

## Appendix 2: Data on victims and receipt of Victims' Code rights

We are recommending that **two core sets of data are collected on victims**: first, **victim personal characteristics** – to ensure that we understand who victims are, in a parallel way to understanding who defendants and offenders are, and to ensure that CJS agencies are meeting their obligations to victims under the Public Sector Equality Duty; second, **receipt of Victims' Code entitlements** – to enable adequate monitoring of the Code, and to provide agencies with data if victims make complaints relating to Code entitlements. Taken together, the datasets will also ensure that Code delivery is consistent and fair, such that all demographic groups are receiving equal treatment under the Code.

This data must:

- Use consistent categories across all CJS agencies, across all geographic levels;
- Be collected via drop-down boxes on administrative systems, rather than open text, wherever possible;
- In the case of personal characteristics, be self-defined, **with all victims being given the option 'prefer not to say' for all characteristics**;
- In the case of Code entitlements, capture any reasons for non-compliance;
- Be transferred across the administrative systems of different agencies, as necessary, so that the victim is not asked the same questions repeatedly;
- Not replace additional data that is already collected e.g. vulnerable and intimidated witness/victim flags.

**We stress that these are initial suggestions: consultation with criminal justice agency and victims' sector experts would be required to produce a definitive list.**

<b>Victim Personal Characteristics</b>
1. <b>Date of Birth</b> (so that victim age can be calculated at any point in the CJS process)
2. <b>Sex</b>
3. <b>Gender identity</b> (if different from sex registered at birth)
4. <b>Ethnic group</b> (ONS 8 level classification)
5. <b>Religion</b> (ONS 8 level classification)
6. <b>Sexual orientation</b> (ONS 3 level categorisation)
7. <b>Marital status</b> (ONS 6 level classification)
8. <b>Pregnancy and maternity</b>
9. <b>Disability*</b>
10. <b>Nationality or English not first language</b>
11. <b>Homelessness</b>

\*ONS classifies disability based on three questions, ONSDISAB, ONSIMP and ONSACT: Do you have any physical or mental health conditions or illnesses lasting or expected to last for 12 months or more? (If yes) Do any of these conditions or illnesses affect you in any of the areas shown on the card? (Prompted list of 11 physical and mental conditions). And [Does your condition or illness/do any of your conditions or illnesses] reduce your ability to carry-out day-to-day activities? IF YES: Is that a lot or a little? 1. Yes, a lot 2. Yes, a little. Those that answer 'a lot' or 'a little' are classified as disabled in ONS data.

For the purpose of collected data on disability for CJS, this might be simplified. For example: Do you have any physical or mental health conditions or illnesses lasting or expected to last for 12 months or more? (If yes) Does this condition reduce your ability to carry out day-to-day activities? (Yes/No).

See [Crime and justice methodology - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/methodology/crime-and-justice)

We know that much of the Code entitlement data is collected already, particularly by police Witness Care Units. **Here, we are pressing for three things: better transfer of data across agencies; consistent categorisation across agencies and across operational areas; and improved data collection by some agencies** (for example, we believe that HMCTS and the CPS lag behind the police on data collection re. Code entitlements).

<b>Receipt of Victims' Code Entitlements</b>
<b>Right 1:</b> Victim has been offered an interpreter, if applicable? If yes, interpreter used/engaged?
<b>Right 1:</b> Victim has been told about the Victims' Code.
<b>Right 2:</b> Victim has had crime recorded without unjustified delay? (Date)
<b>Right 2:</b> Victim has been told of right to have a supporter present at interview?
<b>Right 2:</b> Registered Intermediary (RI) has been considered (if applicable)? If yes, RI used/engaged?
<b>Right 2:</b> Victim has been offered the choice of being interviewed by a male or female police officer? (Domestic abuse and sexual violence cases)
<b>Right 2:</b> Pre-recorded (ABE) interview conducted? (vulnerable and intimidated victims)
<b>Right 3:</b> Victim has been sent written confirmation of allegation
<b>Right 3:</b> Victim has been told about restorative justice
<b>Right 4:</b> Victim has been informed about support services? Victim has been referred to support services?
<b>Right 4:</b> Victim has been offered special measures? Which special measures have been chosen (drop down box)? For chosen special measure, whether granted by Court; if not granted, reason
<b>Right 5:</b> Victim has been told about compensation
<b>Right 6:</b> Victim informed of arrest, interview under caution, release without charge, released on bail (and bail conditions) within designated time period (dates)
<b>Right 6:</b> Victim consulted on out of court disposal
<b>Right 7:</b> Victim has been given opportunity to give a Victim Personal Statement (VPS)? Victim has made a VPS? Victim has updated VPS? VPS read out in court.
<b>Right 8:</b> Victim informed of trial date and details within designated time period (date)
<b>Right 8:</b> Victim has re-read witness statement
<b>Right 9:</b> Victim informed of outcome of case if applicable, within designated time period (date)
<b>Right 9:</b> Victim informed of offender's sentence (date)
<b>Right 9:</b> Victim offered meeting with prosecutor; victim told about Unduly Lenient Sentence scheme.
<b>Right 9:</b> Victim told of appeal by offender within designated time limit (date)
<b>Right 10:</b> Victim had mobile phone returned (date); victim had other property returned (date)
<b>Right 10:</b> Victim expenses paid (date)
<b>Right 11:</b> Victim informed about Victim Contact Scheme? Victim opted in or out.
<b>Right 11:</b> Victim offered opportunity to submit VPS to Parole Board
<b>Right 11:</b> Victim told of right to provide views on an application to change sex offender notification requirements; victim provided views.
<b>Right 11:</b> Victim informed of deportation of foreign national offender
<b>Right 12:</b> Victim given information on each agency's complaints process; victim given information on how to complain if Code entitlements aren't met.
<b>Right 12:</b> Number of Code-related complaints received; resolution at local and national level.