

Title: Draft Victims Bill IA No: MoJ027/2022 RPC Reference No: N/A Lead department or agency: The Ministry of Justice (MoJ) Other departments or agencies: N/A	Impact Assessment (IA)			
	Date: May 2022			
	Stage: Response			
	Source of intervention: Domestic			
	Type of measure: Primary legislation			
Contact for enquiries: Nikki.Jones@justice.gov.uk				
Summary: Intervention and Options			RPC Opinion: Not Applicable	

Cost of Preferred (or more likely) Option (in 2022/23 prices)			
Total Net Present Social Value	Business Net Present Value	Net cost to business per year	Business Impact Target Status Not a regulatory provision
-£21.7m	£0.0m	£0.0m	

What is the problem under consideration? Why is government action or intervention necessary?
 Inconsistent approaches for understanding victims' experiences of the criminal justice system have developed over time, and there are a variety of models for commissioning and delivering support services. In response the government is proposing a package of measures to improve victims' experiences within the criminal justice system, one element of which will be delivered via the Victims Bill. These measures seek to amplify victims' voices at every stage of the criminal justice process, to strengthen transparency and accountability of the organisations that are there to help them, and to bolster the support they receive to rebuild their lives and recover from the impacts of crime. Government intervention is required through legislation to facilitate a more consolidated framework to tackle these issues, and better support victims.

What are the policy objectives of the action or intervention and the intended effects?
 The policy objectives are to improve end-to-end support for victims of crime whether they choose to engage with the criminal justice process or not. This is so that (a) victims get the support they deserve and need to cope and recover, and (b) victims feel able to engage and remain engaged in the criminal justice system, and therefore support prosecutions and improve the effectiveness of the criminal justice system in England and Wales.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

Option 0: Do nothing in legislation.
Option 1: Place the Code of Practice for Victims of Crime (Victims' Code) into legislation by placing the overarching principles of the Victims' Code on the face of the Bill, with a power to set out key entitlements of the Victims' Code in secondary legislation.
Option 2: Enhance local oversight of the Victims' Code and the role of Police and Crime Commissioners (PCCs).
Option 3: Provide the Home Secretary, Lord Chancellor and Attorney General with the power to jointly direct a joint inspection programme to include the victim experience.
Option 4: Amend the role of the Victims' Commissioner.
Option 5: Remove the requirement for victims of crime to refer complaints to the Parliamentary and Health Service Ombudsman (PHSO) through their MP.
Option 6: Place a duty on PCCs, local authorities and Integrated Care Boards to collaborate when commissioning support services for victims of domestic abuse, sexual violence and other serious violence.
Option 7: Place Independent Sexual Violence Advisors and Independent Domestic Violence Advisors on a statutory footing through definitions in legislation and statutory guidance.
The preferred options are Options 1-7 inclusive, as this would best meet the policy objectives.

Will the policy be reviewed? It will not be reviewed. If applicable, set review date: Month/Year						
Does implementation go beyond minimum EU requirements?			N/A			
Is this measure likely to impact on international trade and investment?			No			
Are any of these organisations in scope?			Micro No Yes/No	Small No Yes/No	Medium No Yes/No	Large No Yes/No
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)			Traded:		Non-traded:	

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister Pursglove MP:  Date: 06/05/2022

Summary: Analysis & Evidence

Policy Option 1

Description: Place the Code of Practice for Victims of Crime (Victims' Code) into legislation by placing the overarching principles of the Victims' Code on the face of the Bill, with a power to set out key entitlements of the Victims' Code in secondary legislation.

FULL ECONOMIC ASSESSMENT

Price Base Year 22/23	PV Base Year 22/23	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: N/A	High: N/A	Best Estimate: 0.0

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	0.0	0.0	0.0

Description and scale of key monetised costs by 'main affected groups'

There are no monetised costs associated with this option.

Other key non-monetised costs by 'main affected groups'

Although the measures in this Bill may raise awareness of the Victims' Code and therefore demand for relevant services, as the agencies and organisations responsible for delivering the entitlements in the Victims' Code are already required to provide these entitlements under a statutory code, they would be expected to meet this demand through existing resources. Therefore, although relevant organisations may wish to place a greater emphasis on delivering these entitlements, there are no costs associated with this measure.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

There are no monetised benefits associated with this option.

Other key non-monetised benefits by 'main affected groups'

Placing the Victims' Code into legislation would raise the profile and visibility of the Victims' Code and send a clear signal about what victims can and should reasonably expect from the criminal justice system. Together with Options 2 and 3 this should promote compliance with the Victims' Code and so improve the service provided and therefore outcomes for victims.

Key assumptions/sensitivities/risks

Discount rate

N/A

Raising the profile and visibility of the Victim's Code may lead to increased demand for associated services. There is a risk that this cannot be delivered with the current resource, despite this being a current requirement. If additional resource was required, then there would be costs associated with this option.

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: N/A	Benefits: N/A	Net: N/A	
			N/A

Summary: Analysis & Evidence

Policy Option 2

Description: Enhance local oversight of the Victims' Code and the role of Police and Crime Commissioners (PCCs).

FULL ECONOMIC ASSESSMENT

Price Base Year 22/23	PV Base Year 22/23	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: 0.0	High: -28.8	Best Estimate: -14.4

COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant)	Total Cost (Present Value)
Low	0.0		0.0	0.0
High	0.0		3.5	28.8
Best Estimate	0.0		1.7	14.4

Description and scale of key monetised costs by 'main affected groups'

The cost to PCCs to monitor compliance with the Victims' Code and to take into account the experiences of victims is estimated to be £0.0m to £3.5m per year, with a best estimate of £1.7m. The high cost estimate is driven by the assumption that each PCC would require an additional Senior Data Analyst for two of the measures in this option. The low cost estimate assumes no additional cost under the assumption that the costs of the measures in this option are covered by current processes.

Other key non-monetised costs by 'main affected groups'

Any further data sharing encouraged as a result of requiring PCCs and relevant criminal justice agencies to share compliance data would have marginal cost impacts.

BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant)	Total Benefit (Present Value)
Low	N/A		N/A	N/A
High	N/A		N/A	N/A
Best Estimate	N/A		N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

There are no monetised benefits associated with this option.

Other key non-monetised benefits by 'main affected groups'

Placing an explicit obligation on all relevant bodies to monitor and collect Victims' Code compliance data would make it clear that individual agencies are responsible for ensuring compliance. PCCs already play a vital role in improving and championing services for victims, and since 2018, have been overseeing and monitoring Victims' Code compliance data. Formalising this role and requiring PCCs to take a convening role by chairing regular local discussions would improve local cooperation, coordination and transparency. Information on victims' experiences would help agencies and PCCs to provide the right level of service to victims, and compliment and contextualise the Victims' Code compliance data.

Requiring the relevant agencies and PCCs to share compliance data would guarantee the provision of Victims' Code compliance data between parties, benefitting local discussions and ensuring collaborative working to improve delivery of the Victims' Code.

Key assumptions/sensitivities/risks	Discount rate (%)	3.5
The low cost estimate assumes no additional cost under the assumption that these requirements are covered by current processes. The high cost estimate assumes that each of the 42 PCCs requires two additional Senior Data Analysts to assist with the additional work, at an annual cost of £33,732 per analyst (£41,153 with corresponding on-costs). This salary is based on a recent job advertisement for Avon & Somerset PCC. On-costs of 22% have been added as per RPC guidance.		

BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: N/A	Benefits: N/A	Net: N/A	
			N/A

Summary: Analysis & Evidence

Policy Option 3

Description: Provide the Home Secretary, Lord Chancellor and Attorney General with the power to jointly direct a joint inspection programme to include the victim experience.

FULL ECONOMIC ASSESSMENT

Price Base Year 22/23	PV Base Year 22/23	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: N/A	High: N/A	Best Estimate: -2.5

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	0.0	0.3	2.5

Description and scale of key monetised costs by 'main affected groups'

As the regularity and content of the inspections would be jointly directed by the Home Secretary, Lord Chancellor, and Attorney General, it is difficult to estimate the costs associated with this option. Recent thematic inspections carried out by HM Inspectorate of Constabulary (HMIC) have cost approximately £1m per inspection. It is assumed that costs would fall solely in inspection years. While the division of costs across inspectorates is uncertain, it is anticipated that the majority of costs would fall to HMIC and HM Crown Prosecution Service Inspectorate (HMCPSI) as they have more oversight of victim interactions.

Other key non-monetised costs by 'main affected groups'

There are no non-monetised costs associated with this option.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

There are no monetised benefits associated with this option.

Other key non-monetised benefits by 'main affected groups'

Introducing this requirement would strengthen transparency and oversight of criminal justice agencies' performance in relation to victims, improving accountability for those responsible, and ultimately driving an improvement in the level of service provided to victims. This option would enable inspectorates to be more effective at: identifying key issues in relation to victims; understanding the cause of these issues and the best ways to address them; and, making recommendations that would ensure the service provided to victims improves.

