Victim Support and the Code of Practice for Victims of Crime

Lesser 042
Contents

Introduction ..................................................... 3
Objectives ........................................................ 4
Overview of Victim Support and the Witness Service ..................................................... 4
Victim Support Core Services ................. 6
Witness Services ............................................. 8
Referals ........................................................... 9
Referal Process .................................................. 10
Police responsibilities to victims ................. 10
The impact of crime .......................................... 12
The Code of Practice for Victims of Crime.... 14
Circle of Influence .......................................... 15
Code of Practice time-limits ......................... 16
Support and advice organisations ............... 18
Leaflets ........................................................... 20
Introduction

Although a crime may take only a relatively short time to commit, the effects on the victim can last for a long time, sometimes for the rest of their life.

The Criminal Justice System (CJS) as a whole has traditionally treated victims of crime as just another witness to the fact. This written lesson aims to show you the value of support organisations in your community and the assistance they can provide in the victim’s recovery process.

As a police officer you will be able to offer immediate help and assistance, and some ongoing assurance when updating victims on the progress of their case. However, it will be difficult for you to maintain any long-term support a victim may need.

One agency that meets the demand to support, assist and reassure the victim is Victim Support (VS). Victim Support is a charity funded by both Government and charitable donations and it is independent from the CJS.

VS has paid members of staff and volunteers who are specially trained operate it. Victim Support offers emotional support and practical help to victims of crime, their families and friends in their community. There is a Victim Support office in every borough in London.

Victim Support also operates the Witness Service (WS) in courts. There is a WS in every Crown Court and Magistrates’ Court in London.

The WS will support victims, witnesses and their supporters for both the prosecution and defence for the duration of their presence at court.

Victim Support and the Metropolitan Police Service (MPS) have a service agreement to refer victims of crime automatically; this is done via the Crime Reporting Information System (CRIS). In this lesson you will learn about the work of Victim Support and Witness Services and also about the Code of Practice for Victims of Crime.

You will gain an overview of what the organisations can do for victims and witnesses of crime, and how the organisation works with the MPS to deliver a support services in London.
Objectives

After you have studied and understood this written lesson you should be able to:

1. Explain the service Victim Support and the Witness Service can offer victims/ witnesses of crime.
2. State what crimes are referred to Victim Support.
3. Understand your role in victim care.
4. Explain the referral process the police use to refer victims of crime to their local Victim Support service.
5. Have an understanding of the impact crime can have on a victim.
6. State why the Code of Practice for Victims of Crime was introduced.
7. Explain the term ‘vulnerable’ victim.
8. Explain the term ‘intimidated’ victim.
9. Explain the term 'significant event'.
10. State the time limits within The Code for police.

Overview of Victim Support and the Witness Service

There is a fundamental difference between Victim Support and the Witness Service and very good reasons why the two work separately from one another. VS worker will often become very involved with their clients, get to know them, get to know facts about what happened to the victim and provide ongoing support. The WS on the other hand only provide support for the duration of the witnesses' presence in court, they never discuss the facts of the case, and they provide a support service without jeopardising the trial in any way, shape or form.

Within your new boroughs there will be other more localised support agencies and representation of some of the large more recognisable service support agencies. In your role it will important that you get a good knowledge of what is available in your borough. At the back of this lesson are listed some more of the well known national organisations and you may want familiarise yourself with the services they provide.
Victim Support community based services are operated by trained staff and volunteers. Under the conditions of the service VS aim to:

- Ensure that their services are equally accessible to all who require them.
- Be an independent organisation that works alongside the criminal justice system, government, and other national and local organisations.
- Involve volunteers from local communities and work with other community organisations.
- Provide consistent services to high standards, which are monitored.
- Ensure that their services are confidential and free of charge.
- Information disclosed by people will not be shared outside Victim Support without the express consent of the person concerned (save where someone’s safety is at risk or where required by law) and only in very exceptional circumstances would confidence be breached.
- Help people find support from other sources if it cannot be offered by Victim Support directly.
- Volunteers and staff work in a non-judgmental, non-directive way and maintain the confidentiality with all individuals.
- Ensure that all volunteers and staff will undergo a Criminal Records Bureau check.
- Are issued with photo ID cards which can be produced on request.
- Provide extensive training for all staff and volunteers before they commence supporting victims of crime.
The Victim Support Core Service

