

# Code of Practice for Victims of Crime

Cambian Spring Hill School

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## 1. Monitoring & Review

The Policy Author will undertake a formal review of this policy for the purpose of monitoring and of the efficiency with which the related duties have been discharged, by no later one year from the date of approval shown above, or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.

Signed:



Samantha Campbell

Principal

June 2021

## 2. What is the Victim's Code?

The Victims' Code is a Government document that tells you what support and information victims of crime in England and Wales should get from criminal justice agencies. These are organisations like the police and the courts.

## 3. Who is a 'victim' under this Code?

The definition of a victim is:

- a person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence.
- a close relative (or a family spokesperson) of a person whose death was directly caused by a criminal offence.

You can also receive Rights under this Code if you are:

- a parent or guardian of the victim if the victim is under 18 years of age; or
- a nominated family spokesperson if the victim has a mental impairment or has been so badly injured because of a criminal offence that they are unable to communicate or lacks the capacity to do so.

## 4. How can I expect to be treated?

You have the Right to:

- be treated with respect, dignity, sensitivity, compassion and courtesy;

- make informed choices that are fully respected;
- have your privacy respected by service providers in accordance with the relevant privacy and data protection laws; and
- have services provided to assist you and your family to understand and engage with the criminal justice process. These should be offered in a professional manner, without discrimination of any kind.

## 5. Summary of Victim's Rights

### To be able to understand and to be understood

You have the Right to be given information in a way that is easy to understand and to be provided with help to be understood, including access to interpretation and translation services.

### To have the details of the crime recorded without unjustified delay

You have the Right to have details of the crime recorded by the police as soon as possible after the incident. If you are required to provide a witness statement or be interviewed, you have the Right to be provided with additional support to assist you through this process. For example, if you are considered vulnerable (under 18 years of age), the police will ask you, or your parent/guardian, if you would like your police interview to be video recorded to make it easier for you to tell them what happened. This may be presented as your evidence in court.

### To be provided with information when reporting the crime

You can tell the police about a crime by phone, online or by going to the police station. You have the Right to receive information from the police, so you know what happens after you've told them about the crime and what support you should get next. This might include services where you can meet with the suspect or offender, so that both of you can find a way forward and build a more positive future. It gives you a chance to tell them how the crime has affected you so they can understand the impact of their crime. This is known as Restorative Justice.

### To be referred to services that support victims and have services and support tailored to your needs

You have the Right to be referred to services that support victims, which includes the Right to contact them directly, and to have your needs assessed so services and support can be tailored to meet your needs. If eligible, you have the Right to be offered a referral to specialist support services and to be told about additional support available at court, for example special measures - being able to give evidence by live video link so you don't have to be in the same room as where the trial is taking place.

### To be provided with information about compensation

Where eligible, you have the Right to be told about how to claim compensation for any loss, damage or injury caused as a result of crime.

If you are a victim of a violent crime, you might be able to get some money, called financial compensation. The Criminal Injuries Compensation Authority arranges these payments. If you are under 18, your parent or guardian can apply for compensation on your behalf ([www.gov.uk/claim-compensation-criminal](http://www.gov.uk/claim-compensation-criminal)).

### To be provided with information about the investigation and prosecution

You have the Right to be provided with updates on your case and to be told when important decisions are taken, and, where applicable, to have the reasons explained to you within 5 working days (1 working day under Enhanced Rights) of a suspect being:

- arrested;
- interviewed under caution;
- released without charge; and
- released on police bail or under investigation or if police bail conditions are changed or cancelled.

You can tell the police how often you want to hear from them about the investigation and how you would like to be contacted. You also have the Right to ask for decisions to be looked at again.

### To make a Victim Personal Statement

You have the Right to make a Victim Personal Statement. The police will ask you if you want to make a Victim Personal Statement (VPS). This is when you say how the crime has made you feel and how it has changed things for you. The VPS lets you tell the judge and others in the court room how you feel about what happened to you and is considered when sentencing the offender. You will be given information about the process.

### To be given information about the trial, trial process and your role as a witness

If your case goes to court, you have the Right to be told the time, date and location of any hearing and the outcome of those hearings in a timely way. If you are required to give evidence, you have the Right to be offered appropriate help before the trial, such as an explanation about what this means for you and you should be kept up to date with what's happening.

### To be given information about the outcome of the case and any appeals

You have the Right to be told the outcome of the case. If the suspect is found guilty, you will be told what the sentence (their punishment) means. Sometimes the suspect is allowed to appeal the sentence. This is when they ask for the judge's decision to be changed or for the sentence to be reduced. If this happens, you should be told where and when the court will listen to the appeal and its outcome.

### To be paid expenses and have property returned

If you are required to attend court and give evidence, you have the Right to claim certain expenses. If any of your property was taken as evidence, you have the Right to get it back as soon as possible.

### To be given information about the offender following a conviction

If you've been a victim of a sexual or violent crime, and the suspect is sent to prison for more than 12 months, you have the Right to be automatically referred to the Victim Contact Scheme. Victims on this scheme can get updates on what happens to the suspect after they go to prison and can give their thoughts on any rules the suspect must follow when they come out of prison.

If you have been a victim of a crime committed by a foreign national and the offender was recommended for deportation because of an offence against you, then you have the Right to receive information about the offender's deportation. However, you can choose not to receive this information.

If you are under 18, your parent or guardian can decide to use this service to get updates and to pass on your views. Where applicable, you also have the Right to make a new Victim Personal Statement, in which you can say how the crime continues to affect you.

### To make a complaint about your Rights not being met

If you feel you are not getting the support the Victims' Code says you should, you have the Right to complain to the organisation which you don't think has supported you properly (for example the police or the Crown Prosecution Service). Every organisation has a complaints process to help you do this. Your complaint should be handled quickly and you should get a reply from them within ten working days.

If you are still unhappy with their reply, you can complain via your Member of Parliament to someone called the Parliamentary and Health Service Ombudsman whose job is to make sure that organisations give the help they should to victims ([www.ombudsman.org.uk](http://www.ombudsman.org.uk) or by calling their Customer Helpline on: 0345 015 4033.).