



Ministry  
of Justice

# Understanding How to Survey Victims on their Experiences of the Criminal Justice System

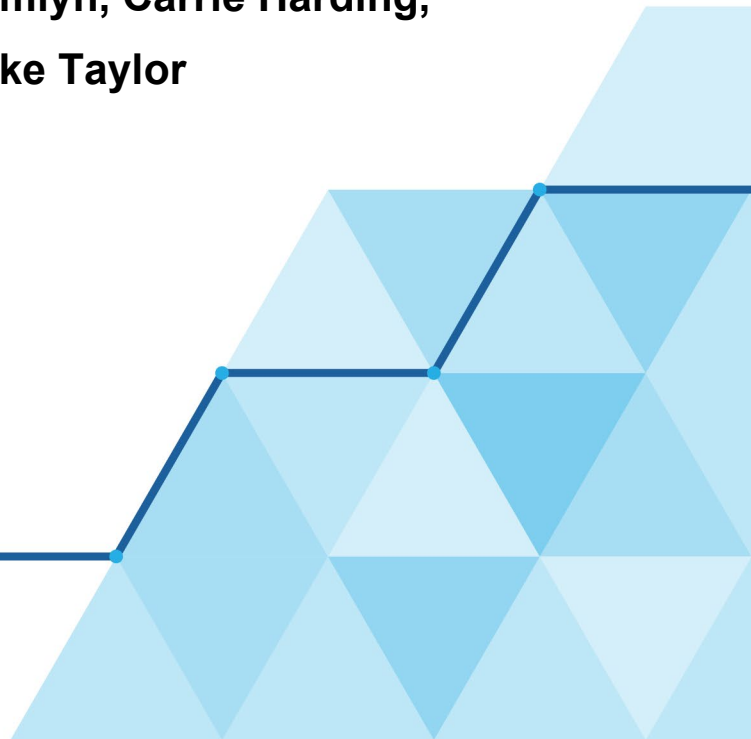
## Feasibility Study

**Zeming Chen, Ed Dunn, Becky Hamlyn, Carrie Harding,  
Jack Medlock, Sam Outhwaite, Luke Taylor**

Verian

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# Contents

## List of tables

## List of figures

<b>1. Executive Summary</b>	<b>1</b>
1.1 Background and objectives	1
1.2 Methodology	1
1.3 Key findings and implications	1
<b>2. Introduction</b>	<b>5</b>
2.1 Background	5
2.2 Objectives and methods	5
2.3 Scope and context	8
2.4 Structure of this report	9
<b>3. Methodology</b>	<b>10</b>
3.1 Literature review	10
3.2 Stakeholder interviews	10
3.3 Methodological review	11
3.4 Questionnaire scoping	12
3.5 Interviews with victims	12
<b>4. Findings</b>	<b>13</b>
4.1 Literature review	13
4.2 Stakeholder interviews	15
4.3 Methodological review	18
4.4 Questionnaire scoping	23
4.5 Interviews with victims	26
<b>5. Feedback mechanism design options</b>	<b>29</b>
<b>References</b>	<b>41</b>
<b>Appendix A</b>	<b>43</b>
Key implications	43
<b>Appendix B</b>	<b>48</b>
Victim Code rights	48

<b>Appendix C</b>	<b>49</b>
Glossary of key methodological terms	49
<b>Appendix D</b>	<b>51</b>
Detailed research options	51
<b>Appendix E</b>	<b>83</b>
Stakeholder Interview Topic Guide	83
<b>Appendix F</b>	<b>95</b>
Topic Guide for the methodological review	95
<b>Appendix G</b>	<b>98</b>
Victim Interviews Topic Guide	98
<b>Appendix H</b>	<b>110</b>
Profile of victims interviewed	110
<b>Appendix I</b>	<b>112</b>
Survey Pre-testing Implications	112

## List of tables

Table 1. Assessing Option 1A Cross-sectional random probability surveys	32
Table 2. Assessing Option 1B Cross-sectional random probability and open access surveys	34
Table 3. Assessing Option 2 Open access surveys	36
Table 4. Assessing Option 3 Longitudinal random probability surveys	38
Table 5. Assessing Option 4 No cross-system mechanism	39
Table 6. Estimated interviews per annum and margins of error for crime type (Option 1A)	57
Table 7. Estimated interviews per annum and margins of error for demographic profile of victims (Option 1A)	57
Table 8. Option 1A Cross-sectional random probability	59
Table 9. Option 1B Cross-sectional random probability and open access	63
Table 10. Option 2 Open access surveys	70
Table 11. Estimated interviews per annum and margins of error for Crime type (Option 3)	75
Table 12. Estimated interviews per annum and margins of error for demographic profile of victims (Option 3)	75
Table 13. Option 3 Longitudinal random probability survey	77
Table 14. Option 4 No cross-system mechanism	80

## List of figures

Figure 1 – The Double Diamond Framework	7
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# List of abbreviations used in this report

## Agencies and other terminology

<b>BOLD</b>	Better Outcomes Through Linked Data
<b>CJ</b>	Criminal Justice
<b>CJS</b>	Criminal Justice System
<b>CPS</b>	Crown Prosecution Service
<b>DPIA</b>	Data Protection Impact Assessment
<b>HO</b>	Home Office
<b>HMCTS</b>	HM Courts and Tribunals Service
<b>HMPPS</b>	HM Prison and Probation Service
<b>LCJB</b>	Local Criminal Justice Board
<b>LSOA</b>	Lower Layer Super Output Areas
<b>MoJ</b>	Ministry of Justice
<b>MOPAC</b>	London Mayor's Office for Policing and Crime
<b>MVP</b>	Minimum Viable Product
<b>NPCC</b>	National Police Chief's Council
<b>OIC</b>	Officer in charge of an investigation
<b>ONS</b>	Office for National Statistics
<b>PCC</b>	Police and crime commissioners
<b>PMoU</b>	Process level Memorandum of Understanding
<b>RASSO</b>	Rape and Serious Sexual Offences
<b>VCS</b>	Victim Contact Scheme
<b>WCU</b>	Witness Care Unit
<b>YOT</b>	Youth Offending team

## Surveys and studies

<b>CSEW</b>	Crime Survey of England and Wales
<b>DV-COVID</b>	The prevalence of domestic violence among women during the COVID-19 pandemic in Australia

<b>NIVAWS</b>	Victim and Witness Experience of the Northern Ireland Criminal Justice System
<b>NVES</b>	National Victim Experience Survey (pilot)
<b>OSS</b>	Operation Soteria survey
<b>VC Survey</b>	Victims' Commissioner Survey
<b>VWSS</b>	Victim and Witness Satisfaction Survey
<b>WAVES</b>	Witness and Victim Experience Survey



# 1. Executive Summary

## 1.1 Background and objectives

The Victims and Prisoners Bill includes legislative measures to improve victims' experiences of the Criminal Justice System (CJS). In particular, it will place a statutory duty on criminal justice (CJ) bodies to collect, share and review information relating to the delivery of victims' rights<sup>1</sup> under the Victims' Code (the Code), which was first introduced under section 32 of the Domestic Violence, Crime and Victims Act 2004, and came into effect in 2006. One of the key pieces of information used to inform this duty is victim feedback.

Verian (formerly Kantar Public) was commissioned by the Ministry of Justice (MoJ) to conduct a feasibility study for a new victim feedback mechanism. The core aim was to explore the feasibility of collecting feedback from victims on their experiences across the CJS, specifically on the delivery of Code rights. Throughout this report, this is referred to as a 'cross-CJS feedback mechanism'.

## 1.2 Methodology

Based on the 'Double Diamond' approach,<sup>2</sup> the study consisted of four phases: Discover, Define, Develop and Deliver. The Discover phase included four different strands: a literature review, methodological review, interviews with stakeholders, and questionnaire scoping. Following the Define phase (review and synthesis), a range of research options were developed which were explored via interviews with victims (Develop phase). This report covering key findings and proposals represents the Deliver phase.

## 1.3 Key findings and implications

The main parameters of the feedback mechanism were that it should provide a clear cross-system view of all CJ bodies under the Code compliance duty (police, CPS,

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<sup>1</sup> References to 'rights' in this document refer to the services that should be provided to victims under the [Victims' Code](#).

<sup>2</sup> [The Double Diamond - Design Council](#).

HMCTS, HMPPS, YOTs) and the victim rights they are required to deliver. The mechanism needs to provide insight directly from victims – vulnerable and non-vulnerable – on their experience of the CJS, particularly of Code compliance, and at different stages of the CJS journey. Compliance monitoring should also allow for overall comparisons of victim experience at regional level (by Police and Crime Commissioner area).

Drawing on findings from all stages of the feasibility study, this section provides key findings and implications for the development of a feedback mechanism. A fuller list of all implications can be found in [Appendix A](#).

### **Key findings**

- Existing victim feedback mechanisms do not fully meet MoJ needs for a cross-CJS feedback tool to measure Code compliance.
- Victim needs can be complex and their preferences for a feedback mechanism differ, which means that a single survey mode (e.g., only offering an online option) would not be inclusive of all victims.
- Stakeholders are keen that the cross-CJS mechanism covers all victims. However, in practice it is challenging to cover more vulnerable victims such as RASSO, domestic violence victims, and children given data access challenges, and sensitivity and safeguarding constraints. At the current time, the proposal does not cover victims who report a crime via Action Fraud.
- It is possible to survey victims at the pre-charge and post-charge (CPS/HMCTS) stage to meet the needs of a victim feedback mechanism.
- It will not be practical to include the sentence stage in a new feedback mechanism, due to the small population and limited available sample. Feedback from this group is already collected via the VCS and the existing survey content can be adapted to monitor the Code.
- Sample size limitations means that analysis of victims relevant to YOTs would realistically only be feasible at the national level.
- The data sharing process of setting up a new victim feedback mechanism is likely to be complex, lengthy, resource intensive and require close collaboration with and across CJ bodies.

- Setting up a new victim feedback mechanism would require access to 43 Police Forces' data (including City of London, for the pre-charge stage) and CPS/WCU data systems (for the post-charge stage). Without agreement to data share from these bodies, a robust victims' feedback mechanism would need to be built by recruiting victims from the general population, which would carry significant cost as an extremely large number of people would need to be screened to identify victims, especially for the post-charge stage. Alternatively, open access surveys could potentially be used, although the participation level would likely be low and the sample would not be representative.

### **Victims Feedback Mechanism Design Key implications**

- A new cross-CJS feedback mechanism is proposed. Specifically, a survey at the end of the pre-charge stage and a second survey at the end of the post-charge stage. This should collect data relating to the following organisations: police, CPS, and HMCTS.
- The sentence stage should be covered by building on the existing VCS feedback mechanism, which could be modified to meet the aims of the cross-CJS mechanism.
- Data collection should cover all rights within the Code and questions should be co-designed with victims.
- The data collection should ideally take place within an interval of 6–12 weeks of victims' engagement with a CJ process. However, the viability of this will depend on survey design.
- A lead-in time of at least 6–12 months needs to be built into the timetable to allow for discussions around data access/sampling requirements. This assumes that widespread agreement to share data has already been achieved. If not, longer lead times and effort would be needed.
- Each CJ body should conduct sampling themselves based on detailed specification supplied by the survey contractor/MoJ based on a random-probability sampling method.
- The core victim feedback mechanism should focus on non-vulnerable adults given data access challenges and the sensitivity and safeguarding constraints involved in drawing a sample of vulnerable victims.

- To include feedback from more vulnerable victims, an add-on open access survey is proposed. Whilst this would likely result in lower quality data than in the core victim feedback mechanism, it would allow vulnerable victims to be included whilst overcoming safeguarding and other practical challenges that exist.
- Overall, a flexible mixed-mode (e.g., online/telephone) approach is suggested as this will increase choice, accessibility, inclusion, and response rates. To reduce mode effects, questions for different modes should be designed to be equivalent.
- It is proposed that maximum interview lengths are 15 minutes for online and 20 minutes for telephone (shorter if open access to maximise participation and minimise drop-out).
- A minimum target of 200 interviews/responses per PCC area annually would be required (max. 95% CI of +/- 7%pts<sup>3</sup>) for robust Code compliance comparisons between PCCs. A larger number of interviews would allow for greater precision of estimates.

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<sup>3</sup> See Appendix C for a definition of confidence intervals.

## 2. Introduction

### 2.1 Background

The Victims and Prisoners Bill includes legislative measures to improve victims' experiences of the Criminal Justice System (CJS). In particular, it will place a statutory duty on criminal justice (CJ) bodies to collect, share and review information relating to the delivery of victims' rights under the Victims' Code ([the Code](#)), which was first introduced under section 32 of the Domestic Violence, Crime and Victims Act 2004, and came into effect in 2006 (see [Appendix B](#) for a list of the 12 rights). One of the key pieces of information used to inform this duty is victim feedback.

In December 2021, the MoJ consulted on how it could improve oversight mechanisms and structures to ensure improved treatment of victims. While there are mechanisms in place to assist local CJ bodies to collaborate on Code compliance, for example Local Criminal Justice Boards (LCJBs) and various working groups within forces, the consultation noted that greater local inter-agency collaboration was needed, alongside better Code compliance data collection and sharing at both local and national levels.

The three pieces of information that bodies are required to collect are: statistical data to monitor progress on key elements of the Code, delivery assessments of system-level process used to deliver Code rights, and feedback from victims to understand individual victims' experiences of the service provided. By combining these three elements, the MoJ aims to build a comprehensive picture of the delivery of each Code right and use this to drive improvements in victim's experiences of the CJS.

### 2.2 Objectives and methods

Verian (formerly Kantar Public) was commissioned by the Ministry of Justice (MoJ) to conduct a comprehensive feasibility study for a victim feedback mechanism on experiences of the CJS as a whole, and specifically of the delivery of Code rights. From here on, this is referred to as a 'cross-CJS feedback mechanism'.

The main parameters of the feedback mechanism are that it should provide a clear cross-system view of all CJ bodies under the Code compliance duty (police, CPS, HMCTS, HMPPS, YOTs) and the victim rights they are required to deliver. The mechanism needs to provide insight directly from victims – vulnerable and non-vulnerable – on their experience of the CJS, particularly of Code compliance, and at different stages of the CJS journey. For further context of the use of the terms ‘vulnerable victims’ and ‘CJS journey’ see section 2.3 below.

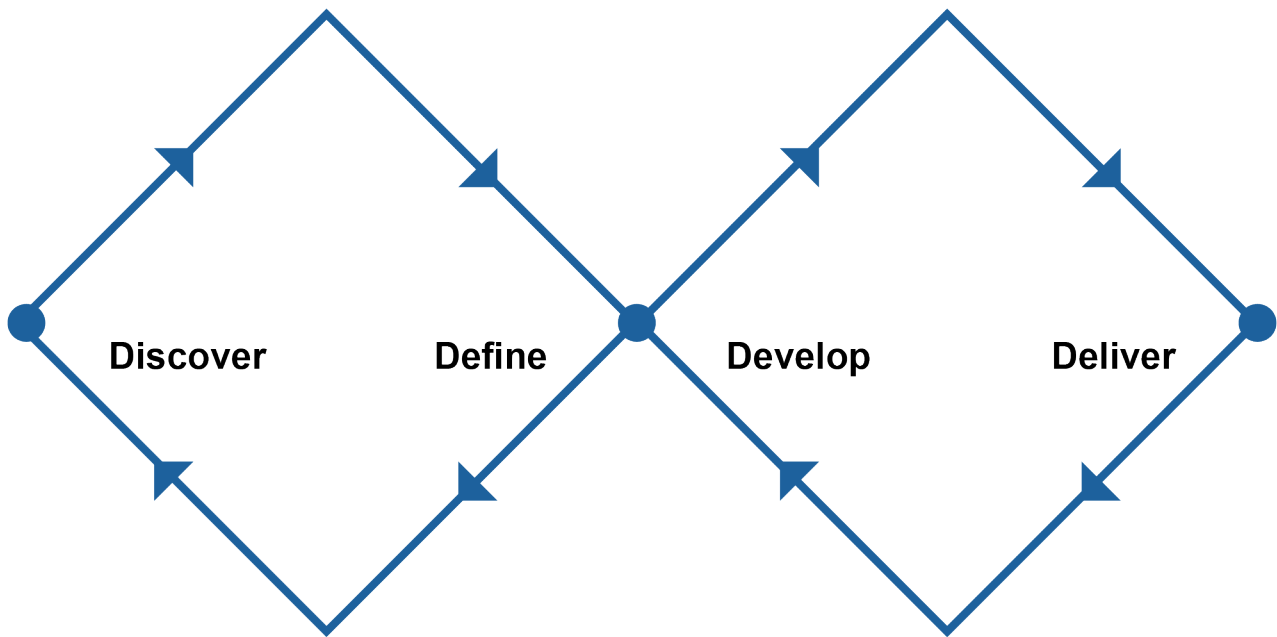
Verian’s approach to conducting the feasibility study was based on the ‘Double Diamond’ approach,<sup>4</sup> a framework that provides a structure for design and innovation processes and has been used by Verian on related projects.<sup>5</sup> The model is particularly suitable for structuring projects which include both user involvement and organisational collaboration in the development of an appropriate feedback mechanism. This model followed four distinct, but overlapping, phases, as summarised below.

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<sup>4</sup> [The Double Diamond - Design Council.](#)

<sup>5</sup> This approach was also used by Verian for the *Victims of Sexual Offences Feasibility Study* focused on the feasibility of surveying victims of rape and other sexual offences on experiences with the police (VSO).

**Figure 1 – The Double Diamond Framework**



**DISCOVER | Identifying needs, problems and opportunities to be addressed**  
 MoJ stakeholder workshop  
 Stakeholder interviews  
 Literature interview  
 Sizing the population  
 Sample source exploration  
 Questionnaire scoping

**DEFINE | Analysing and synthesising findings of discovery phase to define a clear brief**  
 Interim report  
 Review workshop  
 Refine next steps

**DEVELOP | Developing and testing solutions**  
 Research design options  
 Interviews with victims  
 Stakeholder workshops

**DELIVER | Recommending specific solutions**  
 Recommended research design  
 Sample design and response rates

As part of the Develop phase, a range of different design options were developed. These were assessed against criteria for a Minimum Viable Product (MVP). This refers to a set of criteria developed by MoJ which meet the requirements of the Code compliance duty.

## 2.3 Scope and context

### Defining vulnerable victims

Vulnerable victims are defined within the [enhanced rights section of the Victims' Code](#) as victims who meet the following criteria:

- Under 18 years of age at the time of the offence
- Where the quality of evidence is likely to be affected because the victim:
  - suffers from mental disorder within the meaning of the Mental Health Act 1983;
  - otherwise has a significant impairment of intelligence and social functioning;
  - or
  - has a physical disability or are suffering from a physical disorder.

Intimidated victims – where a service provider considers that the quality of evidence will be affected because of fear of distress about testifying in court – are also commonly classified alongside vulnerable victims. Victims classified as vulnerable or intimidated are eligible for enhanced rights within the Code. Enhanced rights cover access to special measures in courts such as using pre-recordings of interviews as evidence, screening the witness box or giving evidence via a live link, absence of press or public in the court room, removal of wigs, and use of communication aids and intermediaries.

However, it should be noted that forces and other database holders do not necessarily apply a consistent definition of vulnerability or intimidation. For example, many agencies also include victims of sexual abuse and domestic violence within their definition of vulnerability, and victims of these and other serious offences may be at greater risk of harm and re-traumatisation if invited to take part in a survey. Database holders may not be willing to sample victims that they deem to be vulnerable for this study.

### The CJS journey

Throughout this report, we frequently refer to the 'CJS journey' to indicate the pathway of a victim from reporting a crime, through to providing a statement, the CJS deciding whether this should lead to a charge or arrest, on to any court hearings, and final outcome and sentencing. Throughout the journey, victims may have contact with a multitude of CJ and third sector agencies: for example, the police officer in charge of an investigation (OIC), a



Witness Care Officer (part of WCU) who manages the care of victims due to attend court, CPS Victim Liaison Officers who work with RASSO and other victims of serious crimes, Victim Care Hubs and other victim support services, and the Witness Service which provides specific support for victims and witnesses attending court.<sup>6</sup>

The CJ process is therefore complex. Many victims drop out of the process between stages, and victims who do progress through the entire system do not necessarily experience this as a smooth joined-up process. For example, stages can overlap, there can be lengthy delays between stages when it is unclear who is responsible for victim communication, and the processes are not necessarily the same across all police forces. The design of a new feedback tool will need to recognise and capture this complexity.

The study investigates the feasibility of collecting feedback from victims across all stages of the CJS from pre-charge (reporting the crime and police investigation), post-charge (after the charge decision is made up to handing down the final court sentence), to sentence (from when the sentence is handed down until completion in prison or on probation). Children (aged under 18) were not covered within the scope of the study due to practical and timescale constraints. Victims at the pre-report stage have similarly not been covered and were out of scope of the original statement of requirements for this feasibility study.

## 2.4 Structure of this report

[Section 1](#) provides an Executive Summary and implications, [Section 2](#) provides an Introduction, [Section 3](#) outlines the methodology of each research phase, [Section 4](#) provides the Key Findings from each research phase, and [Section 5](#) covers the final design options and their assessment against the MVP criteria. Further sections include [References](#) and Appendices which cover: Key implications ([Appendix A](#)), Victim Code rights ([Appendix B](#)), a glossary of key methodological terms ([Appendix C](#)), detailed research options ([Appendix D](#)), interview topic guides ([Appendices E.F.G](#)), profile of victims interviewed ([Appendix H](#)) and proposals for survey pre-testing ([Appendix I](#)).

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<sup>6</sup> The London Victim and Witness service also provide support if a victim or witness has experienced a crime in London or are a London resident and require support attending Court.

