



Victims' Code: Equalities Statement

Policy change summary

The Code of Practice for Victims of Crime (Victims' Code) sets out how victims should be treated by the criminal justice system. Presently the Code is not a very accessible document for victims. The Government is consulting on how to revise the Victims' Code so that victims are clear about the services they are entitled to receive from criminal justice agencies under the Code and so that agencies can better tailor services to individual needs.

Entitlements

1. The revised Code will outline minimum entitlements for all victims of crime. Additional entitlements, support and services will be provided to those identified as being most in need, namely:
 - victims of serious crime,
 - the most persistently targeted and
 - the most vulnerable and intimidated victims, including all victims who are under 18.
2. As part of the most vulnerable victims in society, child victims under the age of 18 will have a dedicated section in the Code which clearly outlines their entitlements in the criminal justice system.

Victim Personal Statement (VPS)

3. The revised Victims' Code will include require the VPS to be offered to all victims who give an evidential witness statement and all victims in the three groups listed above (victims of serious crime, vulnerable and intimidated victims and the most persistently targeted). We propose to expand the number of bodies able to take a VPS from victims to voluntary organisations which will help to address the low offer rate to victims. We also propose to create a separate Impact Statement to enable all businesses to explain the impact a crime has had upon them.

Means of redress

4. We propose to create a more clear and effective process of registering complaints for victims of crime. Agencies will be required to have a clearly defined process within their organisation through which victims can complain if their entitlements as set out under the Code have not been met. Agencies must give victims information on who is dealing with their complaint even if it concerns more than one organisation. They must also provide a response within a specified time period and in an appropriate format. Agencies are encouraged in the Code to report on their performance. The victim would also have the option to refer their complaint through the Parliamentary and Health Service Ombudsman via their local MP if they are not satisfied with the outcome.

Restorative Justice (RJ):

5. The Code will include a separate section on Restorative Justice (RJ) for victims of adult offenders for the first time. The current Code provides information on RJ for victims of youth offenders only. This will explain to victims what RJ is in simple terms and its potential availability both before and after criminal proceedings have taken place, with a concurrent duty that the police, Witness Care Units, Youth Offending Teams and victim support organisations should signpost and offer information on RJ to victims, where available.

Equalities Summary

We have considered the impact of the Victims' Code changes against the statutory obligations under the Equality Act 2010¹. The overall policy changes including clearer entitlements from criminal justice agencies and to better tailor services according to individual need are likely to benefit all victims of crime.

To help us assess whether the proposals have a differential impact on the following protected characteristics: sex, race, age, religion and belief, disability and sexual orientation, we have compared the proportion of victims of personal crime in each protected characteristic category to their proportions in the general population (16+) using the Crime Survey for England and Wales (CSEW) (See Table 1)². When compared to the general population the following groups were found to be over-represented among victims³:

- Men
- Non-white group (within this the 'Mixed' protected category)
- 16-34 year old age group
- No religion and Muslim
- Gay or lesbian; and bisexual

We also know from the available data that single people are more likely to be victims of crime when compared to the general population.

Our assessment is, therefore, that it is these groups that may be more affected by proposed changes due to their over-representation as victims (of personal crime) and that there will be positive impacts for any victims with protected characteristics.

A lack of data means we are unable to identify the potential for the proposals to have impacts in relation to gender reassignment, and pregnancy and maternity.

We are undertaking a short consultation exercise and have included a specific equalities question aimed at understanding more about the potential equalities impacts of these proposals.

¹ Section 149 of the Equality Act 2010 places a duty on Ministers and the Department, when exercising their functions, to have 'due regard' to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct under the Equality Act 2010;
- Advance equality of opportunity between different groups (those who share a relevant protected characteristic and those who do not); and
- Foster good relations between different groups (those who share a relevant protected characteristic and those who do not).

² Personal crime is used as the comparator in preference to all CSEW crime as protected characteristics demographics may not be representative for household crime

³ Unpublished analysis of the Crime Survey for England and Wales (CSEW) 2011/12. The characteristics noted were statistically significantly different to the proportions in the general population.

Table 1: Characteristics of adults who were victims of CSEW personal crime ^(1,2), 2011/12 CSEW

England and Wales	Victims of personal crime	Adults aged 16 and over General population ⁽⁵⁾
Age	100%	100%
16-24	36%	15%
25-34	23%	17%
35-44	15%	17%
45-54	12%	17%
55-64	7%	14%
65-74	4%	11%
75+	2%	9%
Long-standing illness or disability	100%	100%
Long-standing illness or disability	25%	27%
<i>Limits activities</i>	17%	18%
<i>Does not limit activities</i>	8%	8%
No long-standing illness or disability	75%	73%
Marital status	100%	100%
Married and civil partnership	27%	51%
Cohabiting	13%	11%
Single	49%	24%
Separated	3%	2%
Divorced	6%	5%
Widowed	2%	6%
Ethnic group	100%	100%
White	85%	88%
Non-White	15%	12%
<i>Mixed</i>	2%	1%
<i>Asian or Asian British</i>	8%	7%
<i>Black or Black British</i>	3%	3%
<i>Chinese or other</i>	2%	2%
Religion	100%	100%
Christian	60%	71%
Buddhist	1%	1%
Hindu	2%	2%
Muslim	6%	4%
Other	2%	2%
No religion	29%	21%
Sex	100%	100%
Men	53%	49%
Women	47%	51%
<i>Unweighted base</i>	2,314-2,318 ⁽⁶⁾	45,920-46,031 ⁽⁶⁾
Sexual identity ⁽³⁾	100%	100%
Heterosexual or straight	91%	94%
Gay or lesbian	3%	2%
Bisexual	3%	1%
Other ⁽⁴⁾	3%	4%
<i>Unweighted base</i>	1,819 ⁽⁶⁾	26,928 ⁽⁶⁾

(1) Source: Crime Survey for England and Wales, Office for National Statistics. The British Crime Survey (BCS) is now known as the Crime Survey for England and Wales to better reflect its geographical coverage. While the survey did previously cover the whole of Great Britain it ceased to include Scotland in its sample in the late 1980s. There is a separate survey – the Scottish Crime and Justice Survey – covering Scotland. Given the transfer of responsibility for the survey to ONS, it was decided that the name change would take effect from 1 April 2012.

(2) See Section 7.3 of the User Guide for definitions of personal characteristics.

(3) The question on the sexual identity of the respondent is asked in the self-completion module of the questionnaire. This module is only asked of those respondents aged 16-59.

(4) The 'Other' category includes those who responded 'Other', those who responded 'Don't know' and those that did not wish to answer the question.

(5) The general population figures are for those aged 16 and over and are based on the CSEW. As such they may provide different estimates of the general population to the comparators used in other tables.

(6) The bases will vary due to missing data on individual variables, but is within the stated range.