Key assumptions/sensitivities/risks	Discount rate (%)	3.5
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- It is assumed that an inspection would be required once every three years, with costs falling only in inspection years.
- HMIC have carried out a range of thematic inspections, with recent ones costing approximately £1m each. This figure of £1m is used as a proxy for the new inspections created by this duty.

BUSINESS ASSESSMENT (Option 3)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: N/A	Benefits: N/A	Net: N/A	
			N/A

Summary: Analysis & Evidence

Policy Option 4

Description: Amend the role of the Victims' Commissioner.

FULL ECONOMIC ASSESSMENT

Price Base Year 22/23	PV Base Year 22/23	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: N/A	High: N/A	Best Estimate: 0.0

COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A		N/A	N/A
High	N/A		N/A	N/A
Best Estimate	0.0		0.0	0.0

Description and scale of key monetised costs by 'main affected groups'

There are no monetised costs associated with the measures in this option. The measures set out under Option 2 would provide an alternative structure for reviewing operation of the Victims' Code, so there are no costs associated with removing this function from the Victims' Commissioner. As the Victims' Commissioner already produces an annual report, with its most recent annual report laid before Parliament in July 2021, there would be no additional cost in requiring all future annual reports to be laid before Parliament.

Other key non-monetised costs by 'main affected groups'

The Victims' Commissioner duty would require departments and criminal justice agencies to publish a response to recommendations in the Victims' Commissioner's annual report. Agencies would not be required to accept the recommendations, but if they did wish to take them forward, departments and agencies would consider how to do so within existing budgets. Therefore, it is anticipated this measure in itself would not lead to additional costs, with potentially only a marginal cost from developing a response.

BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A		N/A	N/A
High	N/A		N/A	N/A
Best Estimate	N/A		N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

There are no monetised benefits associated with this option.

Other key non-monetised benefits by 'main affected groups'

It is intended that this option would:

- Eliminate unnecessary duplication of the function of reviewing operation of the Victims' Code. It would allow the Victims' Commissioner to dedicate its resources to its other statutory functions of promoting the interests of victims and witnesses and taking steps to encourage good practice in the treatment of victims and witnesses;
- Protect the interests of victims, and improve their treatment, by encouraging the specified organisations to respond to the Victims' Commissioner's recommendations in its annual report. This should result in better local and national treatment of victims;
- Increase government accountability in Parliament for treatment of victims by requiring the Victims' Commissioner's annual reports to be laid before Parliament.

Key assumptions/sensitivities/risks	Discount rate	N/A
As there would be no obligation for any entity to implement any particular recommendation, it is anticipated that any costs from recommendations that are accepted would be integrated into an existing budget. There may be a marginal cost from developing a response to the recommendations made after the Victims' Commissioners' annual report.		

BUSINESS ASSESSMENT (Option 4)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:	
Costs: N/A	Benefits: N/A	Net: N/A		
			N/A	

Summary: Analysis & Evidence

Policy Option 5

Description: Remove the requirement for victims of crime to refer complaints to the Parliamentary and Health Service Ombudsman (PHSO) through their MP.

FULL ECONOMIC ASSESSMENT

Price Base Year 22/23	PV Base Year 22/23	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: N/A	High: N/A	Best Estimate: N/A

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	0.0	0.0	0.0

Description and scale of key monetised costs by 'main affected groups'

There are no monetised costs associated with this option.

Other key non-monetised costs by 'main affected groups'

Although exact information on the number of complaints made by victims to the PHSO is not collected, it is thought that the number of complaints received which relate to the Victims' Code is low and represents a small proportion of the overall number of complaints to the PHSO. Therefore, while there may be an increase in complaints from victims as the process will become simpler by removing the 'MP filter', the PHSO do not expect the volume of complaints to rise to a level which they are not able to handle within existing budgets.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

There are no monetised benefits associated with this measure.

Other key non-monetised benefits by 'main affected groups'

The removal of the 'MP filter' would remove an unnecessary obstruction to access to justice for victims of crime wanting to escalate complaints against public bodies. It would enable the PHSO to investigate complaints that otherwise may not be made to it, leading to decisions and recommendations to help individuals as well as improve future government conduct and decision-making.

Key assumptions/sensitivities/risks	Discount rate (%)	N/A
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The scale of any potential increase in the number of complaints PHSO receives is uncertain. However, PHSO have said this could likely be met by their existing service provision.

BUSINESS ASSESSMENT (Option 5)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: N/A	Benefits: N/A	Net: N/A	
			N/A

Summary: Analysis & Evidence

Policy Option 6

Description: Place a duty on PCCs, local authorities and Integrated Care Boards to collaborate when commissioning support services for victims of domestic abuse, sexual violence and other serious violence.

FULL ECONOMIC ASSESSMENT

Price Base Year 22/23	PV Base Year 22/23	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: -3.8	High: -5.8	Best Estimate: -4.8

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	0.0	0.5	3.8
High	0.0	0.7	5.8
Best Estimate	0.0	0.6	4.8

Description and scale of key monetised costs by 'main affected groups'

Annual costs are estimated to be within a range of £0.46m to £0.70m, with a best estimate of £0.58m. The cost to PCCs is estimated to be £0.17m to £0.18m per year, with a best estimate of £0.17m. The cost to local authorities (LAs) is estimated to be £0.29m to £0.34m, with a best estimate of £0.31m. Cost to Integrated Care Boards is estimated to be £0.0m to £0.19m, with a best estimate of £0.09m. Costs would arise from the duty to collaborate, which could be achieved through regular meetings, and the production of a strategy to set out the approaches to this commissioning. Attending and preparing for meetings, as well as producing a strategy, would all take additional resource, which has been costed.

Other key non-monetised costs by 'main affected groups'

There are no non-monetised costs associated with this measure.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

There are no monetised benefits associated with this measure.

Other key non-monetised benefits by 'main affected groups'

This option, underpinned by statutory guidance, would improve the provision of victim support services by enabling more holistic and better coordinated services in local areas. This collaboration when commissioning would facilitate regular communication, common understandings of local area needs through shared information, and more effective co-ordinated commissioning activity. It could also reduce duplication in commissioning processes and enable targeted use of resources across the groups. The requirement for a strategy would improve transparency of the aims and approach across all groups for commissioning relevant services for victims of domestic abuse, sexual violence and serious violence in the area.

Key assumptions/sensitivities/risks	Discount rate (%)	3.5
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- It is assumed that PCCs with five or more local authorities would need to hold three meetings per quarter, one for each crime type. PCCs with fewer than five local authorities would hold one meeting per quarter, which would cover sexual violence, domestic abuse and serious violence combined.
- There is significant uncertainty surrounding the number of attendees from PCCs and LAs who would be required to attend each meeting. The low scenario assumes PCCs and LAs would have one senior representative attending. The high scenario assumes PCCs and LAs would have one senior representative and one administrative member of staff attending.

BUSINESS ASSESSMENT (Option 6)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: N/A	Benefits: N/A	Net: N/A	
			N/A

Summary: Analysis & Evidence

Policy Option 7

Description: Place Independent Sexual Violence Advisors and Independent Domestic Violence Advisors on a statutory footing through definitions in legislation and statutory guidance.

FULL ECONOMIC ASSESSMENT

Price Base Year 22/23	PV Base Year 22/23	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: N/A	High: N/A	Best Estimate: 0.0

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	0.0	0.0	0.0

Description and scale of key monetised costs by 'main affected groups'

There are no monetised costs associated with this measure as the statutory definitions of ISVAs and IDVAs introduced under this option would be broad to ensure the flexibility of these roles to enable continued innovation and meet the needs of victims. There would also be no additional costs associated with the statutory guidance on ISVAs and IDVAs or the duty on other agencies to have due regard to this guidance as this would be limited to recommendations and examples of best practice.

Other key non-monetised costs by 'main affected groups'

There may be marginal costs associated with other agencies familiarising themselves with the statutory guidance.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	N/A	N/A
High	N/A	N/A	N/A
Best Estimate	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

There are no monetised benefits associated with this measure.

Other key non-monetised benefits by 'main affected groups'

Defining ISVAs and IDVAs in primary legislation would aim to improve the formal recognition of these roles and improve the way other agencies interact with them. Whilst the definitions would be broad to protect the flexibility of ISVAs and IDVAs to tailor to their victims' needs, this measure would improve clarity on these roles and help raise their profiles to allow better recognition and awareness from victims, other agencies, funders, and commissioners. Underpinning these definitions with statutory guidance and a duty for other agencies to take due regard of this guidance would further support this by increasing consistency of support and providing a useful and standardised tool to support the commissioning of ISVA and IDVA services.