## 3. Methodology

### 3.1 Literature review

The evidence review covered multiple literature sources, including sources provided by the MoJ and relevant stakeholders, and enhanced by Google and Google Scholar searches. The literature reviewed included technical reports and academic literature (see [References](#)). To contain the scope of the review within the timescale available, the inclusion criteria specified articles or papers written in English and published within the last 10 years, unless specifically identified for inclusion by the MoJ. Search terms used included: “crime + survey”, “victim + survey”, “witness + survey”, “ethics + victim + research”, and “experience + criminal justice system”. The review did not, however, apply any formal quality criteria for inclusion or critically appraise the literature included. A full list of [References](#) can be found at the end of this report.

### 3.2 Stakeholder interviews

In total, 14 stakeholder interviews and a focus group were conducted to better understand the needs, opportunities and challenges presented by a cross-CJS victim feedback mechanism from the perspective of key stakeholders working within the CJS.

Stakeholder interviews were conducted with representatives from MoJ and the following organisations: Crown Prosecution Service (CPS); HM Courts and Tribunals Service (HMCTS); HM Prison and Probation Service (HMPPS); Home Office (HO); National Police Chief’s Council (NPCC); Office for National Statistics (ONS); Office of the Victim’s Commissioner; Staffordshire Police; The Witness Service; Victim Support; Youth Offending Team (YOT); and a third sector sexual abuse and violence support organisation. A detailed topic guide was used to guide each interview (see [Appendix E](#)). Interviews lasted approximately one hour and findings were fed into a bespoke analysis framework which was used to draw out the overall themes.

### 3.3 Methodological review

In parallel to the work above, a methodological review was conducted consisting of three parts: i) reviewing technical reports of current and past studies (see [References](#)) to identify any existing gaps in ability to meet the MoJ research objectives, ii) sourcing population figures for each stage of the CJS journey to help develop the sample design (e.g. sub-groups that require boosting), and iii) interviews with CJ bodies to gather information on: existing feedback mechanism(s), availability of sample data, and data sharing issues.

Verian held discussions with the Home Office about their recent experience with victim surveys. Verian also drew upon their own experience of conducting relevant surveys (such as the CSEW, and the NVES pilot). In addition, eight interviews were conducted with the following organisations: the BOLD team in MoJ, the London Mayor's Office for Policing and Crime (MOPAC), two police forces (Metropolitan Police and Sussex Police), two CPS teams, HMCTS, and HMPPS Victim Contact Scheme (VCS). Although this is not an exhaustive list of organisations covering victims' CJ journeys, these were selected because i) they fall under the governance of MoJ, or ii) they represent the main CJ bodies the majority of victims would encounter, or iii) in some instances different teams within the same CJ body were required to contribute different information to this feasibility study (e.g., one interview with CPS focused on their feedback mechanisms while the other investigated their database and data sharing). The main limitation is only a limited number of police forces were interviewed, and other forces may have different views, processes, and priorities for research.

A topic guide was used to guide each interview (provided in [Appendix F](#)). Interviews lasted approximately one hour each and written notes were taken during the interviews. The analysis then focused on identifying the relevant information from each interview in relation to the following key areas. Firstly, what existing mechanism(s) are in place, and are they suitable to monitor the Code, or is a new mechanism required. Secondly, if a new mechanism is required, the database(s) and fields that could be used for sampling and making contact with sampled individuals. In addition, if sample exclusions would be required by the database holder, and the likely data sharing process.

### 3.4 Questionnaire scoping

Building on the literature review, an in-depth look at relevant questionnaires was undertaken,<sup>7</sup> to: i) provide an understanding of existing questions relevant to Code compliance, and ii) explore the issues relevant to designing questionnaires for victims. Issues explored included: existing question coverage; questionnaire length; survey modes; mode effects, recall error and retrospective bias; how best to capture the victim voice; accessibility; dealing with victims of multiple crimes; and free text data capture.

### 3.5 Interviews with victims

In total, 20 interviews were conducted with victims, witnesses and relatives of victims that had experience of the CJS. These interviews built on the insights of the 'Discovery' phase to enable a better understanding of the needs, barriers, and opportunities that a victim feedback mechanism presents for these individuals. The sample included a range of offences and a spread of demographics (see [Appendix H](#)). A detailed topic guide was used as the basis for the discussion at each interview (see [Appendix G](#)). Interviews lasted approximately one hour and findings from each interview were written up into a bespoke analysis framework which was used to draw out the overall themes.

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<sup>7</sup> These are listed within the [Abbreviations](#) at the start of the report.

## 4. Findings

This section covers the findings relating to each research strand.

### 4.1 Literature review

For details of sources, refer to [References](#) and [Abbreviations](#) sections.

**Scope of Data Collection.** Previous research conducted by CJ bodies has covered the breadth of the CJS, focussing on points of contact with different CJ bodies, but without a specific approach to measuring Code compliance. Common areas for coverage have included: experience of CJS services received before, during and after a case (e.g., WAVES, NIVWS, VWSS); experiences of the police (OSS, 2023), victims' services (Victim Support, 2017; The Victim Survey, 2022), the courts and the CPS (such as VWSS, 2015); and satisfaction with the CJS (CSEW). Some mechanisms have run regularly (e.g. quarterly) and require case closures with an outcome to take part (such as WAVES or NIVWS). Others stipulate a reference period unrelated to outcome such as a crime report within the last two years (The Victim Survey, 2022), or someone who received a service from an organisation in the last two years (Victim Support, 2017).

**Scope of Victim Inclusion Criteria.** Victim research studies commonly exclude a range of respondents on ethical or pragmatic grounds. The most consistently excluded are professional/expert witnesses, victims aged under 18 (e.g. CPS VWS, 2015), and respondents who have participated in related research in the last 12 months (WAVES). Additional exclusions are made where there are insufficient safeguarding measures to allow vulnerable or sensitive victims to take part, for example offences involving a fatality, sexual offences, and domestic violence cases. Some studies (WAVES and NIVWS in particular) exclude certain offences to avoid capturing experiences of the CJS that are atypical in terms of the victim experience or because there may not be a clear individual victim to engage with. Typical offences excluded include motoring offences, drug offences, fraud and forgery, and crimes against a corporate business or organisation.

**Survey mode and maximising inclusion.** Existing research has generally favoured a mixed-methods approach to maximise response and ensure safeguarding of respondents. This is backed up by Crest Advisory (2022) which noted that methods of communication more generally within the CJS should be tailored to victims' wants and needs. Online approaches offer the potential for higher response among victims who favour completing a survey in safety, in private and in their own time (ONS, 2020). Some victims are also more comfortable talking about sensitive issues online (CPS, 2015). However, telephone interviews have often been used to contact more vulnerable victims due to the sensitivity of the topic and because it is possible to build in safeguarding to protect victims, particularly victims of domestic abuse. Telephone has also been used to follow-up with victims who have not responded online (WAVES, 2010). A mixed-method approach was successfully piloted by the Home Office for the National Victim Experience Survey (NVES). Additional design options can further improve inclusion, such as the use of Braille, audio formats and a range of community languages (Balderston, 2013).

**Safeguarding Protocols for vulnerable and intimidated victims.** A clear set of safeguarding principles to protect vulnerable respondents emerged from the literature, in particular domestic abuse victims who may live with an abuser. Feedback has generally been sought from vulnerable victims on an opt-in basis as it ensures respondent agency for safeguarding themselves. Opt-out approaches tend to be used where victims have not officially been classified as vulnerable. There were examples of both online and telephone surveys where respondents were screened to ensure that they met both eligibility criteria (that they are the victim identified in the data), and safety criteria (that they are not the victim of an ongoing crime and are not in the presence of the perpetrator). For telephone, screening questions can be read out by an interviewer, and for online, multiple landing pages can be used. The content of the survey is then only revealed after progressing through these screener pages, with the respondent having confirmed they meet the eligibility criteria and are in a safe place, not being observed.

Additional design options have also been used to improve safeguarding. Morgan et al. (2020) set up their survey so that when vulnerable respondents started an online survey but closed part way through, they were not approached again. They also suggest a quick exit button to clear the screen or transfer to a neutral website could also be included where

the chosen survey platform allows. This approach is already used on the Metropolitan Police Victim Voice Survey, for example. Morgan et al. (2020) also highlighted the danger posed by keyloggers in their survey with women exploring the prevalence of domestic violence during the Covid-19 pandemic, also suggesting free-text questions should be avoided in this context. Regardless of mode, the survey should be as short as possible to help reduce participant risk.

**Working with other organisations.** Working with victims comes with a heightened risk of ‘vicarious trauma’ so as well as safeguarding respondents, researchers also require support (Forhing, 2020). Previous CJ body-led research has therefore utilised the organisational expertise of specialist research organisations, which benefit from access to interviewers who are highly experienced with interviewing victims and are trained and supported. Regardless of experience, researchers should be supported both formally through support groups, and informally through peer-support debrief sessions (Forhing, 2020). Working with partner organisations in the CJS is vital to successful delivery.

Stakeholders can play a vital role in supporting and promoting a survey, particularly where a self-selection approach is used. This includes working with police forces, CJ bodies and support organisations who have promoted a survey online, on social media and in communications directly with victims. This approach was successfully used by City, University of London (2023) to gather experiences from RASSO survivors. Working with these organisations helps to widen access to victims who are hard to reach or would not otherwise engage with any mechanism.

## 4.2 Stakeholder interviews

**Overview of opportunities and challenges.** Stakeholders valued the importance of developing a cross-CJS feedback tool. However, the complexity of the landscape and a lack of joined-up systems means that there is a strong need for collaboration and joint decision-making across the CJS to ensure a high quality solution. Although there was a preference for a comprehensive and representative solution, there was acceptance that compromises will be required in terms of coverage, representativeness, bias, response rates, and sample attrition.

**Scope of data collection.** There was a broad spectrum of opinion on content coverage, from a narrower focus on Code compliance to a more comprehensive product. While a simpler approach minimises burden and re-traumatisation, many stakeholders preferred a more victim-centred approach which would also offer more in-depth insight to inform service improvement. A specific concern highlighted was the potential conflation of process and outcome – the risk that a negative case could taint earlier more positive experiences.<sup>8</sup>

**Scope of victim inclusion criteria.** There was widespread agreement that every victim covered by the Code should have the opportunity to take part as long as participation is voluntary and safe. Coverage of vulnerable and hard-to-reach groups was considered especially important as these voices are not regularly captured within existing research.

**Flexibility and overlap with existing surveys.** Most agencies, especially police, conduct their own feedback surveys. The general desire was for the new mechanism to complement rather than replace existing data collection exercises. Simply excluding victims already included in other research was not seen as an ideal solution to reducing burden as this would skew the results of the cross-CJS survey and lead to a non-representative snapshot. However, in practice, including these victims would only be possible if database holders agreed for this.

**Capturing the full victim journey.** Stakeholders preferred data to be captured as close to ‘real time’ as possible, as opposed to retrospective data capture based on case closure. Stakeholders wanted data to be captured at pivotal points in the journey using a survey tool which can be accessed by victims at the end of their contact with a service (such as the police or courts) and over a designated period, for example quarterly. Mid-journey data collection means that respondents will be more engaged, recall error will be reduced, and CJ bodies will get data sooner. However, it is important to respect the potential trauma that might be attached to these touchpoints and to allow an appropriate pause for victims to process these events. An interval of 6–12 weeks was generally supported.

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<sup>8</sup> While this issue was raised by both stakeholders and victims (see section 4.4), there is other evidence that suggests that how victims are treated and responded to throughout the system is a more important factor than outcome (see for example Wedlock & Tapley, 2016; Crest Advisory, 2022).



**Survey mode and maximising inclusion.** Barriers to survey participation include safety (e.g., risk of abuser interception for domestic violence victims), disability and mental health, language and literacy, and digital exclusion. Although there will be restrictions on how victims can be contacted based on contact details available, a multi-mode survey approach was favoured as this will widen choice and allow more tailored approaches for vulnerable and marginalised groups. Some stakeholders mentioned other approaches to collect victim feedback such as app-based surveys, surveys which build on digital platforms used by forces to communicate with victims, and via tablets in courts.<sup>9</sup>

Other suggestions to maximise inclusion included: pre-notification signposting via SMS (where appropriate and safe) especially as unsolicited contact can be triggering, and because of a tendency to ignore calls where there is no caller ID'; a two-stage approach with a short simple screener followed by a longer survey for those who consent; face-to-face interviews via third sector support agencies for the most vulnerable; using intermediaries or advocates; and translation of survey materials/use of interpreters. Financial incentivisation for participation was regarded as inappropriate in this context.

More widely, there were calls to ensure that the feedback captures the full range of views, not only those of the most vocal or with very polarised (positive/negative) views.

**Safeguarding and opting in/out.** An opt-in/open link approach was preferred for vulnerable participants, even though this will lead to a more self-selecting sample, as this means that victims can be made aware of the feedback survey without the safeguarding risk associated with unsolicited contact. The following strategies were mentioned by stakeholders in relation to safeguarding more vulnerable victims who may be at risk of abuser interception:

- Avoid sending advance communication. Instead, advertise the open link survey via key communications, such as leaflets, social media, websites, and safe physical spaces.
- Communications should be as opaque as possible, avoiding reference to the specific crime; CJ agency branding and logos should also be avoided.

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<sup>9</sup> For more detailed discussion on the potential for using mobile Apps, see discussion within Appendix D, Option 2.

- Clear signposting to support services, e.g. MoJ website, following completion of the survey given the potential for the survey to retraumatise.
- Provision of a quick exit strategy, such as the ability to quickly hide or redirect an online survey link.
- Ensuring that any online survey is not included in cookies or browser search histories.

**Transparency and informed consent.** Transparency was seen as a key ethical issue to ensure: i) informed consent of participants; ii) victim understanding that data will be treated securely and will not negatively impact their case; and iii) clarity of how feedback will be used. Stakeholders highlighted the importance of demonstrating the use and impact of the data provided by victims, while managing expectations around what the feedback mechanism can achieve and in what timescale.

### 4.3 Methodological review

**Opportunities for the cross-CJS feedback mechanism.** Following the review, it was concluded that existing victims' feedback mechanisms do not fully satisfy MoJ's requirements. Some of the mechanisms cover only a subset of victims (e.g., RASSO victims in Operation Soteria), while others focus on only a specific stage of the CJ journey (e.g., police force surveys). While findings from different studies could be combined to obtain a more holistic view, in practice this would be difficult to implement robustly, as the survey methods and questionnaires differ between studies. While CSEW theoretically covers all victims and the entire CJ journey, the sample sizes achieved for the post-charge and sentence stages are not sufficient for robust sub-group analysis such as by Police and crime commissioner (PCC) areas and crime type. Therefore, MoJ's requirements would be best met by a new cross-CJS feedback mechanism.

**Stages of the CJS journey to cover.** The CJS journey can be broadly divided into three stages: pre-charge (mainly consisting of reporting the crime and any police investigation), post-charge (after the charge decision is made and before reaching the final court sentence), and sentence (from when the sentence is handed down until its completion including time in prison or on probation). The new cross-CJS feedback mechanism should focus on the pre-charge and post-charge stages, as currently there is no consistent

nationally representative feedback mechanism across these two stages. This would provide data about victim experiences and interactions with the police, CPS, HMCTS and YOTs. As set out further below, the sentence stage could be covered by an existing mechanism.

Victims reporting fraud to Action Fraud would not be covered by the new feedback mechanism at the current time. These cases are reported online, and policing processes for these cases are atypical compared to other crime types. However, theoretically fraud reported directly to a police force would still be in scope for the study. Given that many frauds initially reported to the police may subsequently be referred to Action Fraud, further design consideration may be required to agree a consistent approach to including / excluding these victims (e.g., excluding all fraud, or excluding fraud that is initially reported to the police but then referred to Action Fraud, or including a sample of fraud victims from Action Fraud).

While relevant data can be collected for YOTs, it is important to outline potential sample size limitations. YOTs are specifically interested in the victims where the perpetrator is a young person. This will only be a relatively small sub-set of all victims covered by any new feedback mechanism. As a result, the number of relevant interviews generated within smaller geographical areas (e.g. PCC areas) would not be sufficient to provide robust estimates for YOTs. It is also unlikely to be possible to specifically boost this sub-population when drawing the sample, as police forces do not tend to have robust demographic data (i.e. age) relating to perpetrators easily accessible in the systems that would be used for sampling. On this basis, analysis of victims relevant to YOTs would realistically only be feasible at the national level.

At the sentence stage, HMPPS already conducts a survey among VCS users. The survey samples the whole population (a month after the offender is released) and achieves c.600 interviews in a year. HMPPS VCS would be better covered by the existing feedback survey as opposed to the new MoJ feedback mechanism. The interview with HMPPS revealed that approximately 19,000 victims opt into the scheme each year. All of these individuals are invited to do the current survey, and a new mechanism would mean people would be sampled for both studies and increase victims' response burden. As such, it would be preferable to make use of the existing survey. In the interview, HMPPS

expressed a willingness to make changes to their questionnaire for this purpose. They had already begun the work of identifying metrics required for the Victims' Code but had not yet reviewed what changes were needed in the questionnaire. Given the small population size, analysis of this population is likely to be conducted at the national level only.

It is also important to capture victims' experiences at the Parole Board stage of the CJ process. Based on published information about Parole Boards, victims that experience this process will have to opt-in to VCS to get updates on parole. Questions on the Parole Board process should therefore be added to the existing VCS survey.

**Databases for sampling.** Each body has their own victim and witness databases. The 43 territorial police forces in England and Wales each have their own database(s). The CPS has one database with separate extracts produced for different purposes. For example, a subset of the database is used by WCU staff at most police forces in England and Wales to manage victims and witnesses on cases being prosecuted by the CPS. There are also three separate databases within HMCTS. These databases all have information that could be used for sampling (e.g., PCC area, crime type). Some have required contact details (e.g., email, home address, phone number). The exception is the HMCTS databases which do not contain contact details that could be used for a survey and has therefore been ruled out. Discussions with the MoJ BOLD team highlighted that the police and CPS databases are not easily linkable. To comprehensively cover the pre-charge stage of the victim journey, the new feedback mechanism would require samples to be drawn from all police databases. To comprehensively cover the post-charge stage, the sample could potentially either be drawn from the main CPS database, or from the subset of the CPS database shared with WCU (based within the police forces) as both include victims' contact details. Both of these options would need to be explored (including feasibility of access) before selecting the optimal sample source.

Data quality (accuracy, completeness etc.) varies between databases and would need to be assessed once data has been obtained. Home Office have advised that demographic information (e.g. ethnicity, gender) compiled in police databases may not be of sufficient quality to use when drawing samples.

The databases available tend to include a variety of contact details – allowing for the new mechanism to use a mixed-mode data collection approach.

**Data sharing.** No databases are publicly available. The discussions held with the various parties indicated that in principle it should be technically possible for a sample to be selected and supplied to a survey contractor. However, the processes involved vary between organisations, and access would need to be negotiated from each party separately.

While initial discussions were positive, there is no guarantee that access would be granted to all databases for many reasons (e.g., sufficient legal basis for data access, data sensitivity issues, having the correct data protection arrangements in place, and CJ bodies being adequately resourced for the task). If access was agreed, data sharing agreements would have to be set up in a way that involves all parties – each database holder (police forces, CPS, etc.), MoJ, and the research contractor.

Based on previous studies, it may be possible to arrange access to police data centrally via the NPCC. This would require an over-arching PmoU (Process level Memorandum of Understanding) and DPIA (Data Protection Impact Assessment). However, in addition to a central agreement, individual data sharing agreements might be required for some police forces – both forces interviewed indicated that there may be a need for individual agreements with each force as they pointed out that police forces hold the ultimate responsibility of their data, not NPCC.

One police force also stressed that identifying a legal basis would be necessary for data sharing. There was a particular concern that the Data Protection Act would not permit personal details collected for the purpose of case processing to be used for other purposes (such as for conducting a survey). For data sharing to be possible, MoJ would need to identify a suitable legal basis to present to the relevant CJ bodies.

Obtaining access to the databases would be a lengthy process: based on previous studies, 6–12 months are to be expected for getting agreements in place (which could be longer if pre-requisites such as data sharing agreements are not in place).

**Complexities in data access.** Although none of the CJ bodies ruled out sharing data for the new feedback mechanism, they expressed concerns. To minimise the transfer of personal data it would be preferable for each CJ body to conduct the sampling themselves. To ensure consistency, the survey contractor would need to provide a specification outlining how the sample should be drawn. Personal data would then only be transferred for the sampled victims – rather than for all victims. However, CJ bodies highlighted their limited capacities for preparing these extracts. This work would be especially time consuming because the databases are designed for operational rather than research purposes. MoJ as well as the fieldwork contractor would need to provide support in this regard. Even once data sharing agreements are in place, organisations are expected to require several additional months to put in place a process to extract the required information.

**Population coverage.** Database holders highlighted a need to make exclusions ahead of sampling, which would vary between organisations. Based on previous studies, the exclusions would likely apply to victims of serious crime (e.g. RASSO and domestic abuse) as well as vulnerable individuals (including children). Alternative approaches will be required to allow vulnerable victims to express their views. Other examples of exclusion criteria which police forces may apply include victims of modern slavery or human trafficking, known or suspected member of organised crime group. These exclusions tend to be applied due to possible risks of harm and re-traumatisation as a result of being invited to a survey in an unsolicited way (e.g., victims might still live with a perpetrator). On this basis, it is proposed that the new mechanism focuses on non-vulnerable adult victims (aged 18+) – which all organisations should be able to sample. It is important to use a consistent definition approach across all organisations to ensure that results are comparable. It should be noted that should an alternative sampling mechanism be used, it might be possible to extend coverage to some of these groups.