Victim Support will offer support to victims of the following offences:

- Criminal damage (residential, and where a business is part of a home such as a shop with living accommodation attached).
- Burglary (residential, and where a business is part of a home).
- Theft (residential).
- Deception and fraud.
- Theft from the person.
- Robbery.
- Common assault, ABH, GBH and attempted murder.
- Rape and sexual assault.
- Hate crime (racist, homophobic and other hate-motivated crime).
- Domestic violence.
- Support for people bereaved through homicide (and support for witnesses of homicide).
- Arson (residential and arson endangering life).
- Kidnapping, false imprisonment and abduction.
- Threats to kill.
- Harassment and criminal anti-social behaviour against people and residential property.
- Terrorist activity.
- Services to people bereaved by road death resulting from a criminal offence.

Services made available to victims of the above offences include:

Information, practical help and emotional support - act as a link and liaison between statutory bodies and victim, helping them through what can be to a victim the minefield of CJS. Will assist with Criminal Injuries Compensation Authority (CICA) claims (the CICA administers the criminal injuries compensation scheme throughout England, Scotland and Wales. They pay compensation to people who have been the victim of a violent crime).

Insurance forms, housing issues and anything deemed appropriate to assist the victim. Never underestimate the power of offering a friendly non-judgmental ear to listen. Most victims just need to talk through exactly how the crime as affected them and their family, and a good volunteer can help the victim in their recovery process.

Support victims of all crimes (except vehicle crime) - Of course there are exceptions if the crime has aggravating circumstances. Whilst resource issues prevent being able to offer support to someone who has their car stolen, if they were dragged from the car and beaten-up before the car was stolen then they offer support.

Initial contact by phone, letter or visit - VS has an obligation to contact all victims referred to them by the police within 48 hours of receiving the referral by letter, phone call or home visit.
Support in the home, VS office or other safe place - A Victim Support volunteer will visit a victim at home or other location of convenience, whichever the victim prefers, taking into account the safety of both the victim and volunteer.

Support to family and friends - VS can also offer support to those close to the victim who also have been affected by the crime.

Specialist trained volunteers and staff for serious casework - Most London Schemes have specialist caseworkers with a core of volunteers dealing with specific types of crime – sex offence cases, murder/manslaughter cases, DV, Racist/homo/religious hate crimes. All volunteers have to undergo core training and service of at least six-months before being considered for specialised training.

**Witness Services**

The Witness Service (WS) was set-up in 1994, it is run by the national charity Victim Support. It covers every criminal and magistrates court in England & Wales. It is a free service to inform & support witnesses and can be shown around courts beforehand. The WS provide support for all witnesses’ both prosecution and defence, as well as their family and supporters. The support is provided for the duration of the witnesses’ time in court.

WS provide information, practical help and emotional support, they keep the witness informed on waiting times and finding the right people to assist them with their enquiries – lawyer, court staff. They help them with completing expense forms, and can accompany them into the courtroom if desired.

Support to prosecution and defence witnesses and family of the defendant - All witnesses can seek the help of the WS and more often than not it is the WS who comfort the defendant’s parent/guardian. The only people they do not provide support for are the defendant themselves.

Pre-trial court visits, separate waiting area, liaison with Witness Care Unit (WCU), Police Officers, Crown Prosecution Service (CPS) and Court staff - the WS will assist in anyway they can and take referrals from VS, WCUs, CPS and self-referral. More often then not the WS will find people who need their help by just asking the lost and frightened wandering around court if they need some help.
The WCU, a joint Police and Crown Prosecution Service, has a different role to that of the WS. It is responsible of the WCU for keeping prosecution victims/witnesses informed about their case after the suspect has been charged. This includes warning them for court and ensuring that a needs assessment is carried to establish any issues the witness/victim may have about attending court. WCUs are in every borough in London.

The WS have separate waiting rooms for both defence and prosecution witnesses, and their families/supporters to wait before being called to the courtroom. These rooms are away from the main communal areas of the court and allow a quiet space for witnesses to read their statements.

The WS can take out some of the mystique of court simply by giving the witness a pre-trial visit to the courtroom and explaining how the process works and who are the key players in that process. A witness who is more knowledgeable about what and how things are going to happen is a more relaxed, confident and a better witness.

**Referrals to other agencies**

Although the WS support only lasts for the duration of witnesses’ presence in court they do make sure that ongoing support is offered and that witnesses will leave court with information on relevant support agencies available to them.
Specialist trained staff and volunteers

Vulnerable and intimidated victims and witnesses need more specialist care from the CJS. Victim Support and the Witness Service have staff and volunteers specifically trained to help those who need more support through the trauma of court.

The Referral process

A standard in the Code of Practice for Victims of Crime states that –

'The police must ensure victims can access information about local support services and contact details for those services as soon as possible after allegation of criminal conduct is made and no later than 5 working days after an allegation'.

'The police must then provide the relevant local Victim Support Group with the victim's details no later than 2 working days after the day an allegation of criminal conduct is made.'

In London referrals to the local VS are carried out automatically through electronic data transfer from CRIS to the VS computer system.

Police responsibilities to the victim

On CRIS reports recording officers will need to complete the Victims Action page... Is the victim willing for VSS to be informed on CRIS to allow this data transfer to be actioned. Usually this question will be answered 'Y' (yes) to allow the referral.

However the victim can reserve the right not to be referred, in which case the question should be answered 'N' (no) and as the recording officer you must give a brief explanation outlining the reasons for this refusal in the Officers Notes.

For police officers it is crucial when taking a victims statement that the reverse of the MG11 Witness Statement Form is completed in full. This acts as a prompt to assist you in informing the victim of the referral process.
As a police officer it is important for you to be fully aware of the service your local VS can offer victims of crime. It is your responsibility to give victims accurate information on the service to allow them to be in a position of making an informed decision as to whether they want to take up the offer of the support.

There are leaflets readily available for you to give victims, see page 20 for details.

The first - *Victim of Crime – support and advice in London.*
It explains what happens next in the CJS process and gives victims some useful tips and details of support organisations.

It outlines the Code in plain language and explains the level of service a victim can expect and from the MPS and other CJS agencies

What do victims and witnesses want from you?

Expertise/Knowledge - Not everyone is a Criminal Justice System (CJS) expert. Most people get their information about the CJS from film and media. It is important that you are able to explain criminal justice processes and procedures in plain language, they will rely on the police to be their experts.
Being *vulnerable* and/or *intimidated* in law under the Youth and Criminal Justice Act 1999 is different from the dictionary definition of the terms and there are distinct differences. As a police officer it is important you know what those terms mean, can explain them to the victim/witness, know what the implications and processes are for those described as vulnerable and/or intimidated and know why it is important that are correctly identified and recorded.

**Service**

Victims deserve a high level of customer service and care. All information to victims should be delivered in a timely and empathetic way and should always be as up to date and accurate as possible. Under the Code of Practice for Victims of Crime the timeliness of providing information is crucial. Having good information and being confident in the knowledge that all is being done that can be done is empowering for a victim. Confident and empowered victims make better witnesses.

Consequently they will be more likely to report crime in the future, be more willing to attend court as a witness, and encourage others to do likewise.

As police officers you are more often than not the public face of the whole of the CJS and it is important that you deliver a service that you would want to receive. Even when the problem is outside of your control as the public face of the CJS you need to maintain a positive attitude to the public.