Key assumptions/sensitivities/risks

Discount rate

N/A

- As the statutory definitions of ISVAs and IDVAs introduced under this option would be broad, it is assumed there are no additional costs.
- It is also assumed there would be no additional costs associated with the statutory guidance or the duty on other agencies to have due regard to this guidance as this would be limited to recommendations and examples of best practice, although there may be some minimal familiarisation costs which have not been quantified for this Impact Assessment.

BUSINESS ASSESSMENT (Option 7)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: N/A	Benefits: N/A	Net: N/A	
			N/A

Evidence Base

A. Background

Overarching background

1. In December 2021, the government launched '*Delivering Justice for Victims*' - a consultation seeking views on how to improve victims' experiences of the criminal justice system across England and Wales. The government's vision is to see a cultural shift so that victims' experiences become central to the way our society thinks about and responds to crime.
2. In response to that consultation, there will be a package of measures to improve victims' experiences of the criminal justice system, some elements of which will be delivered via the Victims Bill. These measures seek to amplify victims' voices at every stage of the criminal justice process, to strengthen transparency and accountability of the organisations that are there to help them, and to bolster the support they receive to rebuild their lives and recover from the impacts of crime.
3. The draft Bill measures seek to improve:
 - What victims can expect within the criminal justice system, set out in the Code of Practice for Victims of Crime (Victims' Code).
 - Oversight mechanisms to drive better performance so that victims consistently receive the service to which they are entitled, including the roles of Police and Crime Commissioners (PCCs – who hold Chief Constables to account and commission support services for victims and witnesses), criminal justice inspectorates, the Victims' Commissioner, and complaints processes.
 - Aspects of victim support services, including the commissioning of these services, as well as support from Independent Sexual Violence Advisors (ISVAs) and Independent Domestic Violence Advisors (IDVAs).
4. This Impact Assessment, which accompanies the draft Bill and is part of the overall response to the consultation, sets out the issues being addressed, the options being considered and their associated impacts. Given the draft nature of the Bill, the cost estimates presented reflect the best information currently available. We will work with relevant agencies and other government departments to refine estimates to be included within an updated final stage Impact Assessment published alongside formal introduction of the Bill in due course.

The Victims' Code

Overview

5. The Victims' Code came into effect in 2006, having been required by the Domestic Violence, Crime and Victims Act 2004. It built on the support for victims within the Victims' Charter, which was introduced in 1990 and which set out for the first time the levels of service victims of crime should expect. It has been updated several times. The latest

revised Victims' Code was laid before Parliament in November 2020 and it came into force on 1 April 2021, which sets out 12 overarching entitlements:

- To be able to understand and to be understood.
 - To have the details of the crime recorded without unjustified delay.
 - To be provided with information when reporting the crime.
 - To be referred to services that support victims and have services and support tailored to your needs.
 - To be provided with information about compensation.
 - To be provided with information about the investigation and prosecution.
 - To make a Victim Personal Statement.
 - To be given information about the trial, trial process and your role as a witness.
 - To be given information about the outcome of the case and any appeals.
 - To be paid expenses and have property returned.
 - To be given information about the offender following conviction.
 - To make a complaint about your Rights not being met.
6. The 2019 government manifesto included a commitment to “pass and implement a Victims’ Law that guarantees victims’ rights and the level of support they can expect.”¹

Issues

7. There are concerns that victims’ entitlements in the Victims’ Code are not well known or consistently delivered. Most agencies do not systematically collect data on victims, including delivery of the Victims’ Code, which leaves us with gaps in knowledge about victims’ experiences and agencies’ compliance. From the data that we do have, we know that most victims of crime in recent years did not feel that some Victims’ Code entitlements were delivered. Office for National Statistics data in 2019/20 showed that only 45% of victims felt that the police and other criminal justice agencies kept them informed, and only 18% of victims recalled being offered the opportunity to make a Victim Personal Statement.²

Local oversight and the role of Police and Crime Commissioners

Overview

8. Relevant criminal justice agencies listed in the Victims’ Code such as the police, Crown Prosecution Service (CPS), HM Courts and Tribunals Service (HMCTS), HM Prison and Probation Service (HMPPS) and Youth Offending Teams, already collect data on and analyse their compliance with the Victims’ Code. It is also crucial, however, that these agencies work together to effectively deliver the Victims’ Code and provide victims with a good service across the board.
9. It was agreed by the National Criminal Justice Board (NCJB) in 2018 that PCCs, as chairs of their Local Criminal Justice Board (LCJB), would oversee a new monitoring process, measuring criminal justice partners’ compliance with the Victims’ Code, focused on key entitlements. LCJBs and the NCJB would have access to this data to identify areas of best practice and areas of improvement.
10. The government has a manifesto commitment and ambition to strengthen the accountability of elected PCCs and expand their role.

¹ Page 19 The Conservative and Unionist Party Manifesto 2019 <https://www.conservatives.com/our-plan/conservative-party-manifesto-2019>

² Experience of the criminal justice system for victims of crime, Crime in England and Wales: Appendix tables – Office for National Statistics (March 2020), <https://www.ons.gov.uk/file?uri=/peoplepopulationandcommunity/crimeandjustice/adhocs/13635experienceofthecriminaljusticesystemforvictimsofcrimeenglandandwalesyearendingmarch2009toyearendingmarch2020/awarenessofthevictimscodetinaloctoberreview.xlsx>

Issues

11. There is strong evidence that compliance oversight is being taken forward by many PCCs through existing partnership arrangements, as envisaged in 2018. However, the extent to which this is proving fruitful varies, as the necessary independence of respective players in the criminal justice system can make local criminal justice partnership working challenging.
12. For example, PCCs cannot compel other criminal justice partners to provide information. National agencies, such as the CPS and HMCTS, often provide national data which is of limited use to understanding the delivery of the Victims' Code at a local-partnership level. This is, in part, because as national agencies, they consider the responsibility for compliance to rest with the agency as a whole and not at the local level. Furthermore, there are also practical difficulties as the criminal justice agencies' regional areas do not map directly onto the PCC areas but instead cover multiple PCC areas.
13. At present, there is a fragmented approach to collecting victim feedback about the service delivered to victims and the awareness and enforcement of the Victims' Code. Our consultation feedback showed that more action is needed from agencies to understand victims' needs and experiences. Such data would allow agencies to use victims' voices to identify issues and drive up performance across the system.

National oversight and the criminal justice inspectorates

Overview

14. The inspectorates are independent bodies which assess the efficiency and effectiveness of different criminal justice agencies, working to promote improvements in the services provided. The inspectorates monitor and report on the relevant agencies within their remit on a rolling basis over varying timeframes. They conduct inspections where they collate relevant evidence and ask questions they believe the public would wish to have answered. Following this, they publish their findings, conclusions, and recommendations in reports.
15. The different inspectorates' remit and how their current frameworks assess victims' issues are set out below:
 - **HM Inspectorate of Constabulary, Fire, and Rescue Services (HMICFRS)** are responsible for assessing the effectiveness of police forces and fire and rescue services. Their assessment framework looks at forces' service for victims of crime.
 - **HM Crown Prosecution Service Inspectorate (HMCPISI)** are responsible for assessing the effectiveness of the CPS and the Serious Fraud Office. Their assessment framework includes looking at the quality of CPS legal decision-making, which they see as the aspect of CPS work that has the greatest impact on victims and witnesses.
 - **HM Inspectorate of Probation (HMI Probation)** inspects probation and youth offending services. Their assessment framework looks at whether relevant and timely information is provided to victims of a serious offence, and whether victims are given the opportunity to contribute their views at key points in the sentence.
 - **HM Inspectorate of Prisons (HMI Prisons)** assess prisons and young offender institutions. Their assessment frameworks consider whether relevant and accurate information is exchanged in a timely manner in statutory victim contact cases.
16. The inspectorates have their high-level functions set out in differing pieces of legislation, which broadly set out that an inspection framework and programme should be agreed to assess the efficiency and effectiveness of the agencies they oversee.

17. This legislation also sets out that the chief inspectors of the inspectorates should act jointly to prepare and undertake a “joint inspection programme”. Criminal justice joint inspections are when the inspectorates work together to address issues that involve more than one criminal justice agency and have a direct impact on the public who use the justice system. It is felt that working together produces a more rounded examination of issues that cut across the system and enables the inspectorates to achieve more than when acting alone.
18. This programme is currently prepared by the chief inspectors, and the Home Secretary, Justice Secretary and Attorney General are required by law to be consulted on this programme. Those Ministers are also able to jointly specify the form the joint inspection programme is to take. There is no other indication of what this programme should cover within the legislation.