All witnesses who give evidence in court for the prosecution or defence (except expert witnesses) are covered by the Witness Charter. Witnesses who are also victims and witnesses who have suffered harm as a direct result of witnessing a crime are covered by the Victims Code. Consideration was given to surveying witnesses who are not victims, who are a challenging group to sample and survey. Extensive screening would be required

to generate an eligible sample. In addition, witnesses can be for the prosecution or defence which adds a layer of complexity to ensuring survey questions are appropriate to understand their experience. Given these difficulties, it would be impractical to robustly cover witnesses who are not victims in the same mechanism as victims (who may or may not be witnesses). If witnesses' views are required, consideration should be given to a non-probability open-access survey for this population.

**Sample overlaps with existing surveys.** CJ bodies conduct their own studies. To minimise respondent burden, they would exclude victims that they have surveyed recently from the new mechanism. In rare circumstances, some forces might use all records of a specific crime type for their surveys. This might mean the new mechanism would not have full coverage. The survey contractor would need to develop a weighting strategy to compensate for this.

## 4.4 Questionnaire scoping

For details of surveys and acronyms used, refer to [Abbreviations](#) section.

**Coverage of Code rights.** Questionnaires reviewed included a range of questions that measure experience of Code rights, which provide a good starting point for question development for a new feedback mechanism. The most extensive coverage of Code rights was found in surveys which cover the whole victim journey (such as WAVES and VWSS) while others cover specific agency experience (e.g. NVES and OSS cover police-related Code rights). Some surveys (e.g. CSEW) ask more generic attitudinal questions on performance of the police and CJ system and are not necessarily tied to a specific crime.

**Questionnaire length.** The average interview length of most victim surveys were 10–15 minutes for online, and 15–20 minutes for telephone (telephone surveys take longer as all questions need to be read out). The feedback mechanism survey length will depend on the level of detail required and individual experiences; it is likely that those with more complex or serious case histories will experience a longer interview. Interview length should therefore be carefully managed to minimise burden and re-traumatisation.

**Survey mode.** Previous victim research includes surveys administered by telephone (WAVES, NIVAWS), web (OSS, VC Survey), or mixed-mode online/telephone (VWSS,

NVES). Stakeholders also referenced other approaches that have been used to collect victim feedback such as app- and text-based surveys, tablet-based surveys in courts, and face-to-face interviews via support services.

Advantages of an online survey include: cheaper and quicker to administer; enhanced privacy; and mitigation against social desirability bias (see below). However, telephone approaches are usually associated with higher response rates, better collection of qualitative free text data, and (with appropriate safeguarding) can offer greater protection to vulnerable victims who could be at risk if they are sent a link to an online survey. Flexible mixed-mode approaches can therefore increase choice, help boost response rates, inclusion and accessibility.

**Measurement error.** This refers to the difference between a respondent's reported answer and the true value of the measurement in question. The main sources of measurement error are summarised below:

- **Mode effects** refer to differences in observed responses to survey questions which are solely due to the mode of data collection. Examples of online vs interviewer-led mode effects include: increased social desirability bias in interviewer-led modes compared with online modes; the ability of an interviewer to provide prompts or clarification in telephone surveys; and question order effects.
- **Recall error and retrospective bias** Recall error occurs when respondents find it difficult to recall experiences that happened long ago, or which are less salient (experiences associated with more serious crimes are likely to be better recalled). Stakeholders also noted a tendency for case outcome to retrospectively influence judgement of service experience earlier in the process (see section 4.2).
- **Differentiation of experiences** The NVES pre-testing phase uncovered a tendency for respondents to converge responses, often answering about their overall experience instead of the specific service aspect in question. Respondents also had difficulties answering questions about specific experiences of the police (e.g. how well the victim was treated) if they had mixed experiences; in this scenario there was a tendency to 'average out' their response. More widely, the potential difficulty in victims being able to distinguish between agencies when reporting feedback will be an important issue to address.



All of the above issues will require careful scrutiny during questionnaire testing and piloting of the survey.

**Capturing the victim voice.** Stakeholders felt that a questionnaire overly focussed on Code compliance would not necessarily provide sufficient insight to inform service improvement. This is backed up by HMICFRS (2023) which noted that CJ bodies placed more emphasis on compliance with the Code than victims' individual needs, resulting in an emphasis on process rather than quality of service. As a further example of this, the OSS study added a new question in response to early feedback from survivors who felt they did not have an opportunity to convey the extent of negative treatment they had experienced.

**Accessibility.** The survey needs to be fully accessible for those with disabilities, language or literacy difficulties, and the digitally excluded. Offering a choice of modes will help maximise accessibility and inclusion. More widely, the survey must use accessible language, and survey platforms should meet digital accessibility standards. Translation of the online survey instrument into common non-English languages, and/or offering a telephone interview with a native speaker will widen access to victims with limited English speaking and reading skills.

**Multiple victimisation.** When designing questions, consideration should be given to victims of multiple crimes, especially if these are similar in nature or occur as part of a sequence (which is common among domestic abuse victims – see CSEW). If the survey is based on a sample-driven design (as per the NVES pilot design), the victim will be sampled based on a specific police-recorded crime. However, if they have reported more than one crime it will be important to clearly specify the crime which led to their selection to avoid any conflation with other crimes that they may have experienced over the same reference period.

**Free text questions.** There is mixed feedback on the desirability of including verbatim text questions within the feedback mechanism. Some stakeholders were in favour of this to generate more in-depth qualitative insights and to allow victims the opportunity to feed back in their own words. However, problems associated with free text questions were identified in two case studies. Firstly, OSS in their online survey noted higher-than-expected survey dropout immediately following an open text question (this reflects wider

survey methodology literature relating to online surveys). Secondly, NVES pretesting revealed a tendency for respondents to repeat themselves across all open text questions. This suggests that any free text data collection should be optional and limited in scale.

## 4.5 Interviews with victims

**Overview of opportunities and challenges.** Overall, victims<sup>10</sup> were positive about the prospect of being able to share feedback on their experience and held the view that other victims would feel the same. They felt feedback was necessary for services to improve, and to ensure other victims' experiences were better than their own. Crucially, feedback was also seen as empowering for victims by providing them with a voice. Most victims indicated that they would provide feedback if asked. However, there was some scepticism whether feedback would have any impact. For victims' feedback to feel valued and worthwhile, it was felt crucial that improvement was transparent and evident.

**Scope of victim inclusion criteria.** There was agreement that all victims should have the opportunity to feedback on their experiences. When prompted, victims agreed that safeguarding was important, and that risks for vulnerable victims should be mitigated. Victims also agreed that sign posting to support services be included.

**Feedback mechanism, maximising inclusion.** Overall, victims felt that opportunity and flexibility were key to maximising inclusion for feedback. Preferences for a feedback mechanism varied based on their experiences of the CJS, the agencies they were in contact with, and severity of the crime. Broadly those that had poor experiences with CJS agencies wanted to share more detail and spend more time providing feedback than others.

Primarily, however, victims felt that any feedback mechanism should be offered in multiple formats to suit individuals' needs (e.g. language, literacy, digital access, support) and preferences (e.g. wanting the opportunity to express themselves and feel heard), whilst mitigating against re-traumatisation. Victims felt that a feedback mechanism should provide victims with a choice as to whether to participate in a short survey (online, or via

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<sup>10</sup> In this section this refers to victims, witnesses and relatives of victims.

SMS text), a longer survey (online or via telephone), and/or an in-depth interview (via video call, telephone or face to face).

**Capturing the full victim journey.** Victims wanted the opportunity to feedback on their full journey, from details of the offence itself through to the final court outcome. This included feedback on communication and updates on the case progression, the provision of information, and support offered and/or received. Victims were keen to be able to share their story and to feel that their voices were heard. They highlighted that having the opportunity to feedback on their full experience was key to feeling valued.

All victims recognised the challenges of retrospectively reflecting on their experiences with the different CJS agencies, particularly where CJS journeys were long and/or where long periods of time had lapsed since their experiences.

Victims with longer CJS journeys generally concluded that opportunities to provide feedback should come at multiple points through the CJS journey, as close as possible to a victim's main period of contact with each agency. Victims felt that this would allow agencies to act on negative feedback and improve services in 'real time'. Furthermore, victims thought this would mitigate against 'tarring' the whole CJS system based on one agency delivering poor service. Victims also felt that this approach might help with recollection and aid them in distinguishing their feelings on the outcome from the process. However, there was some concern that this approach could be misconstrued as a formal complaints procedure.

Victims with shorter CJS journeys were more in favour of providing feedback just once, shortly after the end of their journey. Other participants with longer, more complex CJ journeys suggested that 6 months might be an ideal timeframe, to avoid re-traumatisation whilst mitigating against recollection problems. However, it is worth noting that interviews were conducted with victims at the end of the process, and if we were to sample victims mid-journey the length of the overall journey will not be known in advance.

Across the sample there was also a concern about confidentiality and anonymity. Participants felt that reassurances were needed, and that the sharing of any personal details should be voluntary.

**Invitation to feedback.** Most participants felt that reaching out to victims for feedback (via telephone in particular), even with previously given consent, should be avoided and that feedback should be self-selecting. Many wanted to see the opportunity to provide feedback advertised via signage, posters and information in relevant buildings and on relevant websites as well as in information provided to victims. They were keen for there to be QR codes and links to the feedback mechanism provided.

However, for those that were happy to be invited, the preferred mode was via email invite to an online survey. Some also liked the idea of receiving a short series of SMS Texts (many had experiences of giving customer care feedback in this format).

**Key challenges/ risks.** Victims were frequently unable to separate their views on the processes of the CJS from their views on the outcome of their case, an issue which was also highlighted by stakeholders (see section 4.2). For example, a negative case outcome could taint experiences of the service which were positive at the time. The victim interviews highlighted that victims do not necessarily understand the structure of the CJS, the agencies that are responsible for each stage of the process, nor that agencies work independently.

## 5. Feedback mechanism design options

Based on the findings from the different research strands, five research options have been produced which MoJ could use to monitor the delivery of Victims' Code rights.

Nine criteria (the Minimum Viable Product – MVP) have been used to assess and compare the different research options. These criteria are based on the requirements of the Code compliance duty being met, as well as additional factors (such as budget and timings) that are likely to be important to MoJ in selecting the optimal approach.

1. **Victim coverage** – The mechanism should include all victims of crime – excluding those where specific adjustments would be needed to survey them in a sensitive and considered way (e.g. safeguarding).
2. **Journey coverage / organisations included** – the pre-charge and the post-charge stage (covering the Police, CPS, HMCTS and YOTs).
3. **Questionnaire coverage** – The mechanism must cover awareness of the Victims' Code and the delivery of Victims' Code rights, and profiling information (high level demographic information and crime type).
4. **Reporting timings** – National estimates are to be generated quarterly, results for sub-populations (e.g. by geographic area) annually.
5. **Geographical level of analysis possible<sup>11</sup>** – Police (by 43 areas), HMCTS (7 areas), CPS (14 areas), YOTs (national).
6. **Budget** – The options presented are at a range of different price points.

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<sup>11</sup> It should be noted that police, CPS, courts and probation are all divided into different areas/regions that do not all align with each other. When setting up the new feedback mechanism in the future, decisions will need to be made regarding the final geographic areas for reporting for each CJ body.

7. **Burden on CJ bodies / police forces** – Some research options are reliant on obtaining co-operation and support from CJ bodies. If support is not forthcoming, it may not be possible to fully operationalise some of the designs.
8. **Lead-in time** – the most appropriate solution may depend on when MoJ require the new research mechanism to be in place.
9. **Quality** – the solution will likely be high profile; it is very important that the data delivered is robust.

Below, each research option is discussed in turn, with a broad outline of each approach followed by an assessment against the nine criteria highlighting relative strengths and weaknesses. More detail on each of the research options is provided in [Appendix D](#), including information on likely response rates and sample composition. In addition, [Appendix C](#) provides definitions for key methodological terms used in this section of the report.

### **Option 1A – Cross-sectional random probability surveys**

This option involves conducting two standalone cross-sectional random probability surveys, one at the end of the pre-charge stage, and one at the end of the post-charge stage. The definition of the end stage would differ for each case, but generally it refers to when the main engagement with the CJ bodies at that stage is concluded (e.g., police drop the investigation due to lack of evidence, police refer the case to CPS for charging, an outcome/verdict is reached at court, or the prosecution is dropped).

The sample for the pre-charge stage survey would be drawn from the police recorded crime databases held by the 43 territorial police forces in England and Wales.<sup>12</sup> The sample for the post-charge stage would either be supplied directly from CPS or via the WCUs in each police force. As set out in Section 4.3, further exploration is required to determine the optimal sample source to use.

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<sup>12</sup> This excludes the British Transport Police and Ministry of Defence Police.

For practical reasons, the sample would be limited to non-vulnerable adult victims and not include witnesses. As outlined earlier in the report, access will need to be negotiated for each database and appropriate data sharing agreements will need to be established.

Disproportionate stratified samples should be selected from the databases. This would ensure that the target number of interviews for each geographical area can be met.

As this would consist of two cross-sectional surveys, this approach would not be designed to track the same individual(s) across the police and court stages. Some individuals that are surveyed at the post-charge stage may also take part in the pre-charge survey. Where this is the case, individuals could be asked for their consent to link their two sets of responses together. However, the number taking part in both would be very limited and would not allow for robust longitudinal analysis.

It is proposed to target c.8,600 complete interviews achieved over a year for each survey. This is based on targeting an achieved sample size of 200 interviews for each of the 43 English and Welsh PCCs (including City of London). This target number of interviews is chosen as the minimum sample size that would be viable to generate robust annual estimates for each PCC area (with maximum 95% CIs of  $\pm 7\%$ pts). Should budget allow, larger sample sizes offering more precise area estimates would be preferable. More detail on this is included in [Appendix D](#) – as an optional add-on.

The survey design would start with a push-to-web phase followed by telephone interviewing. This offers respondents a choice of mode of response, and an opportunity to opt out of telephone contact before the start of this phase. Based on other similar studies, utilising a mixed-mode approach should maximise co-operation as a range of contact details and contact modes can be used. A response rate of 15% to 20% is reasonable to expect (i.e. an issued sample size of between c.43,000 and c.58,000 per year), with around half of respondents taking part online, and the other half taking part by telephone.

It is proposed that fieldwork is structured quarterly. Each quarter would then be used to survey people that reached the end of the police/court stage in the previous quarter. By conducting the interviewing relatively close to the interactions, this should minimise the risk of recall bias.

While data is collected on an ongoing quarterly basis, the sample sizes achieved would likely mean that only national results could be reported on quarterly. For sub-groups (e.g. geographical analysis), results would be produced based on 12 months of data (pooling together sufficient responses for more robustness).

Using this approach, a reasonably long questionnaire (up to 20-minute interview by telephone, equivalent to c.15 minutes online) could be possible. This questionnaire length would be sufficient to go beyond the MVP requirements, such as perceptions of different CJ bodies encountered. Weighting would be required to ensure the samples are representative.

The following table summarises the strengths and weaknesses of Option 1A in relation to the nine MVP criteria. A more detailed assessment is provided in [Appendix D](#).

**Table 1. Assessing Option 1A Cross-sectional random probability surveys**

Criteria	Rating	Rationale
Victim coverage	Amber	Administrative databases offer a very high level of coverage. Exclusions organisations put in place may reduce this. Also would not cover witnesses and vulnerable victims.
Journey coverage	Green	Pre-charge and post-charge stages would be covered – ensuring data is collected regarding police, CPS, HMCTS and YOTs.
Questionnaire coverage	Green	All information required by the MVP captured. There would also be scope to include additional questions.
Reporting timings	Green	Quarterly reporting of national results possible. Annual reporting for geographical-level analysis.
Geographical analysis	Green	Disproportionate sampling by geographical area should be possible. Allowing for required level of analysis.
Quality	Green	Random sample survey with steps taken to maximise response rates and sample representativity.
Burden on CJ bodies	Amber	Relies highly on WCU/CPS/police force cooperation and the set-up of data sharing agreements.
Budget	Amber	Will require a reasonably high budget.
Lead in time	Amber	Likely to be 6–12 months before data collection can start.

**Option 1B – Cross-sectional random probability surveys supplemented by open-access surveys**

Under this design, the random probability surveys outlined in Option 1A would still be conducted. In addition, open access surveys would be conducted in parallel to extend coverage of victims beyond those that can be covered in the random probability surveys.



This would aim to include victims of serious crime (Rape and Serious Sexual Offences, domestic abuse, etc) as well as vulnerable individuals, individuals entitled to enhanced rights, witnesses who qualify as victims under the Code, and parents of child victims.

As the design of random probability surveys is the same as for Option 1A, it is not repeated below. Instead, the focus below is on the open-access surveys.

A wide array of distribution channels would be required to maximise coverage and participation. This could include CJ bodies distributing the survey directly to non-vulnerable victims. Options for survey distribution could include: including survey links or QR codes in existing CJ body communications, organisations emailing or sending text messages to victims in scope with a survey link, adding a link to the survey on organisational websites, and advertising the study directly within court rooms using posters and/or flyers. Another distribution channel could potentially be via Victim Care Hubs. However, not every police force has a Victim Care Hub, different dissemination strategies such as the ones listed above would need to be adopted in these PCCs. To extend coverage to vulnerable victims, it would be necessary to engage with specialist support organisations and ask them to distribute the survey to willing participants – who would not be at risk from either harm or re-traumatisation.

However, it has been pointed out that an open access survey could potentially increase burden for CJ bodies. If standalone survey invites are sent out, this could potentially lead to some victims asking for additional updates on their case. For this reason, it is anticipated that the survey should generally only be promoted in existing communications.

Participation would primarily be via an open access online survey. However, alternative modes of data collection – such as telephone – should be offered on request. To maximise participation, the survey would need to be as short as possible. As a result, the open-access survey should only include the MVP questions. Whereas as outlined for Option 1A, the random probability surveys would allow for questionnaire coverage to be extended beyond this.

Nevertheless, based on other open access surveys, we anticipate a low level of participation to the open access survey, resulting in potential biases in collected data and unreliable sub-group analysis. In particular, it will not be possible to send targeted

reminders, as invitations will be co-ordinated by various CJ bodies, while the information on who has responded will be held by the research contractor. Survey invitations being included in existing communications also means that the research contractor would have limited control on the fieldwork period and when surveys are sent out and completed.

As a result, the open-access surveys (covering vulnerable victims, witnesses, etc.) would likely only allow for annual reporting. If participation levels in the open-access surveys are very low, it may require several years of data to be pooled together for reporting. For non-vulnerable victims, the random probability surveys would still allow quarterly reporting at the national level and annual reporting geographical-level analysis (as for Option 1A).

There are specific risks associated with open-access data collection. For instance, people can take part even if they are not eligible. Individuals can also choose to take part multiple times. In addition, the achieved sample is unlikely to be representative, as individuals can self-select into the study. If possible, it would be preferable to weight the data to compensate for observable bias. However, the approach is potentially more inclusive in that it would provide a feedback opportunity to those not covered by the random probability sample.

Given the design differences between the probability and open-access surveys in Option 1B, each approach is assessed separately in the table below (unless the same conclusion applies to both) in terms of how they meet the nine MVP criteria.

**Table 2. Assessing Option 1B Cross-sectional random probability and open access surveys**

Criteria	Rating	Rationale
Victim coverage	Amber	For the random surveys, as per Option 1A. Open access theoretically extends coverage but its effectiveness is unknown.
Journey coverage	Green	Pre-charge stage and post-charge stage would be covered – ensuring data is collected regarding police, CPS, HMCTS and YOTs.
Questionnaire coverage	Green	Random survey could go beyond MVP requirements, open survey is likely to include MVP questions only.
Reporting timings	Green	For the random surveys, as per Option 1A. For open access, may need to be annual or less frequent depending on uptake.
Geographical analysis	Green	For the random surveys, as per Option 1A. For open access, likely reporting would be on a national basis.
Quality	Amber	For the random surveys, as per Option 1A. For open access, survey samples may not be representative.

Criteria	Rating	Rationale
Burden on CJ bodies	Amber	Like Option 1A, relies on organisations supporting the distribution of the open access surveys.
Budget	Amber	Will require a reasonably high budget.
Lead in time	Amber	Likely to be 6–12 months before data collection can start.

## Option 2 – Cross-sectional open-access surveys

Two cross-sectional open-access surveys could be used to cover the first two broad stages of the CJ journey – one covering experiences during the pre-charge stage, and the other covering experiences of the post-charge stage. Reporting frequency would depend on uptake, but annual reporting is anticipated as a minimum.

Open-access surveys would need to be short because this type of survey tends to have fewer responses (compared to random probability surveys) and a longer questionnaire could further discourage responses. Therefore, the open-access surveys would only include the MVP questions.

The surveys would be primarily online, however a telephone interview would also be offered on request (via an email and/or freephone helpline). Additional options for open-access surveys (included in [Appendix D](#)) could include using a mobile app or asking people for consent to recontact. However, multiple factors would make these options likely to be of limited value, such as the likely low rates of consent, likely high attrition, and digital divide.

As outlined in Option 1B for open-access surveys, multiple channels will be used to distribute the survey invites to ensure the survey reaches as many victims as possible – potentially including CJ bodies, Victim Care Hubs, and other relevant support organisations. Because of this, agreements would need to be made with relevant organisations to signpost the survey.

Despite best efforts, the participation level is expected to be relatively low, based on previous open access surveys that have been conducted. However, this would depend on how much support the different CJ bodies would be willing and able to provide. A pilot could potentially be used to test participation levels.

Survey promotion would likely be relatively light touch as the CJ bodies and support organisations will not want to overburden victims. There will also be very little control on sample composition as respondents will self-select into the survey. As such, no specific sample size (overall, and by PCC area) could be guaranteed using this approach.

