

Victims and Courts Bill Scrutiny - Evidence from the Victims' Commissioner for England and Wales

Role as Victims' Commissioner

1. Following my attendance at the Victims and Courts Bill Committee on 17 June, I am writing to provide the Committee with further evidence.
2. My statutory remit as Victims' Commissioner is set out in the Domestic Violence, Crime and Victims Act 2004¹. It includes:
 - promoting the interests of victims and witnesses;
 - taking such steps I consider appropriate with a view to encouraging good practice in the treatment of victims and witnesses;
 - Reviewing the operation of the code of practice issued under section 32.
3. In this capacity, I am committed to amplifying the voices of victim-survivors to ensure their experiences influence policy and practice across government and criminal justice agencies.
4. This written evidence expands upon some of the points I made during the call for evidence session last week. It also reflects on other aspects of the Bill that were not covered during the session.
5. I welcome all the measures in the Bill, including clauses 6-8 which expand the remit of the Victims' Commissioner. Nevertheless, I would like the Bill to be more ambitious in delivering change for victims.

What is missing from the Bill

Victims of antisocial behaviour (ASB) in the Victims' Code.

6. My report of the treatment of victims of ASB [Still living a nightmare: Understanding the experiences of victims of anti-social behaviour](#) suggests very few victims of persistent ASB are receiving their rights under the Victims' Code, including access to emotional and practical support. Police and other agencies routinely underestimate the impact of persistent ASB. Incidents are often considered in isolