Ministry of Justice

Gweinyddiaeth Cyfiawnder

Alex Davies-Jones MP
Parliamentary Under-Secretary of State

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Dear Claire,

RESPONSE TO 'FORGOTTEN VICTIMS' REPORT

Thank you for your letter of 6 August regarding the publication of your report on victims of road traffic collisions. I am grateful for the important work undertaken to highlight the experiences of those whose lives have been profoundly affected by these incidents. The report provides a valuable insight into the challenges faced by victims and bereaved families when engaging with the criminal justice system, often during periods of immense distress and loss. It provides further context for the discussions I have had with Ministers from the Department for Transport to consider how Government can continue to ensure that appropriate support is available to those impacted by these traumatic events.

I am writing to set out the response to the recommendations in your report directed at the Ministry of Justice.

I wanted to first address some of your overarching comments in the report. You note that victims consistently describe how trauma affects their ability to engage with the criminal justice system, absorb information and exercise their rights. You also emphasise the importance of embedding a more trauma-informed approach across the criminal justice system, with the report reinforcing the need for victim-facing agencies to understand the impact of trauma and reflect this understanding in their practices.

I share this ambition and the importance of ensuring trauma-informed approaches are embedded throughout the system. That is why, in August this year, trauma-informed training was made available to all HMCTS staff working in criminal and family courts. The training aims to build understanding of domestic abuse, sexual offences and the effects of trauma, as well as challenging harmful myths and equip court staff to apply trauma-informed principles in their day-to-day interactions with victims and witnesses. In addition, the CPS has delivered trauma-informed training to staff as part of its Victims' Programme.

Additionally, Victim Liaison Officers receive trauma-informed training through two key learning packages, developed by the Probation Service. The core *Working as a Victim Liaison Officer* programme, introduced in 2022, includes training on trauma-informed practice, the impact of trauma-related work exposure and vicarious trauma, alongside other areas of professional

knowledge and practice relevant to the role. This is complemented by *Trauma-Informed Practice Awareness* training, launched in October 2024, which provides staff with an understanding of the different types of trauma and their impact throughout an individual's lived experience. The training supports staff to apply trauma-informed principles whilst maintaining awareness of the limitations of their role, understand the importance of developing and maintaining trauma-informed working relationships, and recognise both the impact trauma can have on practitioners and the importance of wellbeing.

Your report also emphasises the importance of improving victims' awareness of, and access to, their rights under the Victims' Code ("the Code"). I would like to assure you of the Government's commitment to ensuring that victims and survivors have the information, communication and support they need to engage with the criminal justice system, and to cope with, and recover from, the impact of crime. The Code provides the baseline for how the criminal justice system can support victims to engage with the criminal justice process, so it is important that we get it right.

As you know, earlier this year we held a consultation on the draft new Code, which closed on 30 April 2026. The consultation included specific proposals to improve the information and communication victims receive from criminal justice agencies; such as principles and training to ensure agencies properly assess and meet victims' needs, and ideas to improve the quality and timeliness of providing case information to victims. Additionally, it included proposals aimed at bolstering how opportunities to participate are offered to victims, including the ability to make a Victim Impact Statement.

I was pleased that your report found that victims' experience of providing a Victim Impact Statement at court was positive and empowering, whilst also acknowledging that some victims felt they were not given the appropriate time or support to do so. The approach proposed in the consultation seeks to address this very point by formalising when the opportunity to make Victim Impact Statements is offered to victims and by strengthening the information and guidance on them in the Code. We are now taking the time to consider nearly 200 responses to the consultation, and we will issue a public response ahead of finalising a new Code and bringing it into force.

However, a new Code will only have the intended impact if its requirements are delivered consistently and effectively to victims and if victims are aware of it in the first place.

Through the Code compliance framework, once commenced, we will have a clearer picture of specified criminal justice bodies' compliance with the Code, helping to drive and improve agency response to victims and strengthen oversight and accountability. As you will be aware, this will be delivered through a combination of local scrutiny and national oversight. In this context, your role as Victims' Commissioner will be critical. Your scrutiny of compliance with the Victims' Code will provide invaluable insight into how effectively victims' rights are being delivered in practice and will help drive improvements across the criminal justice system. Additionally, the new duty on criminal justice agencies to cooperate with you is intended to strengthen your ability to scrutinise performance and hold agencies to account. The requirement for agencies to respond to your recommendations within 56 days will help ensure that issues raised receive timely consideration and action. I would like to thank your offices for engaging constructively in the Code compliance implementation working groups.

We are also taking steps to improve awareness of the Code amongst victims and the wider public, as we recognise that this is key to victims and families being able to understand what they can expect from the system. In February 2026, I was pleased to launch the second phase of the

Ministry of Justice's 'Understand Your Rights' public communications campaign, focused on increasing understanding and engagement with the Code. We know there is more to be done, which is why, once the new Code is in force, we will implement the Code Awareness Duty, placing a legal responsibility on specified criminal justice agencies to promote the Code to the public and victims of crime.

Your report acknowledges that many victims are experiencing court delays. As you are aware, the new Lord Chancellor has made clear his commitment to reduce the Crown Court backlog and get their victims their day in court more quickly. We cannot accept the status quo, and that's why we're already acting on all fronts.

We are investing heavily in Crown Court capacity, court infrastructure, uncapped sitting days, technology and legal aid. We are driving greater efficiency in the courts through measures such as responsible AI innovation, case coordinators for every Crown Court centre, and close collaboration with the judiciary on their reforms to listing practices and virtual hearings guidance. And the Government has confirmed that the Courts and Tribunals Bill, which contains measures to reduce the demand in the Crown Court, will return to the House of Commons in October, when Parliament will have the opportunity to continue its consideration of the Bill. I am pleased to see your report welcome the judiciary's rollout of a new national court listing model, the Government's recent commitments to improve accessibility through further investment in courtroom video and audio technology, and the significant progress made in ensuring that sentencing transcripts are available free of charge and are easily accessible to victims and their families.

I would now like to address your specific recommendations in turn.

Recommendation 4: The Department for Transport, in partnership with the Ministry of Justice, should ensure sustained and adequate funding for support services for victims of road traffic collisions, including those where a collision has not yet been recorded as a crime. The Ministry of Justice should, through its victim support services grant, require all Police and Crime Commissioners and wider Police and Crime Bodies to commission road traffic collision specialist support services locally.

This Government recognises the devastating impact road traffic collisions have on those affected. Where a collision involves or amounts to a criminal offence, we also recognise the importance of ensuring that appropriate support is available to victims. That is why, in total, my Department is investing £550 million in victim and witness support services over the next three years, the largest investment in these services to date. As you are aware, this includes funding for PCCs across England and Wales to provide local practical, emotional and therapeutic support services for victims of all crime types. The annual grant funding to PCCs includes 'core' funding which they allocate at their discretion, based on their assessment of local need. This approach, which is in line with government's wider ambitions on devolution, enables local commissioners to have the necessary flexibility to commission services that meet the needs of victims in their communities. As such, we do not consider it appropriate to introduce ring-fencing for road traffic collision victims. We recognise that this locally led model can result in variations in provision and note that this is an inherent feature of a system designed to reflect and respond to differing needs across local areas.

The Department for Transport published the Government's Road Safety Strategy in January. The Strategy sets ambitious targets to reduce the number of people killed or seriously injured on British roads by 65%, and 70% for children (under 16), by 2035. In April, the former Minister for

Local Transport wrote to the lead PCCs for Roads Policing and Transport encouraging all PCCs to consider what they are doing to support road collision victims within their local areas and whether they could go further in their support with consideration of the findings in the report that the Department published in November 2025.

Your report also notes that people bereaved following a road traffic collision are not eligible for support through the national Homicide Service. As you know, the Homicide Service provides specialist support to families bereaved by murder and manslaughter, including cases of vehicular homicide (where a vehicle has been used deliberately as a weapon), but does not extend to families bereaved through road traffic offences such as causing death by dangerous or careless driving. It also only accepts referrals where the police are satisfied that a homicide has occurred. We recognise the devastating and life-changing impact that road traffic fatalities can have on bereaved families, and we keep the scope of the Homicide Service under review. However, there are currently no plans to widen eligibility to include additional offences.

Finally, I acknowledge your report's findings that some victims attending court did not receive support from the Witness Service. The *Warwickshire Road Victims Needs Assessment*, September 2022, reflects experiences during a period affected by Covid-19 restrictions, when we recognise that there were challenges with service delivery. However, we worked hard with the then provider, Citizens Advice, to ensure the service was up to strength and fully operational across all courts as quickly as possible.

We are committed to continually improving the Witness Service to ensure witnesses receive appropriate support when attending criminal courts across England and Wales. Working in partnership with our delivery partners, we have supported the development of virtual court tours to improve accessibility for those witnesses not able to attend for an in-person pre-trial visit. We have provided additional funding to strengthen stakeholder engagement and information sharing with criminal justice partners and to introduce mandatory bespoke trauma-informed training for all staff and volunteers.

Recommendation 6: The Ministry of Justice and Department for Transport should develop and publish clear, accessible guidance for victims of road traffic collisions on compensation and civil claims processes. The guidance should be developed in consultation with specialist services and should be accessible to victims and to those agencies supporting victims.

Your report also rightly highlights the importance of accessible guidance on compensation and civil claims processes for victims and survivors of road traffic collisions.

It notes that victims may be eligible for compensation under the Criminal Injuries Compensation Scheme 2012 ("the Scheme") where the driver used their vehicle with intent to cause injury to a person. Under the Code, victims are entitled to be told how to seek compensation, including under the Scheme. It also sets out important details about the Scheme and signposts to where victims can access further information. We have proposed additions to the draft new Code to bolster the information provided to victims regarding compensation.

It should be noted that for the purposes of civil claims, the phrase Road Traffic Accident (RTA) is used, which reflects the fact that any claim would be framed on the basis of negligence, rather than an intentional act. We therefore use "RTA" in the rest of our response to this recommendation.

It is worth noting information for victims and survivors of RTAs on making a claim for compensation is already available on GOV.UK at https://www.gov.uk/guidance/making-a-personal-injury-whiplash-claim. This page sets out how those involved in an RTA can make a low value (defined as claims arising from an RTA valued at less than £5,000) personal injury claim, with or without the help of a lawyer. Eligibility for making a claim is clearly explained along with a link which provides further information on making a claim. If the victim or survivor wishes to engage legal representation, a link is provided to the Law Society's "Find a Solicitor" service.

As part of the Whiplash Reform Programme, the small claims track (SCT) limit for low value RTA related personal injury claims was increased from £1,000 to £5,000. This means that more claims are processed under SCT rules. The SCT is designed to be uncomplicated and accessible to litigants in person, though if they wish claimants are not precluded from having legal representation.

Additionally, the Official Injury Claim (OIC) website is a free and independent service designed and operated on behalf of the Ministry of Justice by the Motor Insurers' Bureau (MIB). OIC was specifically created to allow people with minor injuries from a Road Traffic Accident to claim compensation with or without the need for legal help. Guides are provided on how to use the site, as is a telephone number for a support centre which is staffed 9am to 5pm, Monday to Friday. The OIC website also includes a guide to what happens should a victim or survivor wish to take their claim to court. A range of other information is also provided. We are considering the visibility of the OIC service and associated guidance as part of the Post-implementation Review of the Whiplash Reform Programme, to be published by the end of the year.

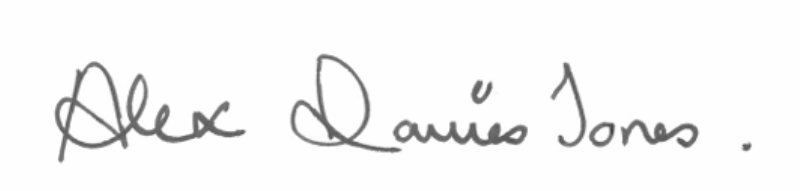
RTA related personal injury claims valued between £5,000 and £25,000 are generally more complicated and it is recommended that legal representation is used. Legal representation is often available through a conditional fee agreement, also known as "no win, no fee". A legal representative will be able to guide and support victims through the process. The Claims Portal Website is available to help settle these higher value claims and whilst this portal is primarily designed for use by legal professionals, unrepresented claimants can also register and make a claim via the website. Claims with a value of £25,000 or more are often very complicated, and it is recommended that anyone suffering from a significant or catastrophic injury (such as is likely to be covered by a claim over £25 000) seeks legal advice before proceeding.

General guidance on making a personal injury claim is also available from the Legal Ombudsman and third sector support agencies such as Citizens Advice and Advice Now. Guidance produced by leading claimant and defendant representative bodies on the serious injury process is available at https://www.seriousinjuryguide.co.uk/.

It is the case that, in general, court proceedings for personal injury compensation claims must be made within three years of the date of the accident or the date the victim became aware of their injury. However, in order to avoid prejudicing any criminal trial, it may be possible on application to the court to pause any commenced civil proceedings, pending the outcome of any criminal trial. In addition, Section 33 of the Limitation Act 1980 gives courts the power to let a late personal injury or death claim go ahead if it is fair and equitable to do so, overriding the standard three-year limitation period.

I want to take this opportunity to thank you and your office for this important report. By giving victims of road traffic collisions and their families the opportunity to share their experiences of the criminal justice system, the report has helped ensure their voices are heard and their experiences better understood.

Yours sincerely,



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