It would likely be beneficial to apply weighting to ensure that the final sample is a reasonable match to the population profile. It would likely be necessary for police forces and other CJ bodies to provide aggregated counts to use as weighting targets.

**Table 3. Assessing Option 2 Open access surveys**

Criteria	Rating	Rationale
Victim coverage	Amber	Theoretically high coverage. But depends on co-operation of CJ bodies and participating sample may not be representative.
Journey coverage	Green	Pre-charge stage and post-charge stage would be covered – ensuring data is collected regarding police, CPS, HMCTS and YOTs.
Questionnaire coverage	Green	Short questionnaire covering MVP items only.
Reporting timings	Amber	Depends on level of uptake. Anticipate annual reporting.
Geographical analysis	Red	Not possible to guarantee achievement of specific minimum sample sizes.
Quality	Red	Highly likely that data collected will not be representative of the population.
Burden on CJ bodies	Green	Personal data transfer is not required. CJ bodies would still need to cooperate to ensure the survey is advertised appropriately.
Budget	Green	Lowest cost research option.
Lead in time	Green	Likely to need c.6 months before data collection can begin.

### Option 3 – Longitudinal random probability surveys

Three waves of data collection would be required to cover the CJ journey. However, given there can be a considerable time lag between a charge being made and conclusion of the court stage, additional waves may be required.

The study would be designed to cover the 43 Police Forces in England and Wales. Police recorded crime databases would be used to sample for the recruitment wave. The sample would be limited to non-vulnerable adult victims (excluding witnesses) and data sharing agreements would be required.

A large initial 'recruitment' survey would be conducted c.12 weeks after victims have reported a crime. The target annual sample size would be of 84,500 (2,000 per force – except for City of London where the target would be 500). Samples would be issued on a monthly basis, to ensure that victims are all interviewed c.12 weeks after crime report.

Wave 2 would involve recontacting all wave 1 respondents whose case was not closed at the time of the wave 1 interview. Both waves would be analysed together to provide comprehensive data on the entire police stage of the CJ journeys.

Wave 3 would involve recontacting all previous respondents where a charge has been made relating to the reported crime. As for wave 2, the targeting should be based on the latest outcome which police forces have for each sampled case. Verian anticipates that c.2,600 interviews are likely to be possible per year. This would provide national estimates but limited sub-group analysis.

At wave 1, a response rate of between 15–20% is expected based on past relevant studies. For the later longitudinal waves, it would be reasonable to assume a response rate among the *issued sample* (eligible wave 1 respondents) of c.50% though the response rate may be lower if the lag between waves is more than a year.

The optimal timing between each survey wave would need to be investigated. However, the longitudinal design means there would be a significant lag between the study starting and data about the court stage of the CJ journey being available for reporting.

All waves would use a sequential mixed-mode (online then telephone) design, so responses would be obtained from online as many as possible. Then, this is supplemented by telephone to maximise response and minimise attrition at longitudinal waves. Each wave would be weighted to ensure that samples are representative and results robust.

The table below highlights that this longitudinal design would be expensive to implement – considerably more than the other options presented in this report. Furthermore, this design would not allow for the required granular geographic analysis at the court stage.

**Table 4. Assessing Option 3 Longitudinal random probability surveys**

Criteria	Rating	Rationale
Victim coverage	Amber	Administrative databases offer a very high level of coverage. Exclusions organisations put in place may reduce this. Also would not cover witnesses.
Journey coverage	Green	Pre-charge stage and post-charge stage would be covered – ensuring data is collected regarding police, CPS, HMCTS and YOTs.
Questionnaire coverage	Green	Across three waves MVP requirements would be met. Approach also allows for additional data to be collected.
Reporting timings	Amber	Quarterly for police stage. Annual reporting for the court stage.
Geographical analysis	Amber	Robust PCC-level analysis at police stage. Sample size achieved for the court stage likely to only allow for national estimates.
Quality	Green	Random sample survey with steps taken to maximise response rates and sample representativity.
Burden on CJ bodies	Amber	Relies highly on police force cooperation and the set-up of data sharing agreements.
Budget	Red	Would require a very large budget – due to the very large initial sample size and the multiple waves of data collection.
Lead in time	Amber	Likely to be 6–12 months before data collection can start. Longitudinal design delays when court stage data available.

#### **Option 4 – No cross-system mechanism is introduced**

MoJ could take no action and the CJ bodies would independently collect feedback from victims with no MoJ involvement.

The approaches taken by CJ bodies would likely vary significantly, as they may interpret the requirements differently or come up with different solutions.

The CPS are currently exploring different possible approaches to collecting feedback on their services. Their approach will be informed by the wider decisions that are made about a cross system survey. As such, they did not have specific details finalised at the time of the interviews. Some data to monitor Code compliance could come from existing mechanisms, including the open-text feedback form on their website.

Given that all CJ bodies would develop their feedback mechanisms independently, the major challenge would be in making comparisons between organisations or police forces. Differences in data sources, data collection methodology, and questions asked in surveys would complicate any over-arching analysis of the entire CJ journey. This could potentially

be avoided should MoJ mandate a consistent approach to use. At a minimum this should include minimum sample sizes, the data collection mode to use, and question wording.

**Table 5. Assessing Option 4 No cross-system mechanism**

Criteria	Rating	Rationale
Victim coverage	Amber	Theoretically coverage would be high, but exclusions organisations put in place may reduce this.
Journey coverage	Green	Pre-charge stage and post-charge stage would be covered – ensuring data is collected regarding police, CPS, HMCTS and YOTs.
Questionnaire coverage	Amber	Questionnaires are expected to differ between CJ bodies and might not necessarily include all the information required by MoJ.
Reporting timings	Amber	Different CJ bodies conduct their own surveys at different frequencies. Quarterly reporting unlikely.
Geographical analysis	Red	Unlikely to allow for robust geographical analysis due to different approaches used by organisations.
Quality	Amber	A risk that some of the approaches used may not be robust.
Burden on CJ bodies	Green	Should lead to little additional burden for CJ bodies.
Budget	Green	No direct costs for MoJ, but may require MoJ staff resources.
Lead in time	Green	Should be relatively fast for relevant organisations to implement.

### Optional add-ons

The different options could be supplemented as follows:

#### *Sentence stage*

Existing surveys are conducted by HMPPS among victims that receive support via VCS. The VCS team indicated that it should be possible to amend the existing questionnaire to better comply with the Victims' Code, allowing for annual national monitoring.

#### *Translations*

Options 1–4 include online mode surveys which could be offered in multiple languages. In general, only the most common spoken languages (non-English or Welsh) should be focused on.

### Implications

Having reviewed the five options against the MVP criteria, Option 1A is the suggested approach as it achieves a good balance between the MoJ needs (victim coverage, sub-group comparison, etc.) and practical factors (lead-in time, budget, etc.). If it is critical

to extend victim coverage, then open-access surveys (Option 1B) can be added. In making this suggestion it is assumed that sufficient budget will be available, and that the requirements for data sharing with CJ bodies can be met. Both Options 1A and 1B can easily be extended to cover VCS through the existing HMPPS survey.

### **Possible future option**

Some police forces are in the process of developing new digital platforms to improve communication with victims and there is potential for feedback mechanisms to be built into these. However, as this approach is not adopted by all forces and other CJ bodies, it would not be possible to collect consistent data from the whole CJS journey in this manner at present. Also, these are digital only and would likely exclude some victims. Past studies indicate that those who are over the age of 65 or economically inactive are most likely to be offline.

As such, this approach is not yet at a stage to utilise for research purposes. However, the feasibility should be revisited in the future to determine if the limiting factors have been resolved.



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## Appendix A

### Key implications

The main parameters of the feedback mechanism were that it should provide a clear cross-system view of all CJ bodies under the Code compliance duty (police, CPS, HMCTS, HMPPS, YOTs) and the victim rights they are required to deliver. The mechanism needs to provide insight directly from all victims on their experience of the CJS, particularly of Code compliance, and at different stages of the CJS journey.

Drawing on findings from all stages of the feasibility study, this section provides Verian's proposals and suggestions for the development of a new feedback mechanism.

#### Overall design

- Existing victim feedback mechanisms are unlikely to fully meet MoJ needs and Verian therefore proposes setting up a new cross-CJS feedback mechanism. This should cover the pre-charge and post-charge stages, collecting data relating to the following organisations: police, CPS, HMCTS and YOTs.
- It will not be practical to cover the sentence stage due to the limited available sample and existing research already being conducted with this group. It is suggested that this stage is covered by building on the existing Victim Contact Scheme (VCS) feedback mechanism which could be modified to meet the aims of the cross-CJS mechanism.
- It is suggested to use random probability methods to generate the sample as this will lead to the highest quality data. The sample for a random probability survey would need to be drawn from police databases and/or the WCU/CPS database following a specification supplied by the survey contractor.
- MoJ will need to engage with data owners at an early stage to plan out the detailed requirements, as the data sharing process is likely to be complex and lengthy. A substantial lead-in time (at least 6–12 months) should be allowed for development and set-up.

### **Sample size and sample coverage**

- Stakeholders are keen that the cross-CJS mechanism covers all victims. However, in practice the core mechanism should primarily focus on non-vulnerable adults<sup>13</sup> given data access challenges and the sensitivity and safeguarding constraints involved in drawing a sample of more vulnerable adults such as rape and serious sexual offences (RASSO), domestic abuse victims, children etc. (see below).
- It will be possible to include more vulnerable victims via add on open-access surveys (see below). Whilst this is likely to result in lower quality data it would allow victims from these groups to be included whilst overcoming safeguarding and other practical challenges that exist.
- Verian suggests that witnesses are excluded given information from stakeholders that only a small proportion qualify under the Victims' Code and data sources for sampling appear limited. Other groups that could be considered for exclusion include victims with more atypical CJS interactions such as fraud victims, who would potentially require a more bespoke feedback tool.
- Victims reporting fraud via Action Fraud would not be covered by the new feedback mechanism, but fraud reported directly to a police force would still be in scope for the study.
- MoJ require results to be analysed by geographical area. As a minimum, a target of 200 interviews annually for each region that requires standalone reporting (maximum 95%CI of +/-7%pts) is suggested. If the budget allows, it would be beneficial to target larger sample sizes to improve the precision of survey estimates.

### **Data access for a random probability sample**

- Most CJ bodies have databases which could potentially be used for sampling, although quality of contact and profiling details vary in accuracy and completeness. While it is in principle possible for samples to be supplied, access and data sharing agreements would need to be negotiated for each party separately. This would be a lengthy and complex process (at least 6–12 months)

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<sup>13</sup> By adults we mean aged 18+.

and agreement cannot be guaranteed in all cases, for example due to sensitivity objections and resource constraints.

- Due to the above, it would be preferable for each CJ body to conduct the sampling themselves, based on a detailed specification supplied by the survey contractor. MoJ would need to provide support given resourcing constraints within agencies.

### **Data collection coverage, timing and frequency**

- Data collection should cover all rights within the Code. There is good coverage of questions relating to Code rights across existing victim surveys that can be used as a starting point for question development.
- Victims should evaluate their experiences following each stage of the CJ journey rather than retrospectively across the whole CJS. The fieldwork design should aim to interview victims close to when they reach the end of each CJS stage. This means that data collection will be as close to ‘real time’ as possible, minimising the risk of recall bias.
- More regular feedback – collected regularly throughout each CJS stage – would have significant downsides. It would require longitudinal data collection in order for complete data to be collected for each victim – adding significant cost and complexity. There would also be logistical difficulties associated with more frequent sample issue and overlapping fieldwork periods.
- While close to ‘real time’ data is preferred, data should be collected after an appropriate pause to allow victims time to process potentially traumatic events. An interval of 6–12 weeks is proposed dependent on survey design.
- Sufficient survey pre-testing and development is required to address the extensive questionnaire challenges identified as part of our scoping work (see [Appendix I](#) for a proposed design). Challenges include difficulty separating out views on experiences of individual agencies vs overall case outcome, a lack of understanding of the individual agencies, and isolating the experiences of individual crimes for victims who have experienced multiple crimes within the chosen reference period.
- Co-design with victims is also suggested as part of the questionnaire development process to ensure that victims’ views and concerns are

incorporated. As part of the data collection, victims should have an opportunity to provide feedback in their own words via a single, optional, free text question at the end of each survey interaction.

### **Data collection mode and length, and maximising inclusion**

- Online surveys are better suited to capture more sensitive information and measures which are susceptible to social desirability bias, while telephone interviews have the benefit of interviewers to support, motivate and provide clarification.
- Overall, a flexible mixed-mode (e.g. online/telephone) approach is proposed as this will increase choice, accessibility, inclusion, and response rates. To reduce mode effects, questions for different modes should be designed to be equivalent.
- We propose a sequential mixed-mode design which would allow victims to choose the mode of response that best suits them. During the first phase victims would be invited to take part online. At this point in time, they could also request a telephone interview or opt out of the study. The second phase would consist of a telephone follow-up for non-responders. This approach would be adapted for vulnerable victims (see below).
- If an open access link is used for any part of data collection, there is also the potential to use online survey tools such as a mobile app, or tablets available on site (e.g. in courts).
- It is proposed that maximum interview lengths are 15 minutes for online and 20 minutes for telephone (shorter if open access to maximise participation and minimise drop-out). A balance is required in terms of content coverage and avoiding respondent burden/ traumatisation. A simple feedback tool limited to Code compliance measures will minimise burden but provide limited insight to inform service improvement that stakeholders have expressed a preference for.
- The survey should be fully accessible to maximise inclusion among victims with disabilities, language/literacy difficulties, and the digitally excluded. Involving trusted third-sector agencies will help maximise inclusion for the most vulnerable. Translation of the survey into the most common non-English languages will widen access further.

- Financial incentivisation to boost participation is not suggested as this is regarded by stakeholders as inappropriate in this specific context.

### **Safeguarding and ethics**

- Although this will lead to a more self-selecting, less representative sample, an opt-in/open access approach is the preferred route for the most vulnerable, given data access constraints and because this avoids the safeguarding risk associated with unsolicited contact. These victims could be provided with a link to the survey and partner organisations could support and promote the survey across their communications, websites, social media, and within safe public spaces.
- Suggestions for safeguarding the more vulnerable (e.g., victims who live with a perpetrator) include: screening to ensure the victim is safe to continue; keeping survey communications opaque and non-specific; quick 'safety exit' routes from the survey; using specialised support services to interview the most vulnerable (e.g. face-to-face or by video); avoiding inclusion of survey participation in browser or search histories; and clear signposting to support services.
- Transparency is critical to ensure that: i) participation is based on informed consent; ii) victims understand that participation will not negatively impact their case; and iii) victims understand how their feedback will be used. On the latter point, participants should be provided with links to published data and actions taken, while managing expectations around what impact is achievable and within what timescale.

### **Stakeholder engagement**

- Stakeholder engagement is critical for the success of the new feedback mechanism and there is a need for close collaboration and joint decision-making across all CJ bodies.
- Verian proposes regular engagement/update sessions throughout the project targeted at staff of various levels. There is also a need to factor in the resources that CJ bodies will require for sample data preparation and Code compliance monitoring.

## Appendix B

### Victim Code rights

The [Victims' Code](#) sets out the minimum level of service that victims of crime should receive in England and Wales.

Under the Code, there are 12 key rights for victims:

1. To be able to understand and to be understood
2. To have the details of the crime recorded without unjustified delay
3. To be provided with information when reporting the crime
4. To be referred to services that support victims and have services and support tailored to your needs
5. To be provided with information about compensation
6. To be provided with information about the investigation and prosecution
7. To make a Victim Personal Statement (VPS)
8. To be given information about the trial, trial process and your role as a witness<sup>14</sup>
9. To be given information about the outcome of the case and any appeals
10. To be paid expenses and have property returned
11. To be given information about the offender following a conviction
12. To make a complaint about your rights not being met

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<sup>14</sup> Updates in the draft new Victims' Code clarify that witnesses are eligible to receive certain services under the Code if they have suffered harm as a direct result of witnessing criminal conduct.



## Appendix C

### Glossary of key methodological terms

Confidence interval	<p>A measure of precision for survey estimates. It gives a range of results that is likely to include the ‘true’ value for the population. A narrower confidence interval is preferred, meaning that the estimate is more precise.</p> <p>For example, if a survey was repeated 100 times using exactly the same sample design (same sample size, sampling technique, etc.) and we calculated the 95% confidence intervals for each of these 100 samples, we would expect the true population parameter to be included in the confidence intervals generated for 95 of these 100 samples.</p>
Cross-sectional survey	<p>A type of survey where data is collected from different individuals at a single point in time. Should there be multiple waves, each survey wave returns to different sets of individuals.</p>
Design effect	<p>A number that quantifies the impact of weighting on the precision of survey estimates. It is the ratio of the achieved sample size for the survey to the sample size of a simple random sample (where every possible sample has an equal probability of being selected and no systematic survey nonresponse happens) that would offer estimates of the same level of precision.</p> <p>A design effect of 1 means that the survey offers the same precision as the simple random sample. A design effect greater than 1 means that the survey weighting leads to some loss in the precision of the estimates.</p>
Disproportionate stratified sampling	<p>A sampling technique where the population (in the sample frame) is split into non-overlapping groups (also referred to as strata). Different sampling probabilities can then be applied to each strata when the sample is drawn. This means specific sub-groups can be over-represented in the sample to allow for robust standalone analysis (e.g. smaller PCCs).</p>
Longitudinal survey	<p>A type of survey where data is collected from the same set of individuals over time.</p>
Mixed-mode	<p>Using two or more different modes to collect survey data. Some commonly used survey modes in a mixed-mode design are face-to-face, telephone, online and paper.</p>
Non-probability survey	<p>A type of survey which does not use scientific survey sampling, such as an open-access survey – where any individual can theoretically choose to take part. The probability of a specific individual being selected in the survey is not known, meaning that</p>

	weights compensating for the sample design cannot be generated. Results from such surveys tend not to be representative of the population.
Pre-charge	Mainly consisting of reporting the crime and any police investigation.
Post-charge	After the charge decision is made and up to the point of handing down the final court sentence.
Probability survey	A type of survey where a group of individuals is randomly selected from the entire population. This approach requires database(s) with the entire population to be used as a sampling frame. The probability of a specific individual being selected is known and this allows weights to be derived to compensate for the sample design. Results from such surveys are more likely to be representative of the population than from a non-probability survey.
Sentence	From when the sentence is handed down until its completion, including time in prison or on probation.
Sequential mixed-mode	A type of mixed-mode design where different modes are offered to respondents in a sequence. Modes are typically ordered by data collection cost – starting with the cheapest and ending with the most expensive – to minimise the overall cost of data collection.
Weighting	<p>A statistical technique used to adjust a survey sample to make it more representative of the population (i.e. to reduce bias). This tends to be at the expense of precision (i.e. wider confidence intervals for survey estimates).</p> <p>It works by assigning different numeric values to individuals in the data to increase/decrease their contribution to the survey estimates if they are under-/over-represented in the collected data.</p>

## Appendix D

### Detailed research options

In this appendix, additional details are provided for each of the five options MoJ may want to consider for monitoring Code compliance.

This appendix also includes a more detailed assessment of the research options against the nine MVP criteria set out below to highlight their relative strengths and weaknesses. These criteria include factors related to meeting the requirements of the Code compliance duty, as well as other factors which may affect which option MoJ decides to pursue.

- **Victim coverage** – The mechanism should include victims of crime – excluding those where specific adjustments would be needed to survey them in a sensitive and considered way (e.g. safeguarding).
- **Journey coverage / organisations included** – the mechanism must cover interactions with CJ bodies which victims had during the pre-charge stage (crime report and investigation), and the post-charge stage (after a charge is made but before sentence). This will ensure that there is relevant data to the police, CPS, HMCTS and YOTs.
- **Questionnaire coverage** – At a minimum, the mechanism would utilise a short questionnaire capturing data relating to:
  - Awareness of the Victims’ Code and the delivery of Victims’ Code rights.
  - Profiling information: high level demographic information and crime type.
- **Reporting timings** – National estimates are to be generated on a quarterly basis, results broken down for sub-populations (e.g. by geographic area) should be possible on an annual basis.
- **Geographical level of analysis possible** – able to disaggregate findings at the following levels: police (43 areas), HMCTS (7 areas), CPS (14 areas), YOTs (nationally). It should be noted that ideally MoJ would aim to conduct YOT analysis at a more granular level (at aggregated force level). However, as set out in section 4.3 of the report this would not be viable.

- **Budget** – The options presented are at a range of different price points. The available budget for the new feedback mechanism may (i) rule out some of the designs, or (ii) necessitate changes in specification. For instance, this could include a reduction in the sample sizes that can be achieved although such a change would mostly affect the degree to which robust sub-group analysis (e.g. by geography) can be conducted.
- **Burden on CJ bodies / police forces** – Some research options are reliant on obtaining co-operation and support from CJ bodies. For instance, to help promote the study, or in providing personal details from administrative databases as the survey sample. It is important to consider the level of burden, and to be aware that if the support is not forthcoming, it may not be possible to fully operationalise some of the research designs.
- **Lead-in time** – the most appropriate research design may depend on when MoJ require the new research mechanism to be in place. Some research designs would require significant input and support from CJ bodies. It is anticipated that this may need a reasonably lengthy set-up phase to obtain co-operation. This delay may rule out some of the research designs.
- **Quality** – since the victim feedback mechanism will be very high profile; it is important that the data delivered is robust.

## Option 1A – Cross-sectional random probability surveys

This approach would offer robust survey results and should allow for the MoJ geographical-level analysis requirements to be met. These benefits, however, come with a relatively high cost and a long setup time.

### Research design

This option would require two standalone cross-sectional random probability surveys to cover different stages of the CJ journey for non-vulnerable adult victims:

1. One at the end of the pre-charge stage
2. One at the end of the post-charge stage

The sample would be drawn from cases that have concluded the main engagement with the CJ bodies at that stage (e.g., police drop the investigation due to lack of evidence, police refer the case to CPS for charging, an outcome/verdict is reached at court, or the prosecution is dropped).

It is proposed that fieldwork is structured by quarter. Each quarter of fieldwork would then be used to survey people that reached the end of the pre-charge/post-charge stage in the previous quarter. By conducting the interviewing relatively close to the interactions, this should minimise the risk of recall bias.

While data is collected on an ongoing quarterly basis, the sample sizes achieved (outlined in more detail later in this section) would likely mean that only national results could be reported on quarterly. For sub-groups (e.g. geographical analysis), results would be produced based on 12 months of data (pooling together sufficient responses for reasonably robust estimates).

Under this research design, it would be possible to use a reasonably long questionnaire (up to 20-minute interview by telephone, equivalent to c.15 minutes online). This would allow for the questionnaire to go beyond the MVP requirements and to include other useful information such as perceptions of different CJ bodies encountered.

### **Sample frames / data access**

The sampling would be limited to non-vulnerable adult victims. The sample for the **pre-charge stage** survey would be drawn from the police recorded crime databases held by the 43 territorial police forces in England and Wales. This would require data sharing agreements to be signed with the NPCC, and/or individual forces. It is anticipated that considerable involvement from MoJ would be required to get the agreements and documentation in place. This process is expected to take 6 months or more (potentially up to 18 months if pre-requisites such as data sharing agreements are not in place). Based on previous studies, not all forces are likely to be co-operative to begin with. This may mean that the survey needs to begin with just a sub-set of forces covered and for coverage to be expanded to all forces over time.

To offer comprehensive coverage of the population, the sample for the **post-charge stage** could come either from the main CPS database or from the subset provided to WCUs.

Both databases would require further exploration when determining the optimal sample source to use. As noted in section 4.3, accessing these databases cannot be guaranteed as multiple factors need careful consideration (sufficient legal basis for data access, having the correct data protection arrangements in place, and CJ bodies being adequately resourced for the task, obtaining consent and appropriate timing for requesting feedback with respect to the stress and trauma many victims may feel at this stage).

As part of this research design, witnesses would not be included in the survey sample. This is due to the complications set out in section 4.3 – relating to sampling and screening for witnesses that qualify as victims under the Code.

### **Sampling strategy**

Using administrative databases to draw the sample offers clear benefits. In particular, the selected sample can be structured to meet MoJ sub-group analysis requirements as closely as possible.

A disproportionate stratified sample should be selected from the police recorded crime databases for the pre-charge stage and from the CPS/WCU databases for the post-charge stage. This would allow a disproportionate sample to be drawn to ensure that the target number of interviews for each geographical area can be closely met. When designing the sample, it would also be prudent to check the distribution of crime types. If some of these have very small population sizes, then they could also potentially be boosted when drawing the sample.

CJ bodies that agree to prepare the sample extract for the MoJ feedback would draw the survey samples themselves based on a specification supplied by the survey contractor. They would then only transfer personal details for the specific cases selected for the study to the contractor. As well as transferring the sample to the survey contractor, these CJ bodies would need to transfer aggregate population counts to use as weighting targets.

To minimise respondent burden, the survey contractor is likely to need to review the sample selected each quarter and check for duplicates against previous quarters. An individual should not be invited to a survey more than once in any given 12-month period. Although, an exception might need to be made to allow individuals that took part in the pre-charge stage survey to also be sampled for the post-charge stage survey. This would

need to be agreed between MoJ and the survey contractor once sample files have been shared. Allowing the survey contractor to sample those victims would make it theoretically possible to track the views of the same victims from one stage to the next. However, the number of individuals participating in both surveys would likely be very low and not allow for robust longitudinal analysis. Furthermore, it should be noted that the different CJ databases do not allow for data to be linked easily. The setup of different databases (e.g., information captured and its coding) and data quality (e.g., missing data) would determine the effectiveness in identifying the same victims.

### **Survey mode and contact strategy**

A sequential mixed-mode survey design is proposed. It means that there would be an initial push-to-web phase – whereby sampled victims are contacted and asked to respond online, and then remaining non-respondents would be followed by telephone interviewing. This would allow respondents to choose their preferred mode of response. During the web phase, individuals could also request a telephone interview or opt out of the telephone data collection.

To maximise co-operation, a range of contact details and a comprehensive reminder strategy should be used at the initial online stage. Depending on the contact details available for each victim, initial invitations would be sent by letter, email or SMS. There would then be up to two letter reminders, and up to four SMS and/or email reminders. The suggestion is to leave at least a week between letter reminders and at least three days between SMS/email reminders. This is designed to not overburden victims while still allowing each reminder time to have an effect.

The telephone interview phase would begin 3–4 weeks after the push-to-web phase. Online data collection would be kept open to allow people the flexibility to still take part online. To maximise response rates, the telephone phase should be at least six weeks long.

### **Indicative response rate**

Based on other similar studies, a response rate of 15% to 20% is reasonable to expect, with around half of respondents taking part online, and the other half taking part by telephone.

### **Sample sizes and margins of error**

This research design is based on c.8,600 complete interviews achieved over a year for each of the two surveys (i.e., 8,600 interviews at the pre-charge stage and a further 8,600 at the post-charge stage – considering the response rates above, it means an issued sample size of between c.43,000 and c.58,000 per year for each of the two stages). The number of completes is based on targeting an achieved sample size of 200 interviews for each of the 43 English and Welsh PCCs (including City of London). This target number of interview is chosen as the minimum sample size that would be viable to generate robust annual estimates for each PCC area (with maximum 95% Cis of  $\pm 7\%$ pts). However, if the budget is available, increasing the target number of interviews further is suggested. This would allow for more robust comparisons to be made between different areas. A larger sample size (of 500 per PCC) has been provided as an additional option later in this section.

Verian has estimated the sample sizes that would be achieved for the study overall, and for different sub-groups (PCC areas, broad crime type, and key demographics). These are presented below, along with the maximum 95% Confidence Intervals for overall estimates generated for each sub-group. It should be noted that the disproportionate sampling by PCC (and the weighting compensating for this) will affect the precision of estimates. Based on police recorded crime data for 2021–2022 available from police.uk, Verian has estimated that the disproportionate sample design will have a design effect of c.2 relative to a fully proportionate sample design. This design effect has been taken into account when calculating the Confidence Intervals presented below.

On this basis, overall annual national estimates would have maximum 95% Cis of  $\pm 1.6\%$ pts, while quarterly national estimates would have maximum 95% Cis of  $\pm 3.1\%$ pts.

For police forces, across a year 200 interviews would typically be achieved – this would offer estimates with maximum 95% Cis of  $\pm 7\%$ pts.

When it comes to crime type, Verian has estimated the number of interviews that would be achieved at the **pre-charge stage** for different broad categories using data published on police.uk. It should be noted that these figures do not fully reflect some of the exclusions that police forces might make ahead of sample transfer. Nevertheless, these should



provide a reasonable indication of the interview numbers that may be achieved. The figures are shown in the following table alongside estimates for the maximum 95% Confidence Intervals for each sub-group.

**Table 6. Estimated interviews per annum and margins of error for crime type (Option 1A)**

	Estimated n of interviews	Estimated maximum 95% Cis
Violence	3,881	±2.3% pt
Robbery	141	±12.3% pt
Residential burglary	349	±7.8% pt
Vehicle theft offences	741	±5.3% pt
Theft from the person	198	±10.3% pt
Other theft	1,059	±4.5% pt
Criminal damage	959	±4.7% pt
Public order offences	1,050	±4.5% pt
Miscellaneous	222	±9.8%pt

Public data on the demographic profile of victims of *police recorded crime* are not available. As such, Verian has used the latest published CSEW micro data (2019–2020) to obtain the profile of (self-reported) victims as a proxy. This profile has been used to generate estimated sample sizes that might be achieved with different demographic groups. Estimates are presented in the table below.

**Table 7. Estimated interviews per annum and margins of error for demographic profile of victims (Option 1A)**

	Estimated n of interviews	Estimated maximum 95% Cis
<b>Sex</b>		
Male	4,302	±2.2% pt
Female	4,298	±2.2% pt
<b>Age</b>		
16–24	1,492	±3.8% pt
25–44	3,336	±2.5% pt
45–64	2,757	±2.8% pt
65–74	673	±5.6% pt
75+	341	±7.9% pt

	Estimated n of interviews	Estimated maximum 95% Cis
<b>Ethnicity</b>		
White	7,170	±1.7% pt
Non-white	1,430	±3.8%pt

### Weighting

Weighting will be required to ensure the samples are representative and that the findings are as generalisable as possible. At a minimum, weighting will be needed to compensate for the disproportionate sample design and systematic non-response.

Weighting targets would be based on counts from the databases used to draw the sample. Before deciding on a final weighting approach, it will be important to quality assure the information available and only use variables which are likely to be of sufficient accuracy. For instance, while police databases tend to hold some demographic information, feedback from some other studies suggests this may not be sufficiently complete or accurate for use in weighting. Nevertheless, at a minimum, weighting would include PCC area, crime type, outcome, date (crime reported, or when case referred to CPS).

### Possible add-ons for Option 1A

If budget allows, a **larger sample size** would allow for more robust sub-group analysis. As an example, Verian has provided indicative details relating to a survey targeting an annual sample size of 500 for each PCC area at both the pre-charge survey and the post-charge survey. This would improve the precision of all estimates. Typically, the margins of error would be c.63% of the size that they would be under the 200 interview per PCC design. For example, for PCC level analysis the maximum 95% Confidence Intervals with 500 interviews would be ±4.4%pts (compared with ±7%pts for 200/PCC).

There are two other possible add-ons relating to **translations** and covering the **sentence stage**. They could also be used alongside Option 1B, 2 and 3 and further details are included at the end of this chapter.

**Assessing Option 1A against MVP****Table 8. Option 1A Cross-sectional random probability**

<b>Criteria</b>	<b>Rating</b>	<b>Rationale</b>
Victim coverage	Amber	The use of administrative data should offer a very high level of coverage of non-vulnerable adult victims (excluding witnesses). However, the exclusions organisations put in place (for sample they are using for other purposes, or vulnerability flags) may reduce coverage. In addition, there is a risk CPS, WCU and police forces do not all co-operate. In particular, if not all forces co-operate (in time) the initial surveys may not have full national coverage.
Journey coverage / organisations included	Green	The pre-charge stage and post-charge stage would both be fully covered – ensuring data is collected regarding police, CPS, HMCTS and YOTs
Questionnaire coverage	Green	The questionnaires will be sufficiently long to cover all information required by the MVP. There will also be scope to include additional questions beyond the MVP (e.g., perception of different CJ bodies encountered).
Reporting timings	Green	This approach would enable quarterly reporting of national results. Annual reporting would be possible for geographical-level analysis.
Geographical analysis	Green	The administrative data used to draw the sample contains information that could be used to structure the sample and help ensure sufficient interviews are achieved for the geographical analysis required.
Quality	Green	The data collected will be based on a random sample and steps will be taken to maximise response rates and sample representativity. This will ensure data is of a high quality and that results are generalisable.
Burden on CJ bodies / police force	Amber	The successful implementation of the surveys relies highly on CPS/WCU/police force cooperation and the set-up of data sharing agreements. There is no guarantee that data access would necessarily be granted by all forces / WCU / CPS.
Budget	Amber	This approach would require a reasonably high budget (depending on target sample sizes).
Lead in time	Amber	Likely to require significant time and effort during the set-up phase to negotiate access to databases, put in place data sharing agreements, and to work with forces/WCU/CPS on data extraction and transfer. This may mean that there is a period of 6–12 months before data collection can start.

## **Option 1B – Cross-sectional random probability surveys (as per Option 1A) supplemented by open-access surveys**

Under this design, the random probability surveys outlined in Option 1A would still be conducted. In addition, open access surveys would be conducted in parallel to extend coverage of victims beyond those that can be covered in the random probability surveys.

This would aim to include victims of serious crime (RASSO, domestic abuse, etc) as well as vulnerable individuals, individuals entitled to enhanced rights, witnesses who qualify as victims under the Code, and parents of child victims. However, as set out below it cannot be necessarily guaranteed that survey invitations would reach all of these groups.

The design of the open-access surveys in Option 1B is given below. For the parallel random probability surveys that also form part of Option 1B, the design and approach would remain exactly the same as outlined previously for Option 1A and this information is therefore not repeated below.

### **Distribution**

A wide array of distribution channels would need to be used to maximise participation. This could include CJ bodies distributing the survey directly to victims as part of their existing communications (e.g., including a QR code or survey link in letters, or the link in any text message sent to victims). However, undertaking this task could potentially be burdensome for CJ bodies as some victims might ask for additional updates on their case if standalone survey invites are sent out. For this reason, it is anticipated that the survey should generally only be promoted in when contacting victims for their case updates. The Victim Care Hub in at the PCC level could also be involved in survey distribution. However, given that not every PCC has a Victim Care Hub, different dissemination strategies would need to be adopted in those PCCs.

However, it is expected that these organisations might not always be willing to target communications at vulnerable individuals and victims of the most serious crimes – due to risks of harm and re-traumatisation. They may however be willing to advertise the survey in this way to witnesses and parents of child victims.

To extend coverage to vulnerable victims, it would therefore likely be necessary to engage with specialist support organisations and to ask them to distribute the survey to willing participants. The organisations would be responsible for the distribution, and may likely only distribute the invitation to individuals that have previously indicated that they are happy to participate in research, or that have been identified as being at low risk of re-harm or re-traumatisation.

This could be further supplemented by including links to the survey on CJ websites and social media. For the post-charge stage, there is also the potential to advertise the study using posters or flyers, or to have tablets in court rooms allowing people to respond.

The distribution could not be fully targeted – so it is likely that respondents would not just be from the vulnerable groups excluded from the random probability surveys.

### **Survey content and mode**

As for the random probability survey, the use of two separate surveys is proposed: one covering the pre-charge stage, and one covering the post-charge stage. These surveys would be left open on an ongoing basis.

To maximise participation in the open-access surveys, it is suggested that the surveys should be as short as possible. It would be beneficial to advertise the surveys as being very short and this would also minimise drop-out during the questionnaire. It is therefore suggested to only include the key MVP questions in the open-access surveys. As outlined previously, the questionnaire used for the random probability survey would be longer and could capture additional information.

Participation would primarily be via an open-access online survey. However, alternative modes of data collection – such as telephone – should be offered on request to ensure participation from those with no internet access, as well as those with low literacy levels and visual impairments.

In the first year of the survey, any victim should be allowed to participate even if their experience relates to a crime which occurred a number of years ago. From the second year of the survey, it would be beneficial to only ask victims about crimes where they have had contact with a CJ body in the last 6 months. This would be required to track change

over time – if victims kept providing information about older crimes it would be hard to identify change.

### **Sample sizes**

Despite best efforts, there are no guarantees as to how well an open-access survey would perform. Part of the reason is that it would not be possible to send targeted reminders – as these reminders would have to be sent via the individual CJ bodies when a targeted approach would require information held by the research contractor. Also, as the survey invitations would be included in existing communications, the research contractor would have limited control on the fieldwork period and when surveys are sent out and completed. Therefore, it would be particularly important to pilot data collection before the launch of the main study to get an indication of participation levels.

Even in a best-case scenario, it is unlikely that sufficient sample sizes would be generated for geographical-level analysis to be conducted of vulnerable populations. It is likely that results could be reported on at an overall level only. If participation levels are very low, it may require several years of data to be pooled together.

### **Data quality**

There are specific risks with open-access data collection. For instance, people can take part even if they are not eligible, and individuals could also choose to take part multiple times. In addition, the achieved sample is unlikely to be representative, as individuals are able to self-select into the study. This means that it is likely that only the most engaged participate.

Given these issues, it is suggested that this sample should be kept separate from the random probability sample for reporting purposes.

### **Weighting**

If possible, it would be preferable to weight the data to compensate for observable bias. This would be reliant on CJ bodies sharing aggregated data for the specific vulnerable populations covered.

**Other add-ons**

As for the other research options, **translations** could also be offered, and the **sentence stage** could be covered by building upon the existing VCS feedback mechanism. Further details are included at the end of this chapter.

**Assessing Option 1B against MVP**

**Table 9. Option 1B Cross-sectional random probability and open access**

Criteria	Rating	Rationale
Victim coverage	Amber	<p>The use of administrative data should offer a very high level of coverage of non-vulnerable victims. However, there remains a risk that not all forces co-operate in time, which may mean that the initial surveys may not have full national coverage.</p> <p>The open survey would nominally extend coverage to vulnerable victims, witnesses, and other groups. However, without a well-developed and extensive distribution strategy this may not be all that effective. In particular, there is a risk that victims that choose to take part in the open-access survey are not representative of the population.</p>
Journey coverage / organisations included	Green	The pre-charge stage and post-charge stage would both be fully covered – ensuring data is collected regarding police, CPS, HMCTS and YOTs
Questionnaire coverage	Green	<p>The questionnaires will be sufficiently long to cover all information required by the MVP.</p> <p>There will also be scope to include additional questions beyond the MVP in the random probability survey (not the open-access survey).</p>
Reporting timings	Green	<p>For the random probability surveys – quarterly reporting of national results would be possible, and annual reporting for geographical-level analysis.</p> <p>For the open-access survey – reporting of overall results may be possible annually, but it may also require multiple years of data to be pooled together.</p>
Geographical analysis	Green	<p>For the random probability surveys – the administrative data used to draw the sample contain information that could be used to structure the sample and help ensure sufficient interviews are achieved for geographical analysis.</p> <p>For the open-access surveys – It is expected to produce national results only.</p>

Criteria	Rating	Rationale
Quality	Amber	Random probability data will be of a high quality and results will be generalisable.  The open-access survey samples may not be representative of the population. Results may be biased despite attempts to compensate for bias via weighting.
Burden on CJ bodies / police force	Amber	The successful implementation of the surveys relies highly on CPS/WCU/police force cooperation and the set-up of data sharing agreements. There is also no guarantee that data access would necessarily be granted by all forces / CPS / WCU.  Organisations may also not all support the distribution of the open-access surveys.
Budget	Amber	This approach would require a reasonably high budget (depending on target sample sizes).
Lead in time	Amber	Likely to require significant time and effort during the set-up phase to negotiate access to databases, put in place data sharing agreements, and to work with forces/WCU/CPS on data extraction and transfer. It means that there may be a period of 6–12 months before data collection can start.

## Option 2 – Cross-sectional open-access survey

There are certain scenarios in which this may be the most viable research option for MoJ. In particular, open-access surveys would be relatively low cost, take a relatively short period of time to implement, and not require personal data to be transferred to a survey contractor.

However, there are certain limitations compared with the other research designs presented in this document. There is a greater risk of bias due to the open nature of the design. It would also not be feasible to guarantee specific sample sizes would be achieved.

### Research design

Two cross-sectional open-access surveys would be required to cover the first two broad stages of the CJ journey:

1. One covering experiences during the pre-charge stage.
2. One covering experiences during the post-charge stage.



Individual victims would be able to participate in both surveys where it is relevant to their experience.

The surveys would be left-open on an ongoing basis. Reporting frequency would depend on uptake of the survey, but Verian would anticipate it would be annual at a minimum.

An open-access survey would need to be short to encourage participation because this type of survey tends to have fewer responses (compared to random probability surveys) and a longer questionnaire could further discourage responses. Thus, under this research design, the survey would likely include the MVP questions only.

This approach would consist of two standalone ad hoc surveys and would not generally allow for individuals to be tracked across both surveys.

### **Sample frames / data access**

As this would be an open-access approach, formal sample selection would not be required. Nevertheless, a range of distribution channels would need to be identified and developed to ensure that the survey reaches as many victims as possible. More detail on this is provided in the following sub-section.

Agreements may also be required for aggregated data to be transferred from police / CJ bodies to the survey contractor to use as weighting targets for the final survey data.

### **Survey mode and contact strategy**

The surveys would be primarily online. However, a telephone interview would also be offered on request (via an email and/or freephone helpline). This would help maximise engagement and coverage of those with no internet access, as well as those with vision impairment or low literacy levels.

Agreements would need to be made with CJ bodies to ask them to signpost the survey to victims. These agreements would take some time to put in place, and that co-operation should not necessarily be assumed (due to capacity constraints in CJ bodies and their doubt on the representativeness of results from open-access surveys). Therefore, it is suggested that engagement with CJ bodies should begin as early as possible. This would give them time to understand the purpose of the new feedback mechanism and to

disseminate information about the study to all relevant teams throughout their organisation.

Options that should be investigated for survey distribution include: advertising survey links in existing communications used by CJ bodies, organisations emailing victims in scope with a survey link, adding a link to the survey on organisational websites, advertising the study directly within court rooms using posters, flyers and/or tablets, and involving the Victim Care Hub (in PCCs where they exist) in the survey distribution. It would also likely be beneficial for the survey to be advertised more widely on the internet – e.g. on gov.uk and using government social media accounts.

While an open access link would theoretically allow both vulnerable and non-vulnerable victims to participate. Based on previous studies, some police forces are expected to be reluctant to distribute the study to victims of very serious crimes (e.g. RASSO and domestic abuse) due to risks of harm and re-traumatisation. To maximise coverage, it would also be beneficial to approach support organisations and ask them to disseminate the invitations to their users as well.

The survey promotion would likely be relatively light touch as the CJ bodies and support organisations will not want to overburden victims and to implement complex contact procedures.

