practice, not just in principle.
276. Separately, and on the accused side of the criminal justice system, consideration must be given to how victims of crime are identified and recognised within criminal

justice processes. Stakeholders raised concerns about the criminalisation of victims, an issue that disproportionately affects Black and minoritised migrant victims¹³⁰.

277. Individuals who come into contact with the justice system as suspects may also be victim-survivors, and in some cases the offence under investigation may be directly linked to their own victimisation. To be effective, approaches to awareness and accessibility of the Victims' Code must recognise **all individuals as potential victim-survivors and enable access to rights and support at any stage of the justice process, regardless of legal status.**
278. In addition, it is also important to recognise that many victims will never encounter the Victims' Code because they do not report a crime or disengage early from the justice process. For these victims, awareness of rights is shaped by what is known in advance, rather than what is explained once contact with the system has been made. This further underscores the limitations of relying on procedural moments alone to build awareness.
279. Many victims will never encounter the Victims' Code because they do not report a crime or disengage early from the justice process, meaning awareness of rights depends on what is known in advance rather than what is explained after contact with the system. This is particularly relevant for disabled victims¹³¹, victims from minority ethnic communities¹³², and those affected by VAWG-related offences¹³³, who may be more hesitant to engage due to low confidence in the justice system, perceived discrimination and concerns about not being believed.

I was convinced that the police wouldn't be able to do anything, so reporting it to them was pointless. The police don't necessarily have the best track record when it comes to dealing with hate crime effectively. (Victim of hate crime, Female, 25-34)¹³⁴

280. Earlier awareness of the Code may help to reassure victims that their rights are recognised and that support is available
281. Stakeholders have suggested the **need to promote the Code in settings such as GP surgeries, hospitals, workplaces, disability day care centres, refugee and migrant centres, local councils, nighttime venues, and supported accommodations.** I am supportive of this, as the Code should be rights that everyone is aware of and know to

¹³⁰ [Criminalisation of victims of violence against women from ethnic minority and migrant communities - House of Commons Library](#)

¹³¹ [Disabled victims' experiences of criminal justice systems: A systematic literature review - Victims Commissioner](#)

¹³² [building-trust.pdf](#)

¹³³ [Tackling Violence against Women and Girls](#)

¹³⁴ Extract from [Victim Survey 2024](#)

expect when engaging with the justice process, similar to how people are more likely to be aware of their rights as a suspect.

282. In particular, I have repeatedly heard from survivors that the Victims' Code should be taught in schools, ensuring knowledge and awareness before becoming a victim.

Victims' rights must be embedded into PSHE/citizenship curriculum.

283. While awareness is key, for many victims, it is more important that these rights are simply met as victims may only feel they need to be aware of the rights when the system has let them down. The Code only has meaning if it is implemented and agencies are held to account. I explore this more in Chapter 6.

Chapter 6 – Additional information

Question 6A: Please provide any views relating to this additional information in the Code.

[Free text box for any feedback]

284. I welcome the additional information provided in the Code. I have explored key additions to the Code below.

285. *Right 4 – Access to Support*

286. I am aware of concerns regarding the changes made to the language used in Right 4. It should be explicit that victim consent is not required for referral to victim support services, and that best practice is an opt-out model, with automatic referrals made following a report. Although this is not a model used in every region of the UK, victim services have made clear the effectiveness of this model in engaging victims with services, as it enables the support offer to be clearly explained to victims, prompting them to engage when they may have previously dismissed it. Alternative consent-based models have led to significant decrease in the referrals received.

287. It is critical that police forces do not act as gatekeepers to victims' access to support, particularly where judgements about a victim's need are based on how distressed they appear or assumptions about consent.

288. Currently, the draft Code also states that *all individual victims as defined by this Code (including those who have not reported the crime) have the Right to self-refer and/or to be referred to support services*. There is potential that this could be interpreted as agencies not having the responsibility to refer, and the onus placed on victims to refer themselves. I am supportive of calls for this to revert back to the original language used in the current Code of practice that makes clearer the need for criminal justice agencies to refer victims into support.

289. Separately, while non-abusing parents and carers of child victims are not recognised as victims under the Victims and Prisoners Act, there is clear value in providing them

with support, both to help them cope with the impact of the offence and to enable them to support their child effectively. The Code should explicitly recognise the importance of supporting parents and carers, and statutory services should be expected to refer them to appropriate support where it is available.