Issues

19. The work of the inspectorates is well established and, as described above, does include assessing victims’ experiences to differing degrees. However, victims’ issues form just one part of a broader assessment framework, and consultation responses noted that there is (a) insufficient focus on victims and (b) insufficient collaboration across the inspectorates on victims’ issues. Information is not typically collated in a systematic way, nor routinely brought together across the inspectorates for overall analysis. Approaches to assessment, rating and performance improvement also vary.
20. There are concerns that this could mean some victims’ issues are not effectively identified, in turn meaning that the inspectorates do not then provide recommendations which would enable agencies to address these issues, delivering the right level of service to victims.
21. There is no dedicated inspectorate for HMCTS. The Public Bodies (Abolition of HM Inspectorate of Courts Administration and the Public Guardian Board) Order of 2012 abolished HM Inspectorate of Court Administration (HMICA) and set out that any of the four remaining criminal justice inspectorates may inspect any aspect of the Crown Court or Magistrates’ Courts in relation to their criminal jurisdiction, which could have been inspected by HMICA. HMCTS have been assessed since then as part of joint thematic inspections but have not been inspected as part of inspectorates’ own core assessments.

The role of the Victims’ Commissioner for England and Wales

Overview

22. The Victims’ Commissioner is a powerful voice for victims in the criminal justice system. The function of the Commissioner is to review the operation of the Victims’ Code; promote the interests of victims and witnesses; and encourage good practice in the treatment of victims and witnesses.
23. The Victims’ Commissioner is explicitly empowered to make recommendations to agencies within its remit, consult persons as is necessary, and make reports regarding the carrying out of their functions.
24. The Victims’ Commissioner must provide an annual report each year to the Justice Secretary, Attorney General, and Home Secretary setting out how they have performed

their statutory functions. In July 2021, the Victims' Commissioner laid their annual report before Parliament, though they are under no legal obligation to do so.

25. In practice, the Victims' Commissioner conducts research, obtains feedback from victims, and consults with government and non-government agencies to make recommendations to government on how it can protect victims and improve their treatment.³

Issues

26. The Victims' Commissioner's effectiveness in advocating for victims is currently hampered by the fact that criminal justice agencies and government departments are not required to respond to their recommendations.
27. The Domestic Abuse Commissioner role was created more recently in 2019, and certain agencies and government departments are under a duty to respond to their recommendations. The roles of the Domestic Abuse Commissioner and Victims' Commissioner are related, as they both are independent advocates for victims, and the position of the Victims' Commissioner should be seen alongside that as broadly similar.
28. The Victims' Commissioner's annual reports are not currently required to be laid before Parliament. They need only be sent to the Justice Secretary, Attorney General, and Home Secretary, and published, without any specifications as to when or how publication occurs. This limits the ability of Parliament to oversee the Victims' Commissioner and to hold criminal justice agencies and departments accountable for treatment of victims.
29. While one of the Victims' Commissioner's current statutory functions is to review the operation of the Victims' Code, they presently do not have the powers or resource to do so efficiently at a granular level.

Victims' complaints – 'MP filter' and the Parliamentary and Health Service Ombudsman

Overview

30. A victims' journey through the criminal justice system can be long, complicated and requires interacting with many different agencies. The Victims' Code entitles victims to complain to these agencies if they have not received what they are entitled to. Where victims feel their complaint has not been adequately resolved, they may want to escalate their complaints beyond these agencies.
31. The main entity to which victims can escalate their complaints is the central ombudsman for complaints against public bodies, the Parliamentary and Health Service Ombudsman (PHSO) in its capacity as the Parliamentary Commissioner for Administration.⁴ However, for the PHSO to be empowered to investigate a complaint, the complaint must be referred to it via a Member of the House of Commons. This requirement is known as the 'MP filter'.⁵ Therefore, for a victim to escalate their complaint against a criminal justice agency they

³ [Our work - Victims Commissioner](#)

⁴ For many agencies, the PHSO is the only entity a victim can escalate their complaint to. Note also that while the PHSO cannot generally investigate complaints against the police, it can investigate complaints against the police if they are complaints that the police have failed to deliver a victim their Victims' Code right(s). Note also that it is not only victims that can make complaints to the PHSO. Broadly speaking, any person who wishes to complain about the maladministration of an entity within the Parliamentary Commissioner's remit may do so.

⁵ A victim need not refer their complaint via the MP of whom they are a constituent, but in practice this is often how complaints are referred. References to an 'MP' hereafter are references to a Member of the House of Commons only.

must first contact and explain their complaint to their MP, and then wait for their MP to refer their complaint to the PHSO.

Issues

32. The 'MP filter' places an additional burden on persons, including victims, wishing to make complaints against public bodies to the PHSO. Research by PHSO on stakeholder views on the issue⁶ found that it:
- is burdensome and confusing for members of the public, who struggle to understand how to complain (an issue that is amplified for marginalised communities);
 - is overly and unnecessarily bureaucratic;
 - causes additional delay to the process of complaining;
 - causes increased, unnecessary work for MPs' offices, who are often uninformed about their role regarding the PHSO; and
 - can directly obstruct access if MPs sometimes do not refer complaints to the PHSO.
33. Not everyone wants to contact their MP, and the PHSO has provided examples in their consultation response where persons do not want to contact their MP due to conflicting beliefs or low trust in government and Parliament. The PHSO also explains that the 'MP filter' can be particularly onerous for victims. For example, many victims will have undergone trauma, and requiring them to repeat their traumatic experiences to another person—with whom they will likely have no personal relationship—imposes an additional emotional and personal burden upon them.

Victim support services

Overview

34. We know that being a victim of domestic abuse, sexual violence and serious violence can have long-term effects on individuals' psychological, emotional and physical wellbeing. It is right that we give victims of these crimes the support that they deserve to rebuild their lives after traumatic offences. This is why the Victims' Code sets out the entitlement for victims to be referred to support services. These can cover advice, advocacy, and recovery and support services, which could be medical, therapeutic, practical and/or emotional, and are provided across both the public and voluntary sectors.
35. The commissioning landscape for victim support services outside of safe accommodation⁷ is complex. Support services can be commissioned by a mix of groups, with some commissioned nationally by government departments and/or NHS England (such as the domestic abuse helpline, rape support fund and Sexual Assault Referral Centres), and others commissioned locally by PCCs, Clinical Commissioning Groups (CCGs) and local authorities.
36. The Welsh Government already places a duty on devolved local authorities and health boards to collaborate to improve support for victims of gender-based violence, domestic abuse and sexual violence through the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015.

⁶ PHSO Response to MoJ Victims Bill Consultation, 3 February 2022: https://www.ombudsman.org.uk/sites/default/files/2022-02/PHSO_response_to_MoJ_Victims%27_Bill_consultation.pdf

⁷ We had described this as "community-based" support, although we are aware that there is provision of support to victims in other settings like hospitals so have used a broader term of victim support services throughout this document

Issues

37. No framework or structure brings together the range of public sector bodies who provide support services to victims outside of safe accommodation.⁸ This means that in many cases, there is no coherent strategy across a local area to coordinate service provision. This can mean that victims find the range of services they access disjointed and difficult to move between. We also know that demand for services outstrips supply and that not all victims can access the right support in their local area. We have heard about some local areas which have developed forums that bring together commissioners of relevant services to approach issues strategically and jointly which has helped improve the local offer to victims, so the proposed approach below would build upon this best practice.

The role of Independent Domestic Violence Advisors and Independent Sexual Violence Advisors (IDVAs and ISVAs)

Overview

38. IDVAs and ISVAs provide tailored, needs based support to victims of domestic and sexual abuse in order to recover and rebuild their lives. The ISVA and IDVA roles are distinct from one another. While there may be similarities (such as providing emotional and practical support), each role provides differing expertise, specialisms and requirements. This is all to support victims to make informed choices and stay engaged in the criminal justice system, should they choose to do so.
39. The Ministry of Justice provides the majority of funding for these roles via PCCs. We are investing further in victim support services, increasing funding to £185m by 2024/25, which will increase the number of ISVAs and IDVAs we fund from 700 to over 1000. ISVAs and IDVAs are also funded through local authorities, the NHS, and the third sector.

Issues

40. The roles of IDVAs and ISVAs have developed naturally over time, and government guidance on how these roles should operate is limited to non-statutory guidance for the ISVA role which was published by the Home Office in 2017.
41. There is, however, no comparative guidance covering the role of IDVAs. The absence of robust government standards has led to a sector of Advisors operating with differing abilities and under varying job titles, impacting the quality and consistency of support provided to victims. There is also a lack of awareness of the role and support provided by ISVAs and IDVAs by other agencies which is creating a barrier to effective collaboration in order to meet the unique needs of victims.

B. Policy Rationale and Objectives

42. The conventional approaches to government intervention are based on efficiency or equity arguments. Governments may consider intervening if there are strong enough failures in the way markets operate (e.g. monopolies overcharging consumers) or there are strong enough failures in existing government interventions (e.g. waste generated by misdirected rules), where the proposed new interventions avoid creating a further set of disproportionate costs

⁸ A legislative framework for commissioning “accommodation-based services” for victims of domestic abuse and their children is set out in Part 4 of the Domestic Abuse Act 2021

and distortions. The government may also intervene for equity (fairness) and distributional reasons (e.g. to reallocate goods and services to more vulnerable groups in society).

43. The primary rationale for the options detailed in this Impact Assessment is equity: to ensure that victims of crime are fairly and consistently supported. Victim support services can help victims to recover, and also to engage with the criminal justice system should they wish to, supporting prosecutions and helping to achieve justice.
44. The associated policy objectives are to improve end-to-end support for victims of crime whether they choose to engage with the criminal justice process or not. This is so that (a) victims get the support they deserve and need to cope and recover, and (b) victims feel able to engage and remain engaged in the criminal justice system, and therefore support prosecutions to improve the effectiveness of the criminal justice system in England and Wales.
45. Our more specific aims to deliver the wider policy objective include:
 - Amplifying victims' voices in the criminal justice process.
 - Sending a clear signal about what victims can and should reasonably expect.
 - Strengthening transparency and oversight of criminal justice agencies performance in relation to victims, giving victims more effective redress and improving accountability for those responsible.
 - Improving support services and the consistency of those services for all victims, whether they choose to report the offence or not.

C. Affected Stakeholder Groups, Organisations and Sectors

46. A list of all the main groups that would be most affected by the measures in this Impact Assessment is shown below:

- Victims of crime, their families, and other close associates.

Criminal justice agencies

- Police services and other agencies who investigate criminal offences;
- The Crown Prosecution Service, and other agencies who prosecute criminal cases;
- HM Courts and Tribunals Service, which is responsible for the administration of the court system and the tribunal system in England and Wales;
- HM Prison and Probation Service, which carries out sentences given by the courts, in custody and the community;
- Youth Offending Teams, which help deliver youth services to prevent offending by children and young people.

Criminal justice inspectorates

- HM Inspectorate of Constabulary, Fire, and Rescue Services, which assesses the efficiency and effectiveness of police forces;
- HM Crown Prosecution Service Inspectorate, which assesses the efficiency and effectiveness of the CPS;
- HM Inspectorate of Probation, which assesses the efficiency and effectiveness of probation services;
- HM Inspectorate of Prisons, which assesses the efficiency and effectiveness of prisons.

Local bodies and health services

- Police and Crime Commissioners, who hold Chief Constables to account as to how they are discharging their functions, and who can commission support services to victims and witnesses of crime;
- Local authorities, who commission and provide a range of local services to residents, including some victim support services;
- NHS England, which sets the priorities and direction of healthcare in England, and directly commission some national services, including Sexual Assault Referral Centres;
- Clinical Commissioning Groups (soon to be replaced by Integrated Care Boards), which commissions local health services (such as hospital or community care) for their patients and population.

Other affected groups

- The Victims' Commissioner for England and Wales, which advocates for victims and promotes their interests and better treatment, and reviews operation of the Victims' Code;
 - The Parliamentary and Health Service Ombudsman (PHSO), which performs the two distinct statutory roles of Parliamentary Commissioner for Administration and Health Service Commissioner for England, and is the central ombudsman for complaints against public bodies;
 - Members of Parliament, who currently must refer complaints to the PHSO;
 - Independent Domestic Violence Advisor and Independent Sexual Violence Advisor services, who provide specialist support to victims of domestic and sexual violence; and
 - Other charitable and commercial organisations who provide support to victims in the criminal justice system.
47. Other agencies with primary responsibilities to deliver victims their entitlements under the Victims' Code will be affected by the changes to the Victims' Code, including: the Parole Board, which carries out risk assessments on prisoners to determine whether they can be safely released into the community; the Criminal Injuries Compensation Authority, which works to provide compensation for victims of violent crime; the Criminal Cases Review Commission, which investigates potential miscarriages of justice; and the Supreme Court, the final court of appeal for criminal cases from England, Wales, and Northern Ireland.

D. Description of Options Considered

48. In order to meet the policy objectives, eight options have been considered in isolation, and combination in this Impact Assessment:
- **Option 0:** Do nothing in legislation.
 - **Option 1:** Place the Code of Practice for Victims of Crime (Victims' Code) into legislation by placing the overarching principles of the Victims' Code on the face of the Bill, with a power to set out key entitlements of the Victims' Code in secondary legislation.
 - **Option 2:** Enhance local oversight of the Victims' Code and the role of PCCs.
 - **Option 3:** Provide the Home Secretary, Lord Chancellor and Attorney General with the power to jointly direct a joint inspection programme to include the victim experience.
 - **Option 4:** Amend the role of the Victims' Commissioner.
 - **Option 5:** Remove the requirement for victims of crime to refer complaints to the Parliamentary and Health Service Ombudsman through their MP.

- **Option 6:** Place a duty on PCCs, local authorities and Integrated Care Boards to collaborate when commissioning support services for victims of domestic abuse, sexual violence and other serious violence.
- **Option 7:** Place ISVAs and IDVAs on a statutory footing through definitions in legislation and statutory guidance.

49. The preferred options are Options 1 to 7 inclusive, as these would best meet the policy objectives.

Option 0: Do nothing

50. This option would be to do nothing. This would mean that there would be no legislative changes to assist in ensuring victims of crime are fairly and consistently supported. Option 0 is therefore undesirable because it would fail to meet the policy objectives. It would not improve end-to-end support for victims of crime whether they choose to engage with the criminal justice process or not. It would not improve the support that victims deserve and need to cope and recover, nor improve how victims feel able to engage and remain engaged in the criminal justice system.

Option 1: Place the Code of Practice for Victims of Crime (Victims' Code) into legislation by placing the overarching principles of the Victims' Code on the face of the Bill, with a power to set out key entitlements of the Victims' Code in secondary legislation

51. This option would place the proposed key principles underpinning the Victims' Code into law and create a power to set out the key entitlements in Regulations. The agencies listed in the Victims' Code as responsible for delivering the associated entitlements would be subject to this. The key principles are:

- **ensuring victims are informed** – to ensure that victims can fully understand the criminal justice process, criminal justice agencies must pay due consideration to providing victims with the information they need throughout the entirety of their case, from reporting through to post-conviction.
- **ensuring victims are supported** – although victims do not have to report a crime to access support, when they do, the Victims' Code stipulates that victims must be referred to a service that helps them cope and recover, supports them during their journey at court, and assesses them as to whether they need any specialised assistance, such as eligibility for special measures.
- **ensuring victims have their voices heard** – victims must have their voices heard in the criminal justice process and be offered the opportunity to make a Victim Personal Statement to explain how the crime has had an impact on them.
- **Victims' Right to Review** – victims must be able to challenge decisions that directly impact them, and the Victims' Code specifies that they have the right to ask for a review under the National Police Chiefs' Council (NPCC) or CPS Victims' Right to Review Schemes, which allow complainants to request a review of certain decisions not to pursue a prosecution or to stop a prosecution.

Option 2: Enhance local oversight and the role of PCCs

52. This option contains four specific measures:

- Measure (a): Require relevant criminal justice agencies to collect data and keep under review their compliance with the Victims' Code.
- Measure (b): Require PCCs to take a convening role in monitoring compliance with the Victims' Code.

- Measure (c): Require relevant criminal justice agencies and PCCs to take into account the experiences of victims.
- Measure (d): Require PCCs and relevant criminal justice agencies to share compliance data with one another as part of the wider duty to keep under review their compliance with the Victims' Code.

53. Measure (a) would place an explicit duty on all relevant agencies to monitor their compliance with the Victims' Code by collecting data which assesses their performance in respect of delivering entitlements under the Victims' Code.

54. The relevant agencies this would apply to would be:

- Police forces;
- HMCTS;
- HMPPS;
- The CPS;
- Youth Offending Teams.

55. Measure (b) would require PCCs to take a convening role in monitoring Victims' Code compliance. It is envisaged that PCCs would fulfil this function by collating agencies compliance data and chairing regular discussions with the relevant criminal justice bodies to analyse compliance at a local level, i.e. in each PCC's police area.

56. Measure (c) would require PCCs and the relevant agencies listed above to take into account the experiences of victims in relation to the services they deliver as service providers under the Victims' Code. Where data is not already available, we would like them to be able to collect feedback from victims in respect of all parts of the services they provide.

57. Measure (d): would require PCCs and relevant criminal justice agencies to share compliance data with one another as part of the wider duty to keep under review their compliance with the Victims' Code.

Option 3: Provide the Home Secretary, Lord Chancellor and Attorney General with the power to jointly direct a joint inspection programme to include the victim experience

58. This option would amend the criminal inspectorates' legislation to introduce the ability for the Home Secretary, Lord Chancellor and Attorney General to jointly direct there to be regular joint thematic inspections of victims' experiences of the criminal justice system, as they see fit. This would apply to all four criminal justice inspectorates (HMICFRS, HMCPSP, HMI Probation, and HMI Prisons).

59. The agencies which would be inspected as part of these joint thematic inspections are: the police; the CPS; the Probation Service; prisons; and HMCTS. The regularity and content of the inspections would be jointly directed by the Home Secretary, Justice Secretary, and Attorney General.