Ideally respondents would be invited to participate in each survey once they have reached the end of each stage. In addition, it would be beneficial to interview them relatively close to when they reached the end of each stage to minimise recall issues. However, given the nature of an open-access survey this level of control is unlikely to be feasible. As such, some responses may be about events that happened a long time ago, and others may provide a response before they have reached the end of their CJ journey.

While it would be an option to ask people about the status of their case and the dates of events and to screen them out on this basis, this is not suggested. People that want to provide feedback would likely be dissatisfied to be told that MoJ do not want to hear about their views and experience. However, when it comes to analysing data, it is suggested to produce filtered results limited to those with recent experience. This would make it easier

to monitor change over time. Overall results based on all responses could also be generated in addition.

### **Indicative response rate**

The participation level is expected to be relatively low.<sup>15</sup> This is because despite best efforts, not all victims are likely to find out about the survey. In addition, promotion will be relatively light touch as reminders are unlikely to be used.

It is not possible to calculate a formal response rate for an open-access survey of this type. Given the many different channels used for survey promotion, there is not a way of capturing the number of eligible victims who have been exposed to a survey invitation to use in the calculation.

### **Sample sizes**

The total number of interviews achieved using an open-access approach is likely to be relatively low. There will also be very little control on sample composition as respondents will self-select into the survey. As such, it is not possible to guarantee that a specific sample size (overall, and by PCC area) could be achieved using this approach.

A large pilot would be required to get a better sense as to what sample sizes might be generated by this approach and what level of sub-group analysis may be feasible.

### **Weighting**

It would likely be beneficial to apply weighting to ensure that the final sample is a reasonable match to the population profile. This should reduce the risk of bias, although as with all self-selecting surveys there will be no guarantee that the weights that can be generated will compensate for all biases.

Only limited aggregate victim data is currently routinely published. To develop a more robust weighting scheme it would be necessary for police forces and other CJ bodies to provide aggregated counts to use as weighting targets.

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<sup>15</sup> For instance, MOPAC conducted an open-access survey for victims of serious crimes and only obtained c.100 responses in a period of 18 months.

Weighting will also be challenging as respondents may provide information which is inconsistent with police recorded crime. For instance, people may not always be able to accurately report the crime type, or the date on which they made a crime report. Nevertheless, even with these issues weighting is likely to be worthwhile.

### **Other add-ons**

**A mobile app** could be incorporated into the open-access survey design. The material advertising the study could direct individuals to a study website that offers victims the choice of either participating online via a standard survey (or by telephone on request), or to download an app.

The benefit of the app approach is that data collection would not need to be limited to a single questionnaire. Follow-up questions could continue to be asked to those with the app on a semi-regular basis. This is especially useful if victims initially participate in the survey before they have got to the end of the pre-charge phase or the post-charge phase. Following download of the app, and completion of the first survey, users could be recontacted for updates and to collect new data about any new events / interactions that have occurred since they last took part in the survey.

However, the app approach has some downsides. Firstly, based on other existing studies, the uptake of the app is likely to be very low – as there is not a clear benefit for a victim to install an app on their phone just to take part in surveys. It would be essential that the app is offered in addition to other more traditional survey routes (and which tend to achieve higher response levels).

Secondly, the app would need to be developed to work with both Android and iPhone, so the development and up-keep costs could be relatively high. Given the low likely level of uptake the use of an app might not offer good value for money.

Thirdly, as the app would need to be available on the official app stores for download, there is a risk that some people could potentially download the app and take part in the study even if they have not been a victim of a crime / seen the study advertised. This risk is unavoidable with an open-access approach.

Moreover, many studies have already documented that the digital divide is not equally split across the population – those who are older and have conditions limiting their use of digital devices are more likely to be digitally excluded. This means the data collected from an app-based approach is likely to be biased.

Overall, the problems with the app approach are currently considered to outweigh the potential benefits. As a result, this approach is not suggested at this stage. It is possible that in future some of the limitations may be reduced (e.g., the digital divide is less acute) which could make this approach more viable. However, it is difficult to predict when this might be viable – it may be sensible to review this approach in five years.

Alternatively, it would be possible to ask online survey respondents for consent to re-contact them. This would offer a similar benefit to an app – in that victims that have responded before the end of their CJ journey could be recontacted to ask for additional details. However, in practice, this approach may not be very effective. For instance, there is a risk that only a low proportion of respondents consent to recontact and that these may not be representative of the population.

An **additional option could be to recruit victims to the open access study directly from courts**. This would involve a very short recruitment survey conducted inside / just outside courts. This would use face-to-face interviewers and the recruitment survey would just involve the collection of contact details. Follow-up surveys would then be emailed / posted for recruited victims to participate. However, given the use of face-to-face personnel, costs would be significant compared with other recruitment modes. Also, it might not be the most appropriate time to ask victims for feedback immediately after they have attended court. But if contact details were collected at this stage, the survey could be sent out a few weeks after recruitment.

As for the other research options, **translations** could also be offered, and the **sentence stage** could be covered by building upon the existing VCS feedback mechanism. Further details are included at the end of this chapter.

## Assessing Option 2 against MVP

**Table 10. Option 2 Open access surveys**

Criteria	Rating	Rationale
Victim coverage	Amber	<p>Theoretically all victims and witnesses covered by the Victims' Code can participate in the surveys.</p> <p>However, in practice, the population coverage will depend on the co-operation of the different CJ bodies for distributing the survey invites.</p> <p>In addition, as the contact strategy is very light touch the participating sample may only consist of the most engaged victims and not represent all victims well.</p>
Journey coverage / organisations included	Green	The pre-charge stage and post-charge stage would both be fully covered – ensuring data is collected regarding police, CPS, HMCTS and YOTs
Questionnaire coverage	Green	The questionnaire will be sufficiently long to cover all information required by the MVP. However, as the questionnaire will need to be short it will not be possible to include questions beyond this minimum requirement.
Reporting timings	Amber	It is unlikely that data could be reported on quarterly. But this depends on level of up-take (not known at this stage). More likely, annual data could be reported on.
Geographical analysis	Red	It is not possible to guarantee that specific minimum sample sizes would be achieved. Analysis of geographic regions is unlikely to be robust given that the overall achieved sample size is likely to be small and some areas might have very low response rates.
Quality	Red	<p>There is a risk that data collected using the open access link is not representative of the population.</p> <p>Weighting would aim to improve sample representativity but would be unlikely to compensate for all biases.</p>
Burden on CJ bodies / police force	Green	<p>Personal data transfer would not be required.</p> <p>Nevertheless, police forces and CJ bodies would still need to cooperate to ensure the survey is advertised appropriately.</p>
Budget	Green	This would be the lowest cost research option.
Lead in time	Green	It would still take some time initially to get CJ bodies onboard for helping distribute the survey. This research option is likely to need c.6 months before data collection can begin.

### Option 3 – Longitudinal random probability survey

This approach offers specific advantages, such as a very large initial sample, high quality survey estimates based on a random sample, and the potential for longitudinal data analysis. However, the main disadvantages are the costs, the long set-up time, the delay before later stages of the CJ journey are comprehensively covered. Also, the sample sizes that could be achieved at the post-charge stage would not allow for national reporting on a quarterly basis or for granular regional analysis.

#### Research design

An initial 'recruitment' survey would be conducted c.12 weeks after victims have reported a crime (as per the original Home Office NVES design). This study would be designed to cover the 43 Police Forces in England and Wales. With a target annual sample size of 84,500 (2,000 per force – except for City of London where the target would be 500). Sample would be issued on a monthly basis, to ensure that victims are all interviewed c.12 weeks after crime report. The recruitment interview would cover initial dealings with the police, and initial awareness and experience of the Code. It should be noted that many cases will already be closed at this point in time (i.e. the police investigation is concluded and the case will not progress to court) and not require further follow-up.

Wave 2 would involve recontacting all wave 1 respondents whose case was not closed at the time of the wave 1 interview. This sample should be issued into field on a quarterly basis. This targeting would be based on cases that had a null or invalid outcome in the police force database at the time the wave 1 interview was conducted (as an outcome is only logged once the case is closed by the police). This interview would cover any further interactions victims had with CJ bodies since the initial interview, and ask additional questions related to Code compliance. Wave 1 and wave 2 data would need to be analysed together to get comprehensive data on the entire police stage of CJ journeys.

Wave 3 would involve recontacting all wave 1/wave 2 respondents where a charge has been made relating to the reported crime. The fieldwork would be structured by quarter. As for wave 2, the targeting should be based on the latest outcome which police forces have for each sampled case. This interview would cover interactions with CJ bodies in relation

to the Code at the post-charge stage – although not all respondents will necessarily have got to the end of this stage.

Outcomes recorded in police databases do not tend to be updated beyond the charge stage. As such, if any individuals surveyed at wave 3 report that they have not yet got to the end of the court stage then additional waves of longitudinal data collection may be necessary to cover their journey in full. For now, additional waves beyond the third wave have not been included in this design.

A significant challenge would be to determine the optimal interval time to leave between survey waves. Some cases can take a very long time to work through the CJ system. In general, it would be reasonable to leave six months to a year between waves. For instance, [published data](#) suggests it currently takes on average a year from charge to case completion (not remanded in custody). However, this would need to be investigated further.

As a result, it should be noted that the longitudinal design means that there would be a significant time lag between the study starting and data about the post-charge stage of the CJ journey being available for reporting.

### **Sample frames / data access**

Police recorded crime databases would be used as the sampling frame for the recruitment wave. The access and sampling processes would be the same as that outlined for Option 1A. As mentioned before, it would be a lengthy process to get agreements in place and for the data to be transferred. Sampling would be limited to non-vulnerable adult victims.

### **Sampling strategy**

As for the original NVES, the initial **wave 1** sample would be drawn separately from each police force database. Random samples would be drawn, with each sample frame implicitly stratified by crime type and Census Lower Layer Super Output Areas (LSOA).<sup>16</sup>

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<sup>16</sup> If Police Forces do not have LSOA in their database and are unable to merge it in using the ONS postcode lookup file, then a suitable alternative would need to be agreed. For example, this could include using another ONS standard geography or the first half of the Victim postcode.



This would help ensure that the selected sample is representative of the population in terms of these factors.

As for Option 1A, witnesses would not be included in the survey sample. This is due to the complications set out in section 4.3 – relating to sampling and screening for witnesses that qualify as victims under the Code.

To minimise the transfer of personal data to a survey contractor, the police forces would draw the sample based on a specification supplied by the survey contractor. The forces would then only transfer personal details for the cases selected for the study. The sample specification would need to be updated ahead of each sample delivery – to reflect fieldwork performance and to ensure that annual interview targets are met.

As well as transferring the sample to the survey contractor, the police forces and other CJ bodies that involve in preparing the sample data extracts would need to transfer aggregate population counts to use as weighting targets.

To minimise respondent burden, samples would need to be deduplicated to ensure individuals are not sampled for the survey more than once in any given 12-month period.

Prior to each longitudinal wave, the survey contractor would transfer the police IDs of wave 1 respondents back to the forces. The forces would then be asked to provide the latest outcome they have for each case back to the contractor. The survey contractor would then use this information to identify who should be issued into field at each longitudinal wave.

### **Sample mode and contact strategy**

This approach would use a sequential mixed-mode design: online followed by telephone interviewing. To maximise co-operation, Verian would propose using a range of contact details and a comprehensive reminder strategy as follows.

At **wave 1**, initial invitations would be sent by letter, email or SMS (depending on the contact details available for each case). There would then be up to two letter reminders, and up to four SMS and email reminders. The online only phase would last two weeks, and the telephone phase would be open for six weeks. The web survey would remain open during telephone fieldwork.

At **subsequent waves**, there would be an initial postal invitation. But otherwise, reminders would be sent via email and SMS. Additional contact details could be collected at wave 1, and this will allow emails and SMS to be sent to a larger portion of the issued sample. The telephone interview phase would begin 3–4 weeks after the push-to-web phase and last c.6 weeks. Online data collection would be kept open during the telephone stage to allow people the flexibility to still take part online.

### **Indicative response rate**

At wave 1, Verian would anticipate a response rate of between 15–20% and around half of responses to be online and the other half by telephone.

For the longitudinal waves, it would be reasonable to assume a response rate among *issued sample* (i.e. wave 1 respondents) of c.50%. Although the response rate may be lower if the lag between waves is more than a year. For these waves, most survey completes are expected to be online, with around a third by telephone.

### **Sample sizes and margins of error**

At **wave 1**, c.84,500 interviews would be targeted overall – 2,000 per police force (except for City of London where the target is 500). Design weighting compensating for the disproportionate sampling would reduce the precision of overall estimates and sub-groups that cut across the strata. For overall analysis, Verian has estimated that the maximum 95% CIs would be c.±0.5%pts.

Verian has estimated the sample sizes that would be achieved for different sub-populations – PCC areas, crime type, and key demographics. Verian has also estimated the likely maximum 95% Confidence Intervals for each group.

For police forces, across a year 2,000 interviews would typically be achieved – this would offer estimates with maximum 95% CIs of ±2.2%pts. The target sample size for City of London is 500 interviews (max 95% CIs of ±4.4%pts).

For crime type, Verian has estimated the number of interviews that would be achieved for different broad categories across a year. As for option 1A these are based on police.uk data. The figures are shown in the following table alongside estimates for the maximum 95% Confidence Intervals.

**Table 11. Estimated interviews per annum and margins of error for Crime type (Option 3)**

	Estimated n of interviews	Estimated maximum 95% CIs
Violence	38,137	±0.7% pts
Robbery	1,382	±3.9% pts
Residential burglary	3,430	±2.5% pts
Vehicle theft offences	7,283	±1.7% pts
Theft from the person	1,948	±3.3% pts
Other theft	10,404	±1.4% pts
Criminal damage	9,423	±1.5% pts
Public order offences	10,316	±1.4% pts
Miscellaneous	2,177	±3.1%pts

As for Option 1A, Verian has used CSEW 2019–2020 data to estimate how many interviews might be achieved with different sub-groups across a year. Estimates are presented in the table below.

**Table 12. Estimated interviews per annum and margins of error for demographic profile of victims (Option 3)**

	Estimated n of interviews	Estimated maximum 95% CIs
<b>Sex</b>		
Male	42,268	±0.7%pt
Female	42,232	±0.7%pt
<b>Age</b>		
16–24	14,659	±1.2%pt
25–44	32,779	±0.8%pt
45–64	27,093	±0.9%pt
65–74	6,617	±1.8%pt
75+	3,352	±2.5%pt
<b>Ethnicity</b>		
White	70,445	±0.5%pt
Non-white	14,055	±1.2% pt

**Wave 2** would only involve data collection from victims that were not at the end of the pre-charge stage of their CJ journey at the time of wave 1 fieldwork. However, standalone

analysis would not be conducted using just the wave 2 sample. This is because this sub-set is very specific (i.e. victims with no final outcome recorded c.12 weeks after crime report) as opposed to all victims that have had contact with police, so they probably do not form a particularly useful population for monitoring the victim Code. Instead, analysis would be based on a pooled dataset of wave 1 and wave 2 responses. This dataset would comprehensively cover the entire pre-charge stage for all non-vulnerable victims interviewed. The sample sizes in this pooled dataset would be similar to wave 1 (albeit slightly lower due to attrition between wave 1 and wave 2 for some respondents). The figures provided above for wave 1 should still offer a reasonable guide to the analytical potential for wave 2.

The sample sizes will have diminished substantially by **wave 3**. First, Home Office figures suggest that only c.6% of reported crimes result in a charge and/or summons outcome. Second, not all participants that took part in wave 1 / 2 will necessarily be willing to take part in the third wave. Taking both of these factors into account, c.2,600 achieved interviews will be possible at this stage (from the 84,500 recruitment interviews achieved in a year). This would be sufficient to provide reasonable national estimates (maximum 95% Confidence Intervals of  $\pm$ c.3.0%pts). It may also be possible to conduct some very broad demographic analysis (e.g. by gender). However, this would not allow for robust geographical breakdowns (e.g. by geographic area, such as PCC area).

### **Weighting**

The weighting for the **recruitment wave** (i.e. wave 1) would be similar to the police survey weighting outlined as part of Option 1A. In short, design weighting would be needed to compensate for the sample design. Additional weighting, using population counts supplied by the police forces as the weighting targets would then be used to compensate for systematic non-response.

As noted earlier, after **wave 2**, analysis would be based on a pooled dataset of wave 1 and wave 2 responses. Bespoke weights would need to be generated for this analysis. Victims who had already reached the end of their CJ journey at the time of the wave 1 interview would retain their wave 1 weight. For other victims, the wave 2 data would need to be weighted to compensate for attrition and non-response. This would be done using regression modelling and wave 1 questionnaire variables.

For **wave 3**, regression modelling would be used to model attrition and to generate the final weights for analysis. The base for the modelling would be all wave 1 respondents whose crime report resulted in a charge being made. Wave 1/2 questionnaire variables would be used as predictors for the modelling, as well as sample frame variables.

**Other add-ons**

One option would be to **sample fresh cases from the main CPS database or the subset provided to WCU at wave 3** to supplement the longitudinal sample (subject to the set-up of correct data protection arrangements and availability of adequate resources in preparing the data extracts, etc). This would boost the sample sizes achieved at the post-charge stage – allowing more potential for geographic-level analysis.

As for the other two research options, **translations** could also be offered, and the **sentence stage** could be covered by building upon the existing VCS feedback mechanism. Further details are included at the end of this chapter.

**Assessing Option 3 against MVP**

**Table 13. Option 3 Longitudinal random probability survey**

Criteria	Rating	Rationale
Victim coverage	Amber	The use of police databases as the sampling frame ensures high coverage of adult non-vulnerable victims (excluding witnesses). However, it is reliant on all forces co-operating. In addition, forces may impose exclusions that reduce coverage of the population (e.g. based on other research needs and vulnerability).
Journey coverage / organisations included	Green	The pre-charge stage and post-charge stage would both be fully covered – ensuring data is collected regarding police, CPS, HMCTS and YOTs
Questionnaire coverage	Green	Across the three waves, all information required by the MVP would be collected. There would also be scope to include additional questions beyond the MVP.
Reporting timings	Amber	At the pre-charge stage, data could be reported on quarterly. For the post-charge stage, annual reporting would be more likely due to the reduced sample size.
Geographical analysis	Amber	Large sample sizes could be generated at the pre-charge stage, which will allow for the required geographical level analysis.

Criteria	Rating	Rationale
		However, the sample size achieved for the post-charge stage will not support robust annual sub-group analysis beyond very broad groups (e.g. gender). Analysis by CPS area and HMCTS area may not be possible.
Quality	Green	The data collected would be based on a random sample and steps would be taken to maximise response rates – meaning data is of a high quality.  Longitudinal data also offers analytical advantages.
Burden on CJ bodies / police force	Amber	The successful implementation of the survey relies highly on police force cooperation and the set-up of data sharing agreements.  There is no guarantee that data access would necessarily be granted by all forces.  The longitudinal design requires more regular transfers of data from the police (e.g. updating crime outcomes to determine who to issue at wave 2 and 3).
Budget	Red	This approach would require a very large budget – due to the very large initial sample size and the multiple waves of data collection.  This may require co-funding from other government departments (e.g., Home Office).
Lead in time	Amber	The set-up phase will require a large amount of time – to negotiate access to databases, put in place data sharing agreements, and to work with forces on data extraction and transfer. This may take 6 – 12 months.  In addition, as CJ journeys can take a long time to progress data about the court stage will not be available for quite a long time until the survey is under way.

## Option 4 – No cross-system mechanism is introduced

Under this design, **MoJ would take no specific action**. The CJ bodies would be required under the Code compliance duty to collect feedback from victims. The CJ bodies would be left to implement this monitoring independently with no intervention from MoJ or a third-party supplier.

It is impossible to anticipate what all CJ bodies would do exactly in response to the new duty. This option is based upon discussions Verian had with them regarding their current research strategy and surveys undertaken.

The approaches taken are expected to vary significantly between **police forces**. One force Verian spoke to indicated that they are currently reviewing the metrics provided by MoJ and felt that most of these could be addressed using administrative data or their existing surveys. It is anticipated that all forces are likely to conduct a similar review, but they may interpret the requirements differently and/or come up with different ways of meeting the requirements.

Some forces have substantial research teams – and it is likely they would implement large scale robust surveys (or change the content of existing surveys). Other forces conduct much more limited research and may conduct lower quality surveys on a relatively small-scale.

There are specific learnings which can be made from the Home Office's Service Improvement Survey: Domestic Abuse and Stalking (ADR444). Forces are mandated to conduct this survey. However, the questions asked vary between forces, as do the survey methods used to collect data. This variation in approaches has meant it has not been possible to aggregate all the separate force data into over-arching national estimates or to compare force results robustly. This could also be an issue for monitoring the Code compliance. However, because MoJ will be able to specify in regulations the specific information that CJ bodies will have to collect, this issue will be mitigated to some extent. If comparable data can be collected across police forces, surveys this would be a very cost-effective approach.

The CPS are currently exploring different possible approaches to collecting feedback on their services. Their approach will be informed by the wider decisions that are made about a cross system survey. As such, they did not have specific details finalised at the time of the interviews. Some data to monitor Code compliance could come from existing mechanisms, including the open-text feedback form on their website.

Given that all of these bodies would develop their feedback mechanisms independently, the major challenge would be to make comparisons between each organisation.

Differences in data sources, data collection methodology, and questions asked in surveys would complicate any over-arching analysis of the entire CJS journey. This could only potentially be avoided should MoJ mandate a consistent approach to use. At a minimum this should include minimum sample sizes, the data collection mode to use, and the question wording.