290. *Bail conditions*

291. Right 6 expands on the information provided around pre-charge bail. It references discussion with victims around whether bail conditions should be imposed where “reasonably practicable.” This language will lead to subjective interpretation and inconsistent application and further clarity is needed.

292. I also feel this is another opportunity for protective orders to be referenced, making clear to victims that in certain crime types, these are available to help ensure their safety (see paragraph 234-239).

293. *Victim Right to Review Scheme (VRR)*

294. I welcome the additional information provided on the VRR scheme in the Code. However, I believe this could go further.

295. While the blue box on the VRR in Right 6 states victims have a right to ask for a review, it is also important it is made clear they have a right to be informed of the scheme where eligible as awareness of the scheme is low¹³⁵. But when victims do access the Scheme, they find the process beneficial, hence why it is integral they are aware of it.

“The initial investigation was incredibly poor, but the investigation after the Right to Review scheme was better.” (Victim of rape and sexual assault)¹³⁶

296. The role of the police, CPS, and the CPS’s Victim Communication and Liaison scheme in helping victims understand the scheme should also be made clear, as well as their role in explaining charging decisions to victims. This is yet another area where separate guidance for criminal justice agencies on the Victims’ Code would be beneficial.

297. The draft Code also does not include any information about the deadlines for applying to the scheme, and the ability to challenge this deadline in exceptional circumstances. This is vital information that victims rely on to be able to effectively engage with the scheme, and it is critical that this is included in the Code document for clarity and ease of reference.

298. *Restorative Justice*

¹³⁵ [The Victim Survey 2024](#) found when no one was charged following a report to the police, only 14% of respondents had heard of the VRR

¹³⁶ Extract from [The Victim Survey 2024](#)

299. I am pleased to see reference to restorative justice further in the Code under Right 3, 4 and 9. In particular, I feel including reference to restorative justice in relation to the sentencing stage will be particularly valuable.

300. *Victims of Murder Abroad*

301. I welcome the further signposting information provided to victims of murder abroad in the Victims' Code. However, my position remains that victims of murder abroad should be included within the Code to make clear that agencies can be held to account when they have let victims down. I have previously called for an appendix to be added to the Code that is specific to the experiences of victims of murder abroad¹³⁷, and I urge government to consider this further.

302. *Anti-social behaviour*

303. I welcome the recognition that victims of persistent anti-social behaviour can be victims of crime. The inclusion of this group of victims in the draft Code is an issue my predecessor, the late Baroness Newlove, has long campaigned for¹³⁸. I recognise the barriers this group of victims face in being identified as victims of crime and getting the vital support that they need¹³⁹. This is a step in ensuring that the harm caused by persistent, targeted behaviour can equate to a crime, and I hope this leads to a change in culture in how ASB is handled by the criminal justice system.

304. I am also pleased to see the ASB Case Review included in the Victims' Code. Awareness of the ASB Case Review is critical to ensure it is utilised and victims can access routes to redress. For ease of reference, it is important that the Victims' Code includes signposting information to ASB Case Review guidance^{140 141}.

305. *Data privacy and disclosure*

306. The addition of this section is particularly welcome. For too long, victims have been unclear on their privacy rights. The lack of clarity leads to poor accountability and hinders victims' ability to challenge decisions and raise their concerns.

307. To further improve this section, there should be clear signposting to the code of practice on requests or victim information¹⁴². This may also be another opportunity to signpost victims to support services.

¹³⁷ [Victims-and-Courts-Bill-the-Victims-Commissioner-briefing-RE-Bereaved-victims-of-murder-abroad.pdf](#)

¹³⁸ [Briefing on victims of anti-social behaviour - Victims Commissioner](#)

¹³⁹ [Still living a nightmare: Understanding the experiences of victims of anti-social behaviour - Victims Commissioner](#)

¹⁴⁰ [Anti-social behaviour case review - GOV.UK](#)

¹⁴¹ [ASB statutory guidance 2025](#)

¹⁴² [Requests for Victim Information: Draft Code of Practice - GOV.UK](#)