Option 4: Amend the role of the Victims' Commissioner

60. This option contains 3 specific measures:

- Measure (a): Remove the Victims' Commissioner's function to keep operation of the Code of Practice for Victims of Crime (Victims' Code) under review.
- Measure (b): Require the Victims' Commissioner to arrange for their annual report to be laid before Parliament.

- Measure (c): Require public authorities to respond to direct recommendations in the Victims' Commissioner's annual report.
61. Measure (a) would remove the Victims' Commissioner's function to review operation of the Victims' Code, to avoid duplication with the proposed role for PCCs under option 2.
62. Measure (b) would require the Victims' Commissioner to arrange for their annual report to be laid before Parliament.
63. Measure (c) would impose a duty upon the specified organisations (defined below) to respond to any direct recommendations made within the Victims' Commissioner's annual reports. Those entities would be required to provide comments on the Victims' Commissioner's recommendations explaining how they will act (or have acted) in response to their recommendations or, if they will not do so, why that is the case.
64. The entities subject to the duty would be:
- PCCs;
 - Police forces (including British Transport Authority and Ministry of Defence Police);
 - CPS;
 - HMCTS;
 - HMPPS;
 - Parole Board for England and Wales;
 - Criminal Cases Review Commission;
 - Criminal Injuries Compensation Authority;
 - HMIC;
 - HMCPSI;
 - HMI Prisons;
 - HMI Probation;
 - Any government department in the charge of a Minister.

Option 5: Remove the requirement for victims of crime to refer complaints to the Parliamentary and Health Service Ombudsman (PHSO) through their MP

65. This option would remove the 'MP filter' for complaints from victims of crime to be escalated to the PHSO in its Parliamentary Commissioner for Administration capacity. This would allow victims of crime to make complaints directly to the PHSO without having to refer their complaints via an MP. The option will still exist for the complainant to escalate their complaint to the PHSO through an authorised person, which can include an MP, if they feel they need assistance.

Option 6: Place a duty on PCCs, local authorities and Integrated Care Boards to collaborate when commissioning support services for victims of domestic abuse, sexual violence and other serious violence

66. This option would place a duty on PCCs, local authorities, and Integrated Care Boards to collaborate when commissioning support services for victims of domestic abuse, sexual violence and other serious violence. This option would also require PCCs, local authorities and Integrated Care Boards (which are replacing CCGs), to publish a local commissioning strategy as an outcome of this collaboration. This option would apply in England only, given the similar existing duty in Wales.

Option 7: Place ISVAs and IDVAs on a statutory footing through definitions in legislation and statutory guidance

67. This option would place ISVAs and IDVAs on a statutory footing by defining these roles in primary legislation, underpinned by individual statutory guidance which would include a duty on other agencies to take due regard to this guidance. Guidance would seek to set out the key functions of these roles and expected interactions with other agencies as well as minimum standards and best practice including how to support victims with protected characteristics.

E. Cost & Benefit Analysis

68. This Impact Assessment follows the procedures and criteria set out in the Impact Assessment Guidance and is consistent with Her Majesty's Treasury Green Book guidance.

69. Where possible, Impact Assessments identify both monetised and non-monetised impacts on individuals, groups and businesses in Great Britain with the aim of understanding what the overall impact on society might be from the proposals under consideration. Impact Assessments place a strong focus on monetisation of costs and benefits. There are often, however, important impacts which cannot sensibly be monetised. Impacts in this Impact Assessment are therefore interpreted broadly, to include both monetisable and non-monetisable costs and benefits, with due weight given to those that are not monetised.

70. The costs and benefits of the options are compared to Option 0, the counterfactual or 'do nothing' option. As the counterfactual is compared to itself, the costs and benefits are necessarily zero, as is its net present value (NPV).

71. Given this is a Draft Bill Impact Assessment, the cost estimates presented in this Impact Assessment reflect the best information currently available and are subject to revision. It is intended that the costs will be refined, with an updated final Impact Assessment published alongside formal introduction of the Bill in due course. We will work with relevant agencies and other government departments to refine the measures and costs before that point.

72. Given the uncertainties mentioned above, the costs below have been estimated using high, low, and best scenarios to give an indication of what the costs of the relevant options would be.

73. The impacts in this Impact Assessment have been estimated as follows:

- Price base year of 2022/23
- 10-year appraisal period beginning 2023/24
- Discounting base year of 2022/23

Option 1: Place the Code of Practice for Victims of Crime (Victims' Code) into legislation by placing the overarching principles of the Victims' Code on the face of the Bill, with a power to set out key entitlements of the Victims' Code in secondary legislation

Costs of Option 1

74. Although raising the profile and visibility of the Victims' Code may lead to increased demand for associated services, we expect that as the agencies and organisations responsible for delivering the entitlements in the Victims' Code are already required to provide these entitlements, they would be expected to continue to do so via existing budgets. Therefore,

although relevant organisations may wish to place a greater emphasis on delivering these entitlements, there are not anticipated to be any costs associated with this option.

Benefits of Option 1

75. Placing the overarching principles of the Victims' Code into legislation would raise the profile and visibility of the Victims' Code and send a clear signal about what victims can and should reasonably expect from the criminal justice system. Together with Options 2 and 3 this option would promote compliance with the Victims' Code and therefore better outcomes for victims.

Option 2: Enhance local oversight and the role of PCCs:

- **Measure (a): Require relevant criminal justice agencies to collect data and keep under review their compliance with the Victims' Code;**
- **Measure (b): Require PCCs to take a convening role in monitoring compliance with the Victims' Code;**
- **Measure (c): Require relevant criminal justice agencies and PCCs to take into account the experiences of victims;**
- **Measure (d): Require PCCs and relevant criminal justice agencies to share compliance data with one another as part of the wider duty to keep under review their compliance with the Victims Code.**

Costs of Option 2

Measure (a): Require relevant criminal justice agencies to collect data and keep under review their compliance with the Victims' Code

76. As criminal justice agencies already monitor Victims' Code compliance and have a responsibility to do so, making this requirement explicit would not lead to an additional burden on criminal justice agencies. There are therefore no costs associated with this measure.

Measure (b): Require PCCs to take a convening role in monitoring compliance with the Victims' Code

77. This measure would formalise PCCs' current role by creating a duty for them to chair local discussions on Victims' Code compliance. As PCCs already chair all but two LCJBs, they are already effectively undertaking the convening role in monitoring Victims' Code compliance.

78. It is therefore possible that there would be no additional costs involved with this measure. However, it may be the case that formalising this role would require extra resources for PCCs, particularly with regards to collating and analysing compliance data. The upper bound estimate is based on each of the 42 PCCs requiring an additional Senior Data

Analyst to assist with this work⁹, giving a total cost of £1.73m. The estimated cost range for this measure is therefore £0 – £1.73m.

Measure (c): Require relevant criminal justice agencies and PCCs to take into account the experiences of victims

79. As criminal justice agencies already have systems in place to collect feedback from victims, we envisage that making this requirement explicit would not lead to an additional burden on criminal justice agencies but strengthen what already exists. There are therefore no costs to criminal justice agencies associated with this measure.
80. However, this is not something which all PCCs currently do on a regular basis, with PCCs taking different approaches and having varying data quality. The resource implications of this measure are therefore very uncertain at this time due to a lack of information on each PCC's approach. The low cost estimate assumes there would be no additional costs, with potentially only marginal impacts. The high cost estimate is based on each of the 42 PCCs requiring a further Senior Data Analyst to assist with this work¹⁰ (additional to the Senior Data analyst in measure (b)), giving a total cost of £1.73m. The estimated cost range for this measure is therefore £0 – £1.73m.

Measure (d): Require PCCs and relevant criminal justice agencies to share compliance data with one another as part of the wider duty to keep under review their compliance with the Victims' Code

81. As this measure would simply formalise existing data sharing between PCCs and criminal justice agencies, it is not anticipated to lead to additional costs. Any further data sharing encouraged as a result of this option would have marginal cost impacts.

Benefits of Option 2

Measure (a): Require relevant criminal justice agencies to collect data and keep under review their compliance with the Victims' Code

82. The only mention of monitoring Victims' Code compliance in existing legislation is the Victim Commissioner's function to review 'operation of the Victims' Code'. Whilst criminal justice agencies already collect data on, and analyse their compliance with the Victims' Code, placing an explicit obligation on all relevant bodies to monitor and collect Victims' Code compliance data would make it clear that individual agencies are responsible for ensuring compliance.

Measure (b): Require PCCs to take a convening role in monitoring compliance with the Victims' Code

83. PCCs already play a vital role in improving and championing services for victims and, since 2018, have been overseeing and monitoring Victims' Code compliance data. Formalising this role and requiring PCCs to take a convening role by chairing regular local discussions, would improve local cooperation, coordination and transparency. We believe that this is critical to improving support for victims and driving up performance. This would complement the above duty, ensuring local discussions take place to build a clear picture of whether

⁹ Senior Data Analyst salary based on a recent job advertisement for Avon & Somerset PCC. On-costs of 22% have been added as per RPC guidance.