### Assessing Option 4 against MVP

**Table 14. Option 4 No cross-system mechanism**

Criteria	Rating	Rationale
Victim coverage	Amber	Verian would anticipate that coverage of non-vulnerable victims would generally be high.  However, CJ bodies may each impose different exclusions. Some of these may affect coverage of the population.
Journey coverage / organisations included	Green	The pre-charge stage and post-charge stage would both be fully covered – ensuring data is collected regarding police, CPS, HMCTS and YOTs
Questionnaire coverage	Amber	Questionnaires are likely to differ between CJ bodies and would not necessarily include all the information required by MoJ.
Reporting timings	Amber	Different CJ bodies conduct their own surveys at different frequencies. A number of surveys are likely to be conducted on an annual basis – so quarterly reporting might not be feasible for all CJ bodies.
Geographical analysis	Red	It is likely that this approach would not deliver the geographical-level analysis required.  First, the likely lack of consistency in police data collection will make it very difficult to compare between PCCs. Where there are differences in results, these could be caused by differences in questionnaire wording, or the data collection methodology used, or differences in exclusions made when drawing samples.  There is also a risk that the sample sizes achieved by CPS / HMCTS may also not allow for robust area level results to be produced.
Quality	Amber	As each organisation would be left to implement their own feedback mechanism, there is a risk that some of the approaches used may not be robust.  Potential issues could include – unrepresentative samples (due to low response rates or exclusions made at sampling),



Criteria	Rating	Rationale
		and poorly designed questions (misunderstood by respondents).
Burden on CJ bodies / police force	Green	Assuming that the CJ bodies would be conducting research on the victim Code anyway, this would lead to little additional burden.
Budget	Green	No direct costs for MoJ. But may require staff time to liaise with organisations to obtain results.
Lead in time	Green	Should be relatively fast for all relevant organisations to implement.

## Optional additional elements

### Extending coverage to sentence support (Victim Contact Scheme)

For Options 1 – 4:

As outlined earlier in the report, an existing survey is already conducted by HMPPS among victims that receive support via VCS. When interviewed, the VCS team indicated that it should be possible to amend the existing questionnaire to better comply with the Victims' Code. This survey could also be used to capture victim experiences relating to the Parole Board process. This should allow the reporting of Code compliance at this CJ stage, and annual national reporting. It would not be possible to conduct robust sub-group analysis, as the overall sample size is c.600 per year.

### Translating survey into different languages

For Options 1–3:

Each of these research options include some online data collection. It is relatively cost-effective to offer online surveys in multiple languages. Respondents would have the choice, at the start of the survey to choose the language in which they want to complete the survey.

Based on the [2021 Census](#), focusing on the most common (non-English or Welsh) languages spoken is suggested. For instance, the top ten is: Polish, Romanian, Panjabi, Urdu, Portuguese, Spanish, Arabic, Bengali, Gujarati, and Italian.

Once questionnaires are signed off, they would need to be translated into the relevant languages by specialist translation companies. Once finalised, the translations would be uploaded into the web script and extensive testing would be required to ensure they work as intended.

While offering translations would improve population coverage and allow for participation from some individuals that would otherwise be excluded. It is important to be aware that the proportion of respondents that opt to do interviews in other languages is often reasonably limited. For instance, the GP patient survey allows for responses to be provided in 14 non-English languages. [In 2022](#), 1.8% of all completed surveys was done using a translated version. As such, offering translations may not offer sufficient value for money to MoJ.

## Appendix E

### Stakeholder Interview Topic Guide

#### Ministry of Justice: Feasibility Study for a Victim Feedback Mechanism

##### Stakeholder interviews: Topic guide

###### 1. Background to the study

The Victims and Prisoners Bill (the Bill) introduces various measures to improve how victims experience the Criminal Justice System (CJS). Measures in the Bill include a focus on the delivery of the Code to victims by Criminal Justice (CJ) bodies (Police, Youth Offending Teams, CPS, HMCTS, HMPPS).

Building on that, the Bill includes a measure to strengthen the overall delivery of victims' rights under the Code. This will be done by introducing a framework to measure compliance with the Code by CJ bodies. This is called the Code compliance framework and it's made up of three strands:

1. Victim feedback – to understand victims' views of the services they receive,
2. Compliance metrics – data pulled from CJ bodies' systems to enable quantitative monitoring of Code rights (e.g., number of trials ineffective due to no interpreter being available),
3. Delivery assessments – CJ bodies' own assessments of processes that are in place to deliver victims' rights (e.g., a broader look into the processes for ensuring victims can access translation or interpreter services).

Victims are defined in the [Victims' Code](#) as:

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

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

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

Findings from this study will inform recommendations for how data could be gathered to inform the first strand of the compliance framework: victim feedback.

Currently we are in the 'Discovery' phase of the research where we are looking to understand the needs, problems, and opportunities that a potential victim feedback mechanism presents.

### **Stakeholder interview: Research questions**

The primary aim of the stakeholder interviews is to inform the 'Discovery' phase of the research; where we are looking to understand the needs, problems and opportunities that a victim feedback mechanism presents. This includes addressing the following research questions:

- What are the most important areas and/or Criminal Justice (CJ) bodies on which data is required to meet the policy objective and how frequently should data be collected to meet this objective?
- Which victims should be the primary focus of the feedback mechanism to capture data of greatest importance to the policy objective? What would be the challenges for collecting feedback from these victim types?
- How frequently should the mechanism be delivered to capture victims who have had different CJS experiences and measure change over time?
- Are there any challenges with comparing victim feedback by PCC region? If so, is there a way to overcome these challenges? What is/are the best time point(s) to gather information from victims across their CJS journey?
- What is the optimum number of questions required to measure Code compliance across different victim groups whilst ensuring respondent participation?
- How might a new mechanism complement existing victim feedback surveys (such as CSEW and the new NVES) to provide a cross-CJS victim journey experience?

- What is the best survey delivery method to encourage participation from all victim groups (for example, by crime type, demographics, and protected characteristics) whilst ensuring value for money? E.g., via telephone, face to face, online, paper, mobile application, or mixed methods.
- How could we include additional questions in the feedback mechanism on other victim policy priorities (e.g., victim attrition, victim experience of support services)? What would be the cost and likely response rate implications? What impact would this have on the research design?
- What are the most appropriate sampling inclusion and exclusion criteria? (E.g., by age, vulnerability, specific needs such as learning needs and/or challenges, etc.)
- What is the most viable way of obtaining the contact details of victims for the purposes of a large-scale feedback mechanism (like a survey)?
- What data sharing agreements would need to be in place to access victims? Which organisations would need to set up these agreements? (For example, the CPS, local police forces, NPCCs, HMPPS, HO). How long might it take to set up these agreements?
- To what extent are these legal basis and data sharing agreements already in place? Could any existing agreements be adapted to suit a new feedback mechanism?
- What would be the most appropriate way of seeking feedback from vulnerable or intimidated victims, such as victims of sexual violence or domestic abuse? (Taking into consideration any lessons learned shared by the HO rape and SO feasibility study).

### **FOR MODERATORS: How to use this discussion guide**

Please note, this guide is not a script and is intended to be used flexibly, with participant responses guiding the flow of the conversation, topics covered in the order that they naturally arise and probes used only when needed. This discussion guide has been designed to answer the key questions of the study in the time available (45–60 minutes). The discussion guide is formatted to clearly signpost questions and audience differences as follows: Lead questions in **BOLD** – all lead questions should be asked to all respondents unless answered spontaneously elsewhere in the guide.

Moderator note: The term 'feedback mechanism' may not be recognised by the stakeholder – if required explain we mean a way of collecting feedback from victims of crime.

## 2. Introduction (5 mins)

**Section aim:** Introduce research, reassure about confidentiality and set tone of discussion

- **Thanks and introduction:** Introduce yourself and Kantar Public – independent research agency
- **About the client:** Research on behalf of the Ministry of Justice
- **Purpose of discussion:**
  - This interview is taking place as part of a feasibility study commissioned by the Ministry of Justice (MoJ) Victim & Witness Policy and Strategy Team. The feasibility study aims to understand how best to obtain feedback directly from victims on their experience of the Criminal Justice System (CJS), particularly on compliance with the requirements of the Victims' Code (the Code) by Criminal Justice (CJ) bodies.
  - As a key stakeholder in the victim & witness policy area, you have been invited to share your unique insights on the potential needs, problems, and opportunities that a victim feedback mechanism (such as a large-scale survey) might present.
  - Findings from this study will inform recommendations for how data could be gathered to inform the first strand of the Code compliance framework: victim feedback.
- **Ethical considerations:**
  - Your participation is voluntary
  - Data collected will be stored securely by Kantar Public and handled in accordance with the Data Protection Act 2018 and GDPR
  - Please note that the Ministry of Justice is aware of the sample of stakeholders being approached for the research, therefore it may be possible for you to be identified by colleagues in the MoJ in the research

outputs. However, steps will be taken to mitigate this risk and personal information such as your name, job title, and place of work will be removed.

**Check the participant is content to proceed on this basis**

- If there are particular statements you make or opinions you express that you would not like to be quoted please do inform us
- **Duration:** Approx 45 to 60 minutes
- **Recording:**
  - Explain we would like to audio record the interview as this helps us to capture accurately what is said
  - Ask participant for permission to record
  - Start recording and confirm consent / If consent to record is declined please make notes throughout the interview

### 3. Background and expertise (5 mins)

**Section aim:** To warm up participants for the discussion and gain background information on the participant.

- **Capture their background, their position and place of work**

PROBE: Their area of specialism, research and/or expertise they have undertaken in this area

#### **Victim support organisations only:**

- **Brief overview of how organisations support victims of crime**
  - Include referrals and arrangements with local police forces
  - Capture the types of support they provide to victims

### 4. Perceptions of feasibility of a victim feedback mechanism (5 mins)

**Section aim:** Capture views about whether regularly capturing victims' experiences of the criminal justice system, and Code compliance, is feasible

Note to moderator: It's important that we do not suggest that the study will guarantee the introduction of a new mechanism.

**[Researcher reads]**

When considering a potential mechanism for gathering feedback from victims, it is crucial that this is informed by previous and ongoing work in this area. For example, the Witness and Victim Experience Survey (WAVES), previously commissioned by the MoJ; the HO series of Witness Satisfaction Surveys of the early 2000s; the Victim and Witness Satisfaction study, commissioned by the Crown Prosecution Service in 2015; and the current development of national victim experience survey (NVES) and the victims of rape and other sexual offences (VSO).

The MoJ has found no other existing mechanisms that investigate the quality-of-service delivery and Code compliance across the criminal justice system from a victims' perspective. NVES is limited to experiences of the police only, and excludes a range of crime types and children.

Therefore, we would like to explore your thoughts on how we might best design a feedback mechanism for victims of crime on their experiences of the criminal justice system across their journey, and on Code compliance.

- **Whether they believe that regularly (or in an on-going way) capturing victims' experience of the criminal justice system and Code compliance is feasible**
  - What would be your hopes for this feedback from victims?
  - What would be your concerns regarding this feedback from victims?
  - What is your view on contacting victims of crime for feedback on their experiences? What might be the potential risks? What might be their preferred way of being contacted and why?
  - Has this successfully/unsuccessfully been undertaken before? By whom?
  - Have you carried out any work in this area? Do you plan to in the future?
  - Strengths and weaknesses of other (past and present mechanisms for capturing victim feedback)
  - Capture why they believe it is/it is not feasible



## 5. Data capture (15 mins)

**Section aim:** To explore views on the types of data and respondents the feedback mechanism ought to capture to deliver insights on victims' experiences of the criminal justice system, and Code compliance

- **What in your view is the need for victim feedback?**
  - What are the gaps this mechanism could bridge?
- **Which victim groups should the mechanism seek feedback from? And why?**
  - Allow spontaneous then probe
    - protected characteristics (e.g. age, gender sexuality, disability)
    - individual vulnerabilities (learning needs)
  - Are there groups that should be the primary focus of the feedback mechanism?
  - Are there other groups we ought to ensure are included e.g. particular crime types, individuals for whom English is a second language/those who experience disability? Why?
  - What about relatives and witnesses (as they also come under the definition of 'victim' under the Code)?
  - How can the risk be minimised that those who have disengaged from the CJS are not contacted for their feedback?
- **Explore key points / frequency in CJS journey where victim feedback is needed.**
  - How do we best do this to ensure we capture the range of different experiences?
  - How do we best do this to measure change over time?
  - How often and when should victims be contacted about their experience with the CJS?
- **Explore victims' journeys and point(s) along that journey for gathering information from them.**
  - Spontaneous, then probe:
    - Key points during the process – which points / why

- What are the variables that should be considered
- Are there ethical issues to consider i.e. inappropriate points in the journey to contact victims for feedback on their experiences of the CJS
- How are these considerations best balanced against the need for quality recall
- What about contacting individuals once or at multiple points – explore benefit of identifying withdrawal at different stages vs burden / re-traumatisation
- What are the best time point(s) to gather information from them?
- In your opinion are there particular points in victims' journey that might inform when feedback on Code compliance could or ought to be gathered?

Moderator note: Screenshare the 12 overarching rights on pages 5 and 6 of [Code of Practice for Victims of Crime in England and Wales](#)

Are there particular points in a victims' journey that might intersect with their Rights under the Code? If so, at which points?

- **What are the key measures for Code compliance across different victim groups?**
  - Allow spontaneous
  - Are there additional questions in the feedback mechanism on other victim policy priorities (e.g., victim attrition, victim experience of support services)?
  - Is it feasible to cover all elements of feedback in a single sitting?

Note to moderator: If needed please screenshare the 12 overarching rights on pages 5 and 6 of [Code of Practice for Victims of Crime in England and Wales](#)

- **Is there anything specific the feedback mechanism should / should not capture on victims' experience regarding the Code**

Should the feedback capture whether victims have/ have had support from a support service (e.g. support from an ISVA or IDVA)

## 6. Feedback mechanism design (5–10 mins)

**Section aim:** Capture views on how the mechanism to capture feedback on victims' experiences maybe best designed

Moderator note: Approach this section flexibly, not all stakeholders will feel able to offer views on this.

- **Explore views on how feedback from victims ought to be captured.**
  - Spontaneous, then probe: methods and modes (e.g. interviews, survey; face to face, telephone, online, paper, mobile app, mixed modes)
    - Explore preferences
  - Capture examples of whether preferred methods/modes have been successfully/unsuccessfully undertaken
  - Is the preferred approach the best method to encourage participation from all victim groups (for example, by crime type, demographics, and protected characteristics)?
- **What would be the most appropriate way of contacting and seeking feedback from vulnerable or intimidated victims (such as victims of sexual violence or domestic abuse)?**
- **How might a new mechanism complement existing victim feedback surveys (such as CSEW and the new NVES) to provide a cross-CJS victim journey experience?**

**Home Office teams only:**

- **If not already covered: Are there key lessons we can learn from either the victims of sexual offences (VSO) feasibility study or NVES?**
  - Allow spontaneous and if required probe
    - Contacting victims for interview
    - Engagement with police forces

## 7. Logistics (5 mins)

**Section aim:** To generate understandings regarding the logistics of delivering a feedback mechanism for victims of crime

- **What in your view are the opportunities and challenges regarding access to victim contact details**

Moderator note: The following sub questions may not be relevant to the stakeholder.

These should be addressed to MoJ advisory group and Home Office stakeholders

- Which organisations/teams hold contact details?
- What contact data does your organisations hold?
  - On whom (e.g. details on primary victims, witnesses and relatives)
  - What details (e.g. email addresses, phone numbers, addresses)
- What is the most viable way of obtaining the contact details of victims for the purposes of a large-scale feedback mechanism?
- What data sharing agreements would need to be in place to access victims?
- What, if any, considerations do you think there should be in accessing victim contact details from organisations with different geographical remits? *(if needed, probe on CPS, HMCTS, PCC)*
- Which organisations would need to set up these agreements? (For example, the CPS, local police forces, NPCCs, HMPPS, HO)
- How long might it take to set up these agreements?
- To what extent are these legal basis and data sharing agreements already in place?
- Could any existing agreements be adapted to suit a new feedback mechanism?
- **What are your views on incentivising feedback from victims of crime on their experiences with the criminal justice system?**
  - If supportive of incentives, what type of incentive would be most appropriate?
  - What would the value of this incentive be?

- Other than monetary incentives, how else might victims be encouraged to engage with a feedback mechanism?

## 8. Who to include/exclude (5 mins)

**Section aim:** To understand considerations about who to include/exclude in a survey and whether there are additional vulnerabilities we need to consider

- **In your view are there any groups that should be specifically included in the victim experience feedback mechanism?**
  - Probe: people with a disability, ethnic minorities
  - Why should these groups be included?
- **In your view are there any groups that should be excluded from the victim experience feedback mechanism?**
  - Probe: 16–17 year olds, other vulnerabilities, withdrawn or no further action cases
  - Why should these groups be excluded?
- **In your view are there any accommodations that should be made to ensure inclusion in the victim experience feedback mechanism?**
  - Are there any challenges with identifying victims with additional vulnerabilities through police data – e.g. accuracy, achieving representative data

## 9. Safeguarding and ethical considerations (5–10 mins)

**Section aim:** To explore the effect of emotional distress, PTSD and not being taken seriously on victims of sexual offences

- **What safeguarding and/ or ethical considerations ought to be factored into the design of the feedback mechanism?**
  - What are the potential impacts of inviting participants to feedback on their experiences with the CJS?
  - What are the steps that could be taken to minimise distress?

- How best to signpost victims to support options / resources
- **Capture thoughts on how researchers should make initial contact with victims**
  - Measures that should be put in place to ensure participant safety
  - Who should make initial contact
- **Any thoughts on steps that should be put in place to support participants throughout the survey (or alternative way of obtaining feedback)**
- **Any additional thoughts on safeguarding and ethical concerns**

## 9. Close (3 mins)

**Section aim:** To get any final reflections and wrap up

- **Any final thoughts/comments?**
- **Thank and close**

## Appendix F

### Topic Guide for the methodological review

#### Database coverage

What database(s) does the organisation have (name, number of database(s), etc.)?

How is the database compiled?

- How/When do the records appear in the system (i.e., data flow)?
- Who appears in this database (victim only/witness only/both/others)?
- Are victims/witnesses/offenders etc. differentiated from each other by variables in the database?
- Long vs. wide data (case per row vs. witnesses and victims of the same case in different rows)?
- Is there any variable about when the case appears in the database?
- Is there any variable about the status of the case (closed vs. open vs. disengaged, etc.)?
- Is there any variable about victims' and witnesses' spoken language etc.?
- General data quality, how accurate and consistent is the data?

What variables does the database have, with a particular focus on:

- Crime type (Home Office offence codes)
- Police Force Area (where the case is reported to or where the crime incident happened)
- Protected characteristics
- Contact details
  - Name
  - Email address
  - Phone number(s)
  - Home address

How complete are the variables?

Any variable to differentiate the repeated victims/witnesses from different crimes they experience?

Any variable to tell whether the victim/witness is a professional in CJS (e.g., police) as they would likely be excluded from the sampling given their work in CJS might affect their survey responses?

### **Feedback mechanism**

Does the organisation have any feedback mechanisms (quantitative surveys or qualitative studies) in place or have they previously conducted this kind of research?

- Is it possible to adapt the existing mechanism for a new one (examples below)
  - Re-contacting: sample/follow up with the people who have been covered in existing feedback mechanism
  - Adding questions to cover the Code compliance
  - Extending the population by including new groups of people
  - Boosting some sub-groups

Has this organisation had any feedback mechanism in the past?

- What form did this take?
- Why did the old feedback mechanism cease?

For both ceased and existing feedback mechanism:

- What topic is the feedback mechanism focused on?
- How are respondents recruited?
  - Probability or non-probability
  - If non-probability, how is it done (e.g., online access, quota)?
  - If probability, what is the sampling frame?
  - If probability, what is the sampling strategy (e.g., stratified by what variables)?
- Use incentives or not?
  - Type (money vs. lottery vs. voucher)
  - Conditional or not
  - Amount



- What is the mode of data collection?
- What are the criteria for sample inclusion/exclusion?
- What is the data collection frequency (quarterly/yearly etc.)?
- What is the sample/respondent size?
- Can the result be broken down by sub-groups (Police Force Area, protected characteristics, crime type)?

### **Data access/sharing**

Is the organisation willing to share the data?

Does the organisation know about Victims and Prisoners Bill?

What plan does the organisation have for data sharing if Victims and Prisoners Bill is passed?

Will the full data be shared or just a subset? If subset, then what is it?

What are data sharing agreement and legal basis already in place?

- Is data shared outside of the organisation (e.g., with the Home Office or the Ministry of Justice)?

What are data sharing agreement and legal basis still required?

- Public Task, Legitimate Interest or Consent?

What is access/sharing procedure like?

- Steps
- Duration of each step

## Appendix G

### Victim Interviews Topic Guide

#### Ministry of Justice: Feasibility Study for a Victim Feedback Mechanism

##### Interviews with victims: Topic guide

###### Moderator information

The Victims and Prisoners Bill (the Bill) introduces various measures to improve how victims experience the criminal justice system (CJS). Measures in the Bill include a focus on the delivery of the Victims' Code of Practice (the Code) to victims by criminal justice bodies (Police, Youth Offending Teams, CPS, HMCTS, HMPPS). Building on that, the Bill includes a measure to strengthen the overall delivery of victims' rights under the Code. This will be done by introducing a framework to measure specific criminal justice bodies' compliance with the Code. This is called the Code compliance framework and it is made up of three strands:

1. Victim feedback – to understand victims' views of the services they receive,
2. Compliance metrics – data pulled from criminal justice bodies' systems to enable quantitative monitoring of Code rights (e.g., number of trials ineffective due to no interpreter being available),
3. Delivery assessments – criminal justice bodies' own assessments of processes that are in place to deliver victims' rights (e.g., a broader look into the processes for ensuring victims can access translation or interpreter services).