**The Impact of Crime**

Being a victim of crime basically means that something happened against the victims will and without their consent and for which they had no control. Unfortunately the CJS can act in much the same way. Investigations happen without involving the victim, decisions are made on their behalf without consultation, the victim may have no control over what is happening.

Working within the CJS will expose you to all the horrors one human being can inflict on another. Understandably you may find yourself becoming somewhat anaesthetised to what you see and experience. No doubt you will start to use phrases like – 'not serious' and 'serious' crime. However it is important to remember that ALL crime is serious if you are the victim of it.
It can affect not only the victim but also their family, friends, colleagues etc. Impact can vary from not really being sure how to act around the victim anymore, to feelings of helplessness, anger and guilt, and sometimes having to address their own fears and vulnerabilities. After all these things don’t happen to people you know, right?

The types of effect can vary from individual to individual and is wholly dependent on that individual's genetic make-up, personal experience and culture, coping-mechanisms, support network and their personal understanding. We all have different expectations, different support networks, different tolerance thresholds, different abilities to deal with situations and different emotional reactions. It is important to always remember that whatever the reaction, it is a normal human reaction to an abnormal situation.

It can impact on all areas of their lives from home life to social life to their ability to concentrate at work. This is often referred to as the “Ripple Effect”. Like throwing a stone into water the ripples can spread further and further. The effect of crime can impact on those personally close to the victim, those who witnessed the offence but have no personal connection, those who work with or occasionally come into contact with the victim. Crime, or indeed any trauma, has 3 types of effect on an individual:

Psychological Impact

Fear, shame, guilt, anger, the often-torturous questions of why me, what if, if only, that can go completely unanswered and in fact are often unanswerable. Shock, disbelief, denial, feelings of revenge can lead victims to questioning society as a whole and losing their own self esteem and self worth.

Physiological Impact

Crime can leave a victim with physical injuries which may be short or long term. Also the psychological trauma can have physical effects, which can be also be short or long term. Immediate physical reactions may consist of shaking, nausea, heightened sensory perception, and loss of bowel and bladder control. In medium to long term the physical effects may be panic- attacks, sleeping problems, eating disorders and self harm.
Behavioural Impact

The effect of crime may lead to the victim changing the way they behave, again can be a short or long term impact. Victims may feel to afraid to go out of the house, they may find themselves over/under reacting to family members, they might avoid certain areas – would you blame a victim of robbery for not being entirely comfortable taking the same route home again. Fear and the fear of not being in control can change the way people behave.

The Circle of Influence

The diagram opposite demonstrates how the crime itself cannot be viewed in isolation. In terms of the impact it could have the victim. There are a whole range of influences that can affect the victim’s response to, ability to cope with and recovery from the crime, including the victim’s relationship with the offender.

When dealing with victims of crime it is important to take into account any other issues that can affect the victim’s responses.


The code is a document published by the Office of Criminal Justice Reform. It governs services provided by Criminal Justice Agencies in England and Wales, and lists in detail their obligations under the code. The organisations governed by the code are:

- The Criminal Cases Review Commission
- The Criminal Injuries Compensation Authority
- The Criminal Injuries Compensation Appeals Panel
- Crown prosecution Service
- HM Court Service
- Witness Care Units
- All police force in England and Wales
- The Parole Board
- The Prison Service
- The Probation Service
- Youth Offending Teams
Each agency has a list of obligations (some with time constraints) around customer service levels a victim should expect from the Criminal Justice System when they report a crime. The code requires the victim to be told when something 'significant' has happened in their case. Under the new code it will be possible for a dissatisfied victim of crime to complain about the service they receive and that complaint, should they still not be satisfied, can be taken to the Parliamentary Ombudsman.

Why has the code been introduced? From polls conducted and increasing media attention it appears that the public confidence in the Criminal Justice is at an all time low. Successive governments have introduced measures to improve public confidence and reduce the ineffective trial rate, and make sure the victim is firmly in the centre of the CJS.
Victims Charter

Former Prime Minister John Major’s ‘Peoples Charter’ included a Victims Charter. This laid out service levels which the public could expect to receive from the police and other service agencies.