¹⁰ Senior Data Analyst salary based on a recent job advertisement for Avon & Somerset PCC. On-costs of 22% have been added as per RPC guidance.

agencies are meeting obligations under the Victims' Code and providing victims with a proper service.

Measure (c): Require relevant criminal justice agencies and PCCs to take into account the experiences of victims

84. Placing a duty on criminal justice agencies and PCCs would ensure that they systematically collect feedback from victims that use their services. Data on victims' experiences would help agencies and PCCs to drive up the quality of their services, and compliment and contextualise the Victims' Code compliance data.

Measure (d): Require PCCs and relevant criminal justice agencies to share compliance data with one another as part of the wider duty to keep under review their compliance with the Victims' Code

85. Data provision is patchy, and the current arrangement is not working well. Requiring the relevant agencies and PCCs to share compliance data would guarantee the provision of Victims' Code compliance data between parties, benefitting local discussions and ensuring collaborative working to improve delivery of the Victims' Code.

Summary of Option 2

86. The deflated and discounted monetised costs of this option are summarised in the table below. The low and high cost estimates are presented, with the best estimate being the midpoint of the two. As the benefits are not monetised, they are not presented here.

Cost (£m)	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	Total
Low	0	0	0	0	0	0	0	0	0	0	0
High	3.3	3.2	3.1	3.0	2.9	2.8	2.7	2.6	2.5	2.5	28.8
Best	1.7	1.6	1.6	1.5	1.5	1.4	1.4	1.3	1.3	1.2	14.4

NPV (£m)	-14.4
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Option 3: Provide the Home Secretary, Lord Chancellor and Attorney General with the power to jointly direct a joint inspection programme to include the victim experience

Costs of Option 3

87. As the regularity and content of the inspections would be jointly directed by the Home Secretary, Lord Chancellor, and Attorney General, it is difficult to estimate the costs associated with this option. For the purpose of this Impact Assessment, it is assumed that an inspection would be required every 3 years.

88. Recent thematic inspections carried out by HMIC have cost approximately £1m per inspection. This is used as a proxy for the total cost of a joint thematic inspection across all inspectorates. It is assumed that costs would fall solely in inspection years. While the division of costs across inspectorates is uncertain, it is anticipated that the majority of costs would fall to HMIC and HMCPSP as they have more oversight of victim interactions. As the criminal justice inspectorates already coordinate to work on a joint inspection programme, which we envisage these thematic inspections on victims being part of, we do not envisage that there will be any additional costs associated with coordinating these separate bodies.

Benefits of Option 3

89. This option would strengthen transparency and oversight of criminal justice agencies' performance in relation to victims, improving accountability for those responsible, and

ultimately driving an improvement in the level of service provided to victims. It would deliver those benefits because it would assist with the following:

- Ensuring that there is an enhanced focus on assessing that the right level of service is provided to victims as part of the inspectorates' assessments;
- Ensuring that the inspectorates collaborate regularly on exploring the quality of service provided to victims;
- Looking robustly at the quality of service provided to victims across the whole criminal justice system – managing to cover the end-to-end process rather than just looking at experience in silos; and
- Providing the opportunity to closely examine key victim issues to consider them holistically.

90. This option would enable inspectorates to be more effective at: identifying key issues in relation to victims; understanding the cause of these issues and the best ways to address them; and, making recommendations that would ensure the right level of service is provided to victims.

Summary of Option 3

91. The deflated and discounted monetised costs of this option are summarised in the table below. For this option, no range is presented. As the benefits are not monetised, they are not presented here.

Cost (£m)	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	Total
Best	0	0.9	0	0	0.8	0	0	0.8	0	0	2.5

NPV (£m)	-2.5
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Option 4: Amend the role of the Victims' Commissioner:

- **Measure (a): Remove the Victims' Commissioner's function to keep operation of the Victims' Code under review;**
- **Measure (b): Require the Victims' Commissioner to arrange for their annual report to be laid before Parliament;**
- **Measure (c): Require public authorities to respond to direct recommendations made in the Victims' Commissioner's annual report.**

Costs of Option 4

Measure (a): Remove the Victims' Commissioner's function to keep operation of the Victims' Code under review

92. The measures set out under Option 2 would provide an alternative structure for reviewing operation of the Victims' Code, so this measure would remove this function from the Victims' Commissioner. There are therefore no costs associated with this measure.

Measure (b): Require the Victims' Commissioner to arrange for their annual report to be laid before Parliament

93. The Victims' Commissioner already produces an annual report, with its most recent annual report laid before Parliament in July 2021. There would be no additional cost in requiring all future annual reports to be laid before Parliament.

Measure (c): Require public authorities to respond to direct recommendations in the Victims' Commissioner's annual report

94. This measure would not require agencies or organisations to accept recommendations. If agencies wished to take forward a recommendation then, as with usual processes, they would need to consider doing so within existing resources, or seek out potential further funding. Recommendations which cannot be implemented within current budgets do not have to be implemented. Therefore, it is anticipated this measure would not lead to additional costs, with potentially only a marginal cost from developing a response.

Benefits of Option 4

95. It is intended that this option would:

- eliminate unnecessary duplication of the function of reviewing operation of the Victims' Code. It would allow the Victims' Commissioner to dedicate its resources to its other statutory functions of promoting the interests of victims and witnesses and taking steps to encourage good practice in the treatment of victims and witnesses.
- protect the interests of victims, and improve their treatment, by encouraging the public authorities specified in the annual report to respond to the Victims'

Commissioner's recommendations. This should result in better local and national treatment of victims.

- increase government accountability in Parliament for treatment of victims by requiring the Victims' Commissioner's annual reports to be laid before Parliament.

Option 5: Remove the requirement for victims of crime to refer complaints to the Parliamentary and Health Service Ombudsman (PHSO) through their MP

Costs of Option 5

96. This option may lead to an increase in the number of complaints PHSO receives, however, it is not known to what extent the 'MP filter' is acting as a barrier to complaints. The scale of any potential increase is therefore uncertain. Although exact information on the number of complaints made by victims to the PHSO is not collected, it is thought that the number of complaints received which relate to the Victims' Code is low and represents a small proportion of the overall number of complaints to the PHSO. Therefore, while there may be an increase in complaints from victims as the process will become simpler by removing the 'MP filter', the PHSO do not expect the volume of complaints to rise to a level which they are not able to handle via existing budgets. As such, no costs have been monetised.

Benefits of Option 5

97. The removal of the 'MP filter' would remove an unnecessary obstruction to access for justice for victims of crime wanting to escalate complaints against public bodies. It would empower victims wishing to make complaints, and enable the PHSO to investigate complaints that otherwise may not be made to it, leading to decisions and recommendations to help individuals as well as improve future government conduct and decision-making. It would particularly improve access to justice for victims, for whom approaching an MP to share a potentially traumatic experience is more likely to be a barrier to making a complaint.

Option 6: Place a duty on PCCs, local authorities and Integrated Care Boards to collaborate when commissioning support services for victims of domestic abuse, sexual violence and other serious violence

Costs of Option 6

98. Collaboration is expected to be achieved through regular meetings, enabling regular communication in relation to commissioning functions and production of a strategy to set out the approaches to this commissioning.
99. Costs to PCCs, local authorities and Integrated Care Boards (ICBs) which commission relevant services may arise from the duty to collaborate and the requirement to produce and publish a local commissioning strategy.
100. We expect that PCCs may convene relevant activity and this assumption is reflected in the cost assumptions below. ICBs are assumed to incur costs in the high scenario. In the low scenario it is assumed that the duty to collaborate and contribute towards a strategy are covered under their existing remit and so do not present a new burden.
101. Illustrative costs have been produced, to demonstrate how this duty might be met. In order to meet the duty to collaborate, there may need to be regular meetings between all three groups, it is assumed that PCCs with four or fewer local authorities will have fewer meetings per year than PCCs with five or more local authorities. Costs come from the time taken to attend meetings (assumed to be three hours). In the low scenario it is assumed one senior

staff member attends per organisation, in the high scenario it is assumed an additional administrative staff member would attend.