The objective of this feasibility study is to generate insights into how best to obtain victim feedback on experiences of the CJS, particularly of compliance with the requirements of the Code by CJ bodies.

These insights will inform options for the most appropriate mechanism to gather feedback directly from victims, as part of future implementation of the Bill.

### **Interviews with victims: Research aims**

The primary aim of the victim interviews is to inform the 'Discovery' phase of the research; where we are looking to understand the needs, barriers, and opportunities that a victim feedback mechanism presents. We will present the initial skeleton research outline (developed through the stakeholder interviews) and develop these further during the interviews based on respondent feedback. We will focus on the following key areas, and build on our existing knowledge:

- How best to contact victims and maximise cooperation, including the timing and content of written messages, contact and data collection mode(s)
- How best to include victims who withdraw from the CJS
- When in the case process research should be conducted (accounting for the speed of case progression and recall)
- Is it better to collect data at multiple points in time or a single cross-sectional survey? What are the barriers and to whom?
- Minimising the risk of re-traumatisation – how questions should be worded, when fieldwork should be conducted, and what resources are needed for respondents
- The importance of safeguarding, sign posting to support and reassurance on anonymity to support engagement and aftercare
- How to phrase and frame the different questions to ask
- How to mitigate any fear of participation affecting ongoing action within the CJS

### **How to use this discussion guide**

Please note, this guide is not a script and is intended to be used flexibly, with participant responses guiding the flow of the conversation, topics covered in the order that they naturally arise and probes used only when needed. This discussion guide has been designed to answer the key questions of the study in the time available (45–60 minutes). The discussion guide is formatted to clearly signpost questions and audience differences as follows: Lead questions in **BOLD** – all lead questions should be asked to all respondents unless answered spontaneously elsewhere in the guide.

### **Note to moderators**

**Ethics and trigger warning:** Participants may provide information throughout the interview that could be distressing to both participants and researchers, or have extra

ethical implications. Please ensure all safeguarding processes are read before interview and familiarise yourself with support available for researchers and participants.

### **Language:**

Be considerate in use of language to avoid making participants feel stigmatised:

- “Survivor”, “victim”, “harmed person/people”
- Refer to training on how to safely terminate interview, if necessary

In addition, please avoid using jargon, particularly when setting out the context.

**Probing:** Where possible allow participants to spontaneously and freely provide information first, then use specific probes.

## **1. Introduction (7 mins)**

**Section aim:** Introduce research, reassure about confidentiality and set tone of discussion

- **Thanks and introduction:** Introduce yourself and Verian (formerly Kantar Public) – independent research agency
- **About the client:** Research on behalf of the Ministry of Justice (MoJ)
- **Purpose of discussion:**
  - The purpose of this study is to understand how best to collect feedback from victims, witnesses, and relatives of victims on their experience with the criminal justice system and the delivery of victims' rights (under the Victims' Code). This study will help inform the way feedback may be collected in future and will form part of the evidence the MoJ will use to implement the Victims and Prisoners Bill.
  - The Bill introduces various measures to improve how victims experience the criminal justice system. This includes a measure to strengthen the overall delivery of victims' rights under the Code. **SHOW AND/OR READ OUT STIM 1 and STIM 2**

- **Ethical considerations:**
  - This research is confidential and voluntary, you are free to withdraw from the research at any time. Your responses will be anonymised and analysed alongside those of other participants.
  - It's important to let you know that if you indicate that you are at risk of harm to self or others, we may disclose and contact relevant authorities.
  - We are aware this is a sensitive topic. We will check you are comfortable to continue at various points during the discussion. Should you wish to end the interview at any point you are free to do so. We have compiled a list of support resources which we can share (if desired) at the end of the discussion.
  - Data collected will be stored securely by Verian (formerly Kantar Public) and handled in accordance with the Data Protection Act 2018 and GDPR.
- **Today's discussion will cover**
  - The key points of interaction you had with the police
    - Reporting the crime, making statements, police investigation, initial outcome
  - Where relevant, the key events following interactions with the police with Crown Prosecution Service (CPS) and courts, post prosecution and sentencing, as well as any types of support received.
  - We will ask you about the timeline of events and how you felt about your experiences as you moved through your CJS journey.
- **Duration:** Approx 45 to 60 minutes
- **Compensation:** You will be compensated for your participation in this research.
- **Confirmation:** Do you have any questions? Are you happy to go ahead with the interview?
- **Thanks:** Thank you for agreeing to talk to us about your experiences and views.
- **Recording:**
  - Explain we would like to audio record the interview as this helps us to capture accurately what is said

- Reassure that the recording will not be shared with anyone beyond the immediate research team for analysis, and will be destroyed upon completion of the research
- Ask participant for permission to record
- Start recording and confirm consent

## 2. Participant background (5 mins)

**Section aim:** To build rapport and allow participant to settle into the interview

- **Participant introduction:** Can you tell me a little bit about you?

May include:

- Things you like doing
- An interesting fact about yourself

## 3. Victim journey (15–20 mins)

**Section aim:** To understand the crime the participant experienced and their journey through the CJS

**Moderator note:** Please ensure you have reviewed the profile sheet in preparation for this section. Before commencing, please encourage participants to share only what they are comfortable with recounting.

**Moderator to read out:** We know that you were a victim / witness of a crime / are a relative of a victim of crime. We ask that throughout the interview you share only what you are comfortable sharing with us. Please be assured that we do not need you to share any details of the crime with us and we will not ask you about the crime.

Instead, we are interested in learning about your experiences with agencies of the criminal justice system, such as the police, after the crime. We want to understand your journey in order to explore your views on how feedback on those experiences may be collected from victims in the future.

- What were the key points of interactions with the police

- Reporting the crime, making statements, police investigation, initial outcome
- Where relevant: How did the case progress following interactions with the police?
  - What were the key phases of the case progression? (e.g. reporting, investigation, crown prosecution service (CPS), court)
  - How did you feel about these experiences?
  - If not covered, probe experiences with Crown Prosecution Service (CPS) and courts (e.g., communication and understanding of outcome, timeliness, etc.)
  - If not covered, probe post prosecution and sentencing, contact with HMPPS Victim Liaison. Explore when this was received as well as any types of support they received or were referred to
- Explore the timeline
  - How long was the journey through the CJS overall
- How do you feel about your overall experience with the criminal justice system?
- What was positive, if anything?
- What could have been improved, if anything? How?

**Note to moderator:** Please encourage participants to think about their experiences with the agencies as opposed to their view on the outcome.

#### 4. Perceptions on providing feedback (10–15 mins)

**Section aim:** To explore the perceptions of victim feedback in principal reflecting on the victim/ witness/ relatives' journey and experiences

**Moderator Note:** Before progressing any further please check the participant is comfortable to carry on.

- Thank you for taking me through your experiences, are you happy to continue with the interview?
  - If they are not, please wrap up the interview and offer links to support services.

**Moderator to read out:** Thank you for sharing your experiences. As we outlined at the beginning of the interview the Ministry of Justice is exploring the idea of setting up a victim feedback mechanism (e.g. a survey) to gather feedback from victims, witnesses and victims' relatives on their experiences of the criminal justice system. We would now like to ask you about your views on this, reflecting on your experiences.

- What are your views on asking victims, witnesses and relatives of victims for their feedback on the criminal justice system?
  - Explore initial reactions, any issues this may have, reasons for thinking it's a good/bad idea
  - Do you think others would feel similarly to you? Why / why not?
- Reflecting on your experiences, were there points along that journey in the criminal justice system you would have welcomed the opportunity to provide feedback?
  - If so why, and on what/which agencies
  - Were you asked to give feedback at any point? By whom?
  - Probe multiple points, pros and cons
- Were there points along your journey in the criminal justice system you would have preferred to not give any feedback?
  - If so when and why? For which agencies?
- How in your view should victims, witnesses and relatives of victims be invited to provide feedback?

Allow spontaneous then probe pros and cons of:

- Signage, posters and information in relevant buildings
  - Via information leaflets outlining how to provide feedback (via website or QR code)
  - Via email invite to an online survey
  - Via telephone call inviting you to complete an online survey
  - Via telephone call inviting you to answer some questions over the phone
- Which methods would you have been most likely to respond to and provide feedback?
    - Signage, posters and information in relevant buildings



- Via information leaflets outlining how to provide feedback (via website or QR code)
- Via email invite to an online survey
- Via telephone call inviting you to complete an online survey
- Via telephone call inviting you to answer some questions over the phone

## 5. Attitudes towards potential feedback mechanisms (10 mins)

**Section aim:** To explore attitudes towards potential mechanisms for feedback reflecting on the victim/ witness/ relatives' journey and experiences, and the content of the mechanism

- Reflecting on your experiences, what would have been your preferred mode for providing feedback?
  - Via telephone – pros / cons
  - Via postal (paper questionnaire/survey) – pros / cons
  - Online (website) – pros / cons
  - Face to face – pros / cons
  - SMS text – pros / cons
  - Mobile App – pros / cons
- Reflecting on your experiences how would you feel about being contacted for feedback without previous communication?
  - Probe by telephone, by email
- How would you have felt about being informed that an opportunity to feedback would be available?
  - Probe when reporting the crime/throughout their time in the CJS
  - If the opportunity had been made available to provide feedback on your experiences is this something you would have done? Why? Why not?

**Moderator note:** In the following please explore views on inclusion/exclusion (i.e. what and why), together with the pros and cons of feedback from victims.

- Reflecting on your experiences with the CJS what topics do you think would be useful for us to include for feedback?
  - Key moments: Crime reporting, investigation and/or outcome, CPS decision, progression to court, trial, hearing and sentencing, offender release, contact with Victim Liaison Officers (HMPPS)
  - Communication and updates from CJ bodies (police, CPS) on the case progression
  - Provision of information
  - Support offered and/ or received (e.g. Victim contact scheme, support from an Independent Sexual Violence Adviser or Independent Domestic Violence Adviser, Family Liaison Officer, Witness Service, Victim Liaison Officers, third sector – Victim Support, Survivors UK)
- Reflecting on your experiences how many times would you have been willing to providing feedback?
  - Allow spontaneous, then probe
    - One off VS Multiple points
    - When would be best to gather feedback
    - If multiple points when would these be
    - If multiple points explore what modes at which points (telephone, postal, online, face to face, SMS text)
  - Explore what is driving preference
  - Thinking about your experiences would there have been an optimum time (a right time) to ask for feedback?
    - [If not already covered] In your view could there be/ is there a point in time that would be too late / inappropriate to ask for your feedback?
- What length of time would you be willing to devote to providing feedback
  - Probe variations for one off feedback vs multiple opportunities
    - 5 mins
    - 10–15 mins
    - Up to 30 mins
  - Explore what is driving preferences

**Moderator note:** In the following [where appropriate] please refer back to any safeguarding concerns that have already been raised.

- What safeguarding considerations/support (actions to prevent unintended harm to victims, witnesses and relatives of victims) do you think should be in place?
  - For victims/ witnesses/ relatives of victims like themselves
  - For other victims/ witnesses/ relatives of victims

## 6. Close (3 mins)

**Section aim:** To get any final reflections and wrap up

- Any final reflections on gathering feedback from victims/ witnesses/ relatives of victims?
- Thank you for your time. You will receive £40 as a thank you for your participation within 10 days of completing the research.
- Would you like us to share links to local support
- Thank and close

## LINKS TO SUPPORT

**Support for all victims, witnesses and relatives of victims:** Victim Support:

<https://www.victimsupport.org.uk/>

**Regional support through local police – share appropriate link based on participant’s location:**

Devon, Cornwall and The Isles of Scilly	<a href="https://www.devonandcornwall-pcc.gov.uk/">https://www.devonandcornwall-pcc.gov.uk/</a>
Northumbria	<a href="http://northumbria-pcc.gov.uk">Homepage - Northumbria PCC (northumbria-pcc.gov.uk)</a>
Cumbria	<a href="http://cumbria-pcc.gov.uk">Cumbria Police and Crime Commissioner - Making Cumbria Even Safer (cumbria-pcc.gov.uk)</a>
Durham	<a href="http://durham-pcc.gov.uk">Home   Durham Police &amp; Crime Commissioner (durham-pcc.gov.uk)</a>
Cleveland	<a href="http://pcc.police.uk">Cleveland Police and Crime Commissioner (pcc.police.uk)</a>

North Yorkshire	<a href="http://northyorkshire-pfcc.gov.uk">Police, Fire and Crime Commissioner North Yorkshire (northyorkshire-pfcc.gov.uk)</a>
Lancashire	<a href="http://lancashire-pcc.gov.uk">Home Page - Lancashire Police Crime Commissioner (lancashire-pcc.gov.uk)</a>
West Yorkshire	<a href="http://westyorks-ca.gov.uk">Policing and Crime - West Yorkshire Combined Authority (westyorks-ca.gov.uk)</a>
Humberside	<a href="http://humberside-pcc.gov.uk">Home (humberside-pcc.gov.uk)</a>
Merseyside	<a href="http://merseysidepcc.info">Home: Merseyside Police and Crime Commissioner (merseysidepcc.info)</a>
Greater Manchester	<a href="http://greatermanchester-ca.gov.uk">Contact - Greater Manchester Combined Authority (greatermanchester-ca.gov.uk)</a>
South Yorkshire	<a href="http://southyorkshire-pcc.gov.uk">Home Page - South Yorkshire Police and Crime Commissioner (southyorkshire-pcc.gov.uk)</a>
Cheshire	<a href="http://cheshire-pcc.gov.uk">Cheshire PCC home (cheshire-pcc.gov.uk)</a>
North Wales	<a href="http://northwales-pcc.gov.uk">Home   Office of the Police and Crime Commissioner North Wales (northwales-pcc.gov.uk)</a>
Derbyshire	<a href="http://derbyshire-pcc.gov.uk">Office of the Derbyshire Police and Crime Commissioner (derbyshire-pcc.gov.uk)</a>
Nottinghamshire	<a href="http://pcc.police.uk">Nottinghamshire Police and Crime Commissioner (pcc.police.uk)</a>
Lincolnshire	<a href="http://lincolnshire-pcc.gov.uk">Lincolnshire's Police and Crime Commissioner (lincolnshire-pcc.gov.uk)</a>
Dyfed-Powys	<a href="http://dyfedpowys-pcc.org.uk">Police &amp; Crime Commissioner (dyfedpowys-pcc.org.uk)</a>
West Merica	<a href="http://westmercia-pcc.gov.uk">West Mercia Police Crime Commissioner - Home (westmercia-pcc.gov.uk)</a>
Staffordshire	<a href="http://staffordshire-pfcc.gov.uk">Home - Staffordshire Commissioner (staffordshire-pfcc.gov.uk)</a>
West Midlands	<a href="http://westmidlands-pcc.gov.uk">Home - West Midlands Police &amp; Crime Commissioner (westmidlands-pcc.gov.uk)</a>
Leicestershire	<a href="http://pcc.police.uk">Police and Crime Commissioner for Leicestershire (pcc.police.uk)</a>
Warwickshire	<a href="http://warwickshire-pcc.gov.uk">Office of the Police and Crime Commissioner for Warwickshire (warwickshire-pcc.gov.uk)</a>
Northamptonshire	<a href="http://northantspfcc.org.uk">Home - Northamptonshire Police &amp; Fire Commissioner (northantspfcc.org.uk)</a>
Cambridgeshire	<a href="http://cambridgeshire-pcc.gov.uk">The Police &amp; Crime Commissioner for Cambridgeshire   (cambridgeshire-pcc.gov.uk)</a>
Norfolk	<a href="http://norfolk-pcc.gov.uk">Office of the Police and Crime Commissioner for Norfolk (norfolk-pcc.gov.uk)</a>

Suffolk	<a href="http://suffolk-pcc.gov.uk">Police and Crime Commissioner for Suffolk (suffolk-pcc.gov.uk)</a>
South Wales	<a href="http://southwalescommissioner.org.uk">Language Choice - South Wales Police and Crime Commissioner (southwalescommissioner.org.uk)</a>
Gwent	<a href="http://pcc.police.uk">The Police and Crime Commissioner for Gwent   Gwent Police and Crime Commissioner (pcc.police.uk)</a>
Gloucestershire	<a href="http://gloucestershire-pcc.gov.uk">Home - Gloucestershire's Office of the Police and Crime Commissioner (gloucestershire-pcc.gov.uk)</a>
Thames Valley	<a href="http://thamesvalley-pcc.gov.uk">Home - Thames Valley PCC (thamesvalley-pcc.gov.uk)</a>
Bedfordshire	<a href="http://bedfordshire-pcc.gov.uk">Bedfordshire PCC - Your PCC for Bedfordshire</a>
Hertfordshire	<a href="http://hertscommissioner.org">Herts PCC (hertscommissioner.org)</a>
Essex	<a href="http://pfcc.police.uk">Police and Crime Commissioner for Essex (pfcc.police.uk)</a>
Avon & Somerset	<a href="http://avonandsomerset-pcc.gov.uk">Official website of the OPCC for Avon and Somerset (avonandsomerset-pcc.gov.uk)</a>
Wiltshire	<a href="http://wiltshire-pcc.gov.uk">Wiltshire PCC home (wiltshire-pcc.gov.uk)</a>
London	<a href="http://mopac.london.gov.uk">Mayor's Office for Policing and Crime (MOPAC)   London City Hall</a>
City of London	<a href="http://cityoflondon.gov.uk">About us - City of London</a>
Kent	<a href="http://kent-pcc.gov.uk">Kent PCC: Office of the Kent Police and Crime Commissioner (kent-pcc.gov.uk)</a>
Surrey	<a href="http://surrey-pcc.gov.uk">Office of the Police and Crime Commissioner for Surrey (surrey-pcc.gov.uk)</a>
Hampshire	<a href="http://hampshire-pcc.gov.uk">Home - Hampshire Police and Crime Commissioner (hampshire-pcc.gov.uk)</a>
Sussex	<a href="http://sussex-pcc.gov.uk">Sussex Police and Crime Commissioner (sussex-pcc.gov.uk)</a>
Dorset	<a href="http://dorset-pcc.gov.uk">Dorset PCC - Office of the Dorset Police &amp; Crime Commissioner : Dorset Police &amp; Crime Commissioner</a>
Northern Ireland	<a href="http://nipolicingboard.org.uk">Northern Ireland Policing Board (nipolicingboard.org.uk)</a>

## Appendix H

### Profile of victims interviewed

	<b>TOTAL</b>	<b>20</b>
<b>Offence</b>	Criminal Damage and arson	4
	Robbery offences	2
	Theft offences (e.g., burglary, vehicle offences, theft from the person, bicycle theft, shoplifting).	10
	Violence Against The Person (e.g., homicide, death or serious injury, violence with injury, violence without injury, stalking and harassment).	3
	Other crimes (such as drug offences, possession of weapon offences, public order offences).	1
<b>Level of engagement with the CJS</b>	Engagement with the CPS	2
	Engagement with the courts	11
	Engagement with the police	7
<b>Duration since the crime was reported</b>	In the last 6 months	1
	6 to 12 months ago	5
	1 to 3 years ago	12
	4 to 6 years ago	2
<b>Victim type</b>	Victim	14
	Witness	3
	Relative	3
<b>Language</b>	English as first language	16
	English as second language	4
<b>Disability</b>	Fully able to carry-out day-to-day activities	15
	Reduced ability to carry-out day-to-day activities	5
<b>Age</b>	18–34	4
	35–54	9
	55+	7

	<b>TOTAL</b>	<b>20</b>
<b>Ethnicity</b>	White – British	9
	White – Irish	1
	Any other white background	1
	Mixed – White & Black Caribbean	0
	Mixed – White & Black African	0
	Mixed – White & Asian	1
	Any other mixed background	0
	Chinese or other Ethnic group – Chinese	0
	Chinese or other Ethnic group – Any other	0
	Black or Black British – Caribbean	1
	Black or Black British – African	0
	Any other Black background	2
	Asian or Asian British – Indian	1
	Asian or Asian British – Pakistani	3
	Asian or Asian British – Bangladeshi	1
Any other Asian background	0	
<b>Gender</b>	Male	10
	Female	10
	Other	0

## Appendix I

### Survey Pre-testing Implications

[Appendix A](#) of the report suggests survey pre-testing to address the extensive questionnaire challenges identified as part of the scoping work.

Pre-testing would most likely take the form of a minimum of two rounds of cognitive testing with approximately 20 qualitative in-depth interviews with victims to explore their views and concerns about the survey and survey materials, develop messaging to use in survey communications to encourage participation, and cognitively test the survey questions. Interviewing should be conducted by researchers who specialise in qualitative research and cognitive interviewing and, ideally, have experience of working with victims.

Cognitive testing could be comprehensive and examine all areas of the questionnaire or focus on a subset of questions agreed with the MoJ (e.g. sensitive topics), asked within the context of the wider questionnaire. Researchers would use a topic/probe guide and a mix of observation, think-aloud, probing and paraphrasing techniques. It may be useful to digitally record interviews with the respondent's permission.

In line with the approach to victim recruitment for this feasibility study, participants could be recruited through a recruitment agency with experience of recruiting such respondents. In addition, the contractor could work with victim support services to identify participants. Participants would be recruited to agreed criteria, for example to include a mix of crime types, geographies, key demographics (such as gender, age and ethnicity) and potentially hard-to-engage victims (e.g. with low trust in the police/CJS, or who do not have support or have withdrawn support for an investigation).

The interviews would primarily take place online (e.g. MS Teams or Zoom), but with participants offered the option of a telephone interview or face-to-face interview at a preferred location. It is anticipated the interviews would last c. 1 hour, and participants would be offered a 'thank you' voucher for their time. A short report which details the implications should be produced on completing the interviews, prior to finalising the questionnaire and fieldwork protocols for piloting.