

# Clauses 6 and 11: Promoting awareness of the Victims' Code

## Overview

We want victims to be clear on what they can and should expect from the criminal justice system and to feel empowered to ask for this where criminal justice bodies fall short. The Victims' Code<sup>1</sup> (the Code) is a practical and useful guide to help achieve this outcome<sup>2</sup>. However, we know that victims are often not aware of the Code in the first place.<sup>3</sup>

The Bill will therefore introduce a duty on specified bodies to promote awareness of the Code. This will help victims get the information they need at the right time, so they're aware of their entitlements and feel confident to engage with the criminal justice system.

## Key measures

To increase understanding and awareness of the Code amongst those victims who have not yet chosen to report, victims who are engaged in the system, and those supporting victims, the Bill introduces duties on specific bodies to:

- **Promote awareness of the Code among both the public, victims and those supporting victims.** This will support victims being made aware of the Code so that they know what they are entitled to.
- **Take "Reasonable steps" to promote Code awareness** – this will allow flexibility; for example, to allow those working in the system to use their expertise to determine the most appropriate moment and method for sharing the Code.

## Who the duty will apply to

The duty will apply to the following bodies in England and Wales:

- All local police forces in England and Wales, as well as the British Transport Police (BTP) and the Ministry of Defence Police (MDP), who are usually a victim's first point of contact in the criminal justice system;
- The Crown Prosecution Service (CPS), which is responsible for prosecuting criminal cases investigated by the police and other investigative authorities;

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<sup>1</sup> [The Code of Practice for Victims of Crime in England and Wales and supporting public information materials – GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612223/victims-code-practice-guidance-2020.pdf)

<sup>2</sup> Clause 2 of the Victims and Prisoners Bill introduces a new Code that will be consulted on once the Bill reaches Royal Assent. The duty to promote awareness will also apply to future iterations of the Code.

<sup>3</sup> [Experience of the criminal justice system for victims of crime, England and Wales, year ending March 2020; Office for National Statistics, GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612223/victims-code-practice-guidance-2020.pdf)

- HM Courts and Tribunals Service (HMCTS), which is responsible for the administration of the court and tribunal system;
- HM Prison and Probation Service (HMPPS) and its executive agencies, which carries out sentences given by the courts, in custody and the community;
- Youth Offending Teams, which are local authority, multi-agency partnerships that work with children who have offended or may be at risk of offending.

These bodies will be referred to as the ‘specified bodies’ throughout this document.

These bodies are the most likely to come into contact with victims and will therefore have more opportunities to promote the Code, together providing multiple potential touchpoints for victims to hear about the Code.

## **Background**

The specified bodies already have processes in place to inform victims about the Code. However, these vary across the criminal justice system with no way of monitoring how effective the processes are. We know that many victims are currently unaware of their entitlements, with just 23% of victims and 22% of the general public being aware of the Code in 2019-20.<sup>4</sup>

In September 2022, the Justice Select Committee’s pre-legislative scrutiny report for the draft Victims Bill recommended that the Government should “place an obligation on the relevant statutory services, including but not limited to the police, to make victims aware of the Victims’ Code”.

The Government’s response accepted this recommendation, agreeing the vital importance of improving awareness of the Code across multiple stages throughout a victim’s journey in the criminal justice system.

## **Guidance for how this will work in practice**

Supporting guidance will underpin the duty and will provide recommendations on how bodies may wish to fulfil this duty to best serve victims. Our aim is to use this among other activities to improve how victims’ attention is appropriately drawn to the Code, so that they are better equipped to request their entitlements or raise a complaint where they are not adequately met.

## **Promoting awareness among victims and those supporting victims**

The guidance will make it clear that victims who are engaged with a service should be made aware of the Code at the most appropriate time for the victim, either in writing or verbally.

The guidance will recommend that as a minimum requirement for promoting the Code, specified bodies should add Code information into appropriate

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<sup>4</sup> [Experience of the criminal justice system for victims of crime, England and Wales, year ending March 2020; Office for National Statistics, GOV.UK](#)

communications – such as texts, leaflets, letters – as well as other channels such as hold information on pre-recorded phone messages. This should drive consistency and standardisation of messaging to victims, to help make their entitlements clear and to raise the profile and visibility of the Code.

The guidance will include more information on how and when it might be appropriate to inform victims and those supporting victims about the Code, to help enable bodies to go further than the minimum requirement set out here. We want to share ideas for new ways to communicate with victims and will be working closely with agencies and the victim support sector to develop examples of these activities to be included in the guidance.

The guidance will also recognise that there will be circumstances in which it will not be appropriate or operationally possible at that moment to notify victims about the Code, such as if the victim is too distressed at the time to process the information. In those instances, we would expect that bodies inform the victim about the Code at a later, more appropriate time.

## **Promoting awareness among others**

To promote awareness of the Code amongst the public, including friends and family supporting a victim, the guidance will recommend making it easy to find information about the Code. A non-exhaustive list of where this information could be included is:

- Clearly linking to the Code on the landing page of websites;
- Placing leaflets or posters with information on the Code in common areas of physical buildings;
- Featuring a link to the Code in email signatures.

## **Accessibility**

It is important that information on the Code is useable by as many people as possible. The guidance will therefore set out minimum standards that bodies should follow to improve the accessibility and readability of the materials they produce to promote awareness of the Code,<sup>5</sup> if not linking to the gov.uk page. For example:

- Links to the Code should be clearly signposted on websites, for example included on landing pages;
- Web content should be able to be scaled using browser zoom or text resize;
- If provided in hard copy, it should be in places where people will regularly pass such as the reception desk.

The gov.uk page includes the Welsh translation of the Code which may be shared if bodies do not produce their own copies in Welsh. They may also wish to provide materials in other commonly spoken languages.

## **Training on the Code**

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<sup>5</sup> The Government Service Manual provides a framework for best practice for accessibility considerations. This will be considered as the guidance is developed. [Making your service accessible – GOV.UK](#).

To ensure that victims can be told about the Code outside of standardised communications, relevant staff working with victims should feel confident and comfortable to share it.

Therefore, the guidance will recommend that specified bodies have training in how to best make people aware of the Code as part of their existing training on working with victims and other service users. The guidance will provide further information on helpful content for this training to include.

## **Monitoring the impact**

We will be utilising the Code compliance oversight framework that is being introduced in the Bill to oversee the implementation and effectiveness of this duty. This framework is set out in the Code compliance factsheet, including further information on how this duty will be measured.

- We will ask bodies to provide information on the formats in which they offer the Code to victims, and more generally;
- We will ask bodies to collect information from victims on whether they are aware of the Code;
- This information will be overseen by both local and national oversight boards, to enable the sharing of best practice as well as identifying and addressing performance issues.
- We are also considering how best to utilise the increased focus on victims' issues in inspections to provide further insight into the effectiveness of actions taken.