It has become apparent that something more was needed. Recent surveys the police service performed well when people first came into contact with officers. Unfortunately, it was reported that their subsequent contact with the service did not impress; with many people being dissatisfied with the lack of information and support being offered. It was not only the police who under performed in this area.

The Code seeks to address these issues by creating specific contact requirements at specified time intervals. These requirements relate to the police and other agencies bound by the Code.

Each agency has a list of obligations (some with time constraints) around the customer service levels that a victim should expect from the criminal Justice System when they report a crime.

The MPS will have 34 obligations before a prisoner is charged, and 14 after charging. Not all of the obligations will be discussed in this lesson you will learn more when you are posted to borough. The key time limits you need to know at this stage are set out in the following paragraph.

**Code time limits**

*One-day updates*

Updates within one working day are for *vulnerable* and *intimidated* victims only. They only apply when there has been a significant change in the investigation that could impact directly on the victim’s physical and emotional well-being.

*Five day Updates*

The vast majority of victims will fall into this category of *non-vulnerable*. These victims will need updating with significant changes within five working days of the event occurring. Although the changes may not necessarily affect the victims emotional and physical well being it is important to keep them fully engaged with the process.
Monthly Updates
The code requires monthly updates if the case is ongoing with no significant developments. Although there may be nothing for the police to report to the victim this call acts as a ‘Courtesy Call.’ It may also prove useful to the investigation as the victim themselves may have further information.

What are Vulnerable and Intimidated Victims?

Vulnerable victims are;

- Under 17
- Suffers from a mental disorder within the meaning of The Mental Health Act 1983.
- Has impairment of intelligence and/or social functions.
- Has a physical disability or disorder.

Intimidated victims are;

- Nature/circumstances of offence.
- Age of victim elderly/young.
- Victims of personal circumstances.
- Any external behaviour towards the victim.
- Views expressed by the victim.
Support and Advice Organisations

On the following pages you will find some further study/reference websites from national support agencies.

**Victim Support London website** – www.vslondon.org
Provides information and contact details on all Victim Support and Witness services in London

**Victim Support National website** – www.victimsupport.org
Provides contact details for Victim Support and Witness Services nationally. Contains useful information and downloadable leaflets in different languages on support for victims of different crime types. Also has link to search for other support agencies by crime type - http://www.victimsupport.org.uk/vs_england_wales/services/links.php

**Refugee Council website** – www.refugeecouncil.org.uk
Information for asylum seekers and refugees available on this website in 12 languages.

**Samaritans website** –
www.samaritans.org.uk
Provides information for people experiencing feelings of distress and despair, including those who may be contemplating suicide

**Connexions Direct website** – www.connexions-direct.com
Designed for people between 13–19 with information and advice on life choices and decisions

**Citizens Advice Bureau website** – www.citizensadvice.org.uk
Advice service helping people with legal, money and other problems by providing

**Refuge website** -
www.refuge.org.uk
Information and advice for women and children affected by domestic violence

**Rape Crisis website** –
www.rapecrisis.org.uk
Information for victims of sex offences
Mediation UK website – [www.mediationuk.org.uk](http://www.mediationuk.org.uk)
Mediation UK is a national voluntary organisation dedicated to developing constructive means of resolving conflicts in communities.

Help the Aged website – [www.helptheaged.org.uk](http://www.helptheaged.org.uk)
Information, advice and support specifically for older people

Age Concern website – [www.ageconcern.org.uk](http://www.ageconcern.org.uk)
Information on issues particularly affecting the aged
2 leaflets readily available for you to give victims. These leaflets are available to download from [www.cjsonline.gov.uk](http://www.cjsonline.gov.uk)

The Code of Practice for Victims of Crime – A Guide for Victims outlines the service a victim can expect from the MPS and other CJS agencies. 

Victim of Crime – support and advice in London, which outlines what happens next in the CJS process for the victim and what London support services are available to them.