102. Preparation time of two hours per senior staff member is costed, and costs associated with the time taken to schedule and plan the meetings are also included.
103. Time to develop the strategy would also incur costs. Following the approach of the Home Office’s Serious Violence Duty (SVD) Impact Assessment, it is assumed that this will take three hours for every one hour of meeting time and will be incurred by PCCs, who will draft the strategy, and Local Authorities and ICBs, who will be expected to contribute towards the strategy.
104. Hourly wages (including on-costs) are used to calculate time spent attending and preparing for meetings as well as time taken to produce a strategy. The wages used are as followed:

Role	Hourly Wage (22/23 prices)	Source
PCC (Senior)	£52.54	Home Office Estimates (based on SVD IA)
PCC (Admin)	£18.42	ASHE Table 14.5a - 411
Local Authority (Senior)	£23.08	ASHE Table 14.5a - 3561
Local Authority (Admin)	£18.42	ASHE Table 14.5a - 411
ICB (Senior)	£33.30	ASHE Table 14.5a - 118
ICB (Admin)	£18.42	ASHE Table 14.5a - 411

105. Costs are produced within a range due to uncertainty, see section F for further detail on the assumptions and risks.
106. Annual costs, in constant prices, are estimated to be within a range of £0.46m to £0.70m, with a best estimate of £0.58m.

Benefits of Option 6

107. This option, underpinned by statutory guidance, would improve the provision of victim support services by enabling more holistic and better coordinated services in local areas. This collaboration when commissioning would facilitate regular communication, common understandings of local area needs through shared information, and more effective co-ordinated commissioning activity. It could also reduce duplication in commissioning processes and enable targeted use of resources across the groups.
108. The requirement for a strategy would improve transparency of the aims and approach across all groups for commissioning relevant services for victims of domestic abuse, sexual violence and serious violence in the area.

Summary of Option 6

109. The deflated and discounted monetised costs of this option are summarised in the table below. The low and high cost estimates are presented, with the best estimate being the midpoint of the two. As the benefits are not monetised, they are not presented here.

Cost (£m)	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	Total
Low	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.3	0.3	0.3	3.8
High	0.7	0.7	0.6	0.6	0.6	0.6	0.6	0.5	0.5	0.5	5.8
Best	0.6	0.5	0.5	0.5	0.5	0.5	0.5	0.4	0.4	0.4	4.8

NPV (£m)	-4.8
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Option 7: Place ISVAs and IDVAs on a statutory footing through definitions in legislation and supporting this with statutory guidance

Costs of Option 7

110. To enable continued innovation and meet the needs of victims, the statutory definitions of ISVAs and IDVAs introduced under this option would be broad and flexible. As such, there would be no associated costs.
111. There would also be no additional costs associated with the statutory guidance on ISVAs and IDVAs or the duty on other agencies to have due regard to this guidance as this would be limited to recommendations and examples of best practice.
112. There may, however, be minimal costs associated with other agencies familiarising themselves with the statutory guidance, as they update working practices and procedures. These costs are assumed to be minimal and therefore are not assessed in this Impact Assessment.

Benefits of Option 7

113. Defining ISVAs and IDVAs in primary legislation would aim to improve the formal recognition of these roles and improve the way other agencies interact with them to best support victims. Whilst the definitions would be broad to protect the flexibility of ISVAs and IDVAs to tailor to their victims' needs, this option would improve clarity on these roles and help raise their profiles to allow better recognition from victims, other agencies, funders, and commissioners. Underpinning these definitions with statutory guidance and a duty for other agencies to take due regard of this guidance would further support this by harnessing greater collaboration between agencies to provide joined up and holistic support for victims. The guidance would also facilitate increased consistency of support and provide a useful and standardised tool to support the commissioning of ISVA and IDVA services.

Overall Summary Options 1-7

114. The recommended options are Options 1 to 7 inclusive. The NPV of each option is presented in the table below, as well as the overall NPV.

Option	NPV (£m)
Option 1: Place the Code of Practice for Victims of Crime (Victims' Code) into legislation by placing the overarching principles of the Victims' Code on the face of the Bill, with a power to set out key entitlements of the Victims' Code in secondary legislation.	0.0
Option 2: Enhance local oversight and the role of Police and Crime Commissioners (PCCs).	Low: 0.0 Best: -14.4 High: -28.8
Option 3: Provide the Home Secretary, Lord Chancellor and Attorney General with the power to jointly direct a joint inspection programme to include the victim experience.	-2.5
Option 4: Amend the role of the Victims' Commissioner.	0.0
Option 5: Remove the requirement for victims of crime to refer complaints to the Parliamentary and Health Service Ombudsman (PHSO) through their MP.	0.0
Option 6: Place a duty on PCCs, local authorities and Integrated Care Boards to collaborate when commissioning support services for victims of domestic abuse, sexual violence and other serious violence.	Low: -3.8 Best: -4.8 High: -5.8

Option 7: Place Independent Sexual Violence Advisors and Independent Domestic Violence Advisors on a statutory footing through definitions in legislation and statutory guidance.	0.0
Total	Low: -6.3 Best: -21.7 High: -37.1

F. Risks and Assumptions

115. The key assumptions behind the cost benefit analysis presented in this Impact Assessment are described below. There is a risk that, if the assumptions do not hold, the costs and benefits presented in this Impact Assessment could be higher or lower.

Option 1

- As the agencies and organisations responsible for delivering the entitlements in the Victims' Code are already required to provide these statutory entitlements, it is assumed there is no additional cost.
- Raising the profile and visibility of the Victims' Code may lead to increased demand for associated services. There is a risk that this cannot be delivered within current resource, despite this being a current requirement. If additional resource was required, then there would be costs associated with this option.

Option 2

Measure (b): Require PCCs to take a convening role in monitoring compliance with the Victims' Code

- As PCCs are already effectively undertaking the convening role in monitoring Victims' Code compliance, the low cost estimate assumes there are no additional costs.
- The high cost estimate assumes that each of the 42 PCCs requires an additional Senior Data Analyst to assist with the additional work, at an annual cost of £33,732 per analyst (£41,153 with corresponding on-costs).

Measure (c): Require relevant criminal justice agencies and PCCs to take into account the experiences of victims

- As criminal justice agencies already collect feedback from victims, it is assumed that there are no costs to criminal justice agencies associated with this measure.
- The low cost estimate for PCCs assumes there would be no additional costs, with potentially only marginal impacts.
- The high cost estimate for PCCs assumes that each of the 42 PCCs requires an additional Senior Data Analyst to assist with the additional work (which would be supplementary to the additional Senior Data Analyst required for the above sub-

option), at an annual cost of £33,732 per analyst (£41,153 with corresponding on-costs).

Option 3

- It is assumed that an inspection will be required once every 3 years, with costs falling only in inspection years. There is a risk that if inspections were required more frequently the costs of this option would be higher.
- HMIC have carried out a range of thematic inspections, with recent ones costing approximately £1m each. The HMIC £1m figure is used as a proxy for the total cost of a joint thematic inspection across all inspectorates.

Option 4

Measure (c): Require public authorities to respond to direct recommendations in the Victims' Commissioner's annual report

- As there would be no obligation for any entity to implement any particular recommendation, it is anticipated that there would be no additional costs, with potentially only a marginal cost from developing a response. Any costs for implementing a recommendation would have to be integrated into an existing budget or additional funds sought by the authority responsible.

Option 5

- The scale of any potential increase in the number of complaints PHSO receives is uncertain, as it is not known to what extent MPs currently act as a barrier. However, PHSO have said this could likely be met by their existing service provision.
- If this change results in many more complaints than anticipated, PHSO may be unable to meet this demand and there could be subsequent costs associated with additional resources. However, this is deemed unlikely due to the number of complaints currently received per year.

Option 6

- There are risks surrounding the assumptions used to form the costs of this option. The costs produced are illustrative to reflect what the costs could potentially be. If collaboration did not take place in the form of meetings or if more frequent meetings, with a greater number of attendees, were needed then the costs may be underestimated.

Option 7

- As the statutory definitions of ISVAs and IDVAs introduced under this option would be broad, it is assumed there are no additional costs.
- It is also assumed there would be no additional costs associated with the statutory guidance or the duty on other agencies to have due regard to this guidance as this would be limited to recommendations and examples of best practice.

G. Wider Impacts

Equalities

116. An Equality Impact Statement has been completed and will be published alongside this Impact Assessment.

Better Regulation

117. These measures are exempt from the Small Business Enterprise and Employment Act 2015 and will not count towards the department's Business Impact Target.

Environmental Impact

118. We expect there to be no environmental impact as a result of the recommended options.

H. Monitoring and Evaluation

119. The legislative measures detailed above will be commenced by regulation once the Government Departments and other organisations required have concluded the relevant preparations to accommodate the operational functionality of these changes. Further announcements about the timing of implementation will be made in due course following Royal Assent.

120. The Ministry of Justice has data collection processes in place to monitor the impact of victim support funded via PCCs and the Rape and Sexual Abuse Support Fund. There is also an existing monitoring framework in place for criminal justice agencies' compliance with the Victims' Code.

121. The government will monitor measures following implementation. The options set out in this Impact Assessment set out to improve data collection on Victims' Code compliance, and bolster local and national oversight of this data. As such, compliance with the Victims' Code will necessarily be monitored as part of these measures. With regards to improving complaints processes, the PHSO will aim to monitor the number of complaints received that relate to the Victims' Code. In the normal way the Act will be subject to post-legislative scrutiny five years after Royal Assent.