308. I am pleased to see governments recent announcement regarding the new national Independent Legal Advocate service for rape victims to be launched later this year¹⁴³. Once introduced, clear reference to the service must be made in the Code to ensure victims are made aware of this.
309. *Complaints*
310. I am already aware of persistent frustrations among victims in relation to complaint processes within the criminal justice system and the Parliamentary and Health Service Ombudsman. While the Ombudsman is responsible for investigating breaches of the Victims' Code, there is concern that even where non-compliance is identified, this rarely results in meaningful action or consequences for criminal justice agencies. As a result, agencies are not consistently being held to account.
311. There is also no trouble shooting mechanism in the system to alert agencies to issues around service/code failings that can be rectified ensuring service recovery.
312. Consequently, victims regularly tell me that they believe the Code is "toothless". In its current form, Right 12 offers limited value to victims, as it places the onus on victims to complain, provides no clear mechanism for redress, and often simply involves agencies marking their own homework, and with no specific timeframes to abide by. I would like to see this right significantly strengthened.
313. I have previously called for the PHSO to use its own-initiative powers to investigate criminal justice agencies where there are incidents where the Code has not been followed. This would require systems that would notify the PHSO of breaches, so that action is not dependent on victims raising their own complaints.
314. Its effectiveness is further undermined by a lack of clarity around accountability within the Code, given the number of agencies involved. Victims are often required to navigate multiple complaints processes simultaneously, with no single agency willing to take ownership where a right has not been met.
315. The Victims' Code should therefore be explicit throughout about which agency is accountable when a right is breached. Statutory guidance for criminal justice agencies on the handling of complaints under the Code would also be extremely valuable, both to streamline the process and to ensure responsibilities are clear and non-compliance is addressed consistently.
316. *Compensation*
317. I am pleased to see the draft Code make clear that victims can make known that they do not want to receive Court Awarded Compensation (CAC). I regularly hear from victims

¹⁴³ [Government launches new national Legal Advisors service for rape victims and expands Operation Soteria into the courtroom - GOV.UK](#)

that CAC is not beneficial. The process can last for years, as offenders often pay incrementally and frequently fail to make payments at all, and can act as a link to victim-survivors and their abusers in cases involving interpersonal abuse.

“Being awarded compensation through the courts was supposed to bring justice, but it has felt like a punishment for me, not the offender. Over a decade later, I still haven’t received it in full, and my stalker retains control over when he pays. It has created an ongoing financial tie between us, preventing me from moving on. It feels like a complete injustice”. (Victim of stalking)

318. The current wording on the Code appears to place the onus on victims to share their views with the police of Victim and Witness Care Unit ahead of sentencing. Victims may not be aware that CAC is available or may not realise that they need to let the police know if they do not wish to receive it. When exploring victims needs, statutory services should raise CAC with victims to hear their views, and to also manage their expectations, especially in cases such as stalking and coercive control where this type of offender could continue to exert control, as it is often the case that it is rarely paid.

319. If we are to strengthen provision of CAC, I propose following a model seen in the Netherlands, Sweden and France whereby victims receive compensation from the State, regardless of whether the offender has paid. This will ensure victims are given the compensation they are owed, and victims are not tied to the offender.

Legislative and policy change

320. There has been a number of changes in victim policy recently, many of which are attributed to legislation, including the Crime and Policing Bill, Victims and Courts Bill, and Courts and Tribunals Bill. It is integral that the Code is regularly reviewed and updated to reflect these changes.

Question 6B: Are there any further views you would like to share as part of this consultation which haven’t been captured via responses to other questions? [Free text box for any feedback].

321. With major reforms underway across policing¹⁴⁴, the courts¹⁴⁵, and sentencing¹⁴⁶, the Victims’ Code is more important than ever. It has a vital role in giving victims confidence in the justice system and providing clarity about the support and rights they can expect, even in a period of uncertainty and change.

322. For many victims, procedural justice is valued just as much, if not more, than a criminal justice outcome¹⁴⁷, a key part of this is feeling listened to and having a sense of

¹⁴⁴ [From local to national: a new model for policing - GOV.UK](#)

¹⁴⁵ [Courts and Tribunals Bill - Parliamentary Bills - UK Parliament](#)

¹⁴⁶ [Sentencing Act 2026](#)

¹⁴⁷ [Victim participation in criminal justice: A quantitative systematic and critical literature review - Robyn L Holder, Elizabeth Englezos, 2024](#)

voice in the justice process. and this is something the Victims' Code can deliver if implemented as it should be.

323. However, many victims, often unknowingly, are denied their full entitlements, others experience superficial compliance, with rights delivered as a tick box exercise. Ultimately, this undermines confidence in the criminal justice system. The Victims' Commissioner's 2024 Victims' Survey found that only 51% of respondents were confident the system was fair, 46% were confident it was effective, and 42% were confident that reporting a crime would result in justice¹⁴⁸.
324. The Victims' Code sets the foundations for how victims must be treated throughout their journey in the criminal justice system and beyond. It is therefore critical that the Code is strong, robust, and promotes accountability for the agencies responsible for delivery under it.
325. The Victims and Prisoners Act introduced monitoring and oversight mechanisms for Code compliance but there are significant data quality issues. This makes it impossible to compare compliance across England and Wales currently – resulting in very limited understanding of whether Code rights are being met for victims.
326. There are also significant resource implications associated with the proposed monitoring framework. Previously, when responsibility for collating Code compliance data sat with Police and Crime Commissioners at a local level, funding was proposed to support two analysts per PCC area to undertake this work. In the context of ongoing Home Office reform, it is currently unclear where this capacity will sit. It may instead need to be allocated directly to criminal justice agencies, particularly where they are required to extract and analyse data from their own systems, as this is where the resource is likely to be most critical.
327. **The legislation for the monitoring framework for Code compliance must be finalised as soon as possible to avoid further delay to its enactment, and with it, the Victims' Commissioner's powers to effectively monitor Code compliance.**
328. Throughout this consultation response, I have highlighted the challenges in monitoring compliance with the Code and emphasized the importance of assessing compliance beyond a tick-box approach.
329. **It is critical that any Code compliance monitoring framework includes mechanisms to facilitate the collection of victim feedback qualitatively**, as without this, Code compliance remains a tick box exercise, and it is difficult to see how this will drive continuous improvement.

¹⁴⁸ [Victims-Survey-2024-report-16.10.25.pdf](#)

330. The Victims' Commissioner's victim survey provides crucial independent scrutiny of victims' experiences across the criminal justice system, giving insights into victim awareness of the Code and the communication and engagement they received around their Code rights.
331. **Independent scrutiny of compliance with the Victims' Code is essential to ensure that rights are being delivered in practice**, not just in principle. The Victims' Commissioner is well placed to provide this scrutiny and should be appropriately funded to engage directly with victims about their experiences of whether their Code rights have been met. This direct engagement offers vital insight into how the Code operates on the ground and strengthens accountability.
332. However, **this work must be supported by sustainable funding**. While the Ministry of Justice has developed proposals for a national victim feedback survey, funding for this survey has yet to be confirmed. Until this gap is addressed, there remains a risk that compliance monitoring relies too heavily on administrative data, rather than the lived experiences of victims.
333. The success of the new Victims' Code will ultimately be judged by whether it changes victims' experiences on the ground. This submission has consistently highlighted gaps between rights set out on paper and what victims receive in practice, driven by inconsistent delivery, fragmented responsibilities, limited transparency, and a lack of meaningful oversight. Without a clear understanding of where the system is failing victims, the Code risks remaining aspirational rather than transformative. Victims should not be expected to navigate complex processes, be left without support, chase entitlements, or enforce their own rights. A strengthened Code must therefore be underpinned by a robust accountability framework that embeds victim-centred practice, learns from lived experience, and ensures criminal justice agencies are held to account when rights are not delivered.

List of Stakeholders

I would like to thank the victims, survivors, and bereaved families who have engaged with me, both individually and through roundtables organised by specialist services. Their insights have been invaluable in informing this response, highlighting shortcomings in current practice, and shaping proposals to strengthen the Victims' Code. I recognise the courage required to revisit these experiences and am grateful for their time and openness.

I would also like to thank the organisations and criminal justice agencies that took the time to engage with my office. I greatly valued their perspectives, which directly informed this response. While I engaged with a wider range of services, the organisations listed below have consented to be named:

- Survivors Trust
- Rape Crisis England and Wales
- We Are Survivors
- Victim Support
- Galop
- Inclusion London
- Catch 22
- Hibiscus
- Rights Of Women
- NSPCC
- Children's Society
- Welsh Women's Aid
- Hundred Families
- Josh Hanson Trust
- Children's Commissioner
- Domestic Abuse Commissioner
- NPCC, including NPCC Digital Public Contact Programme
- College of Policing
- His Majesty's Prison and Probation Service
- Home Office Public Safety Group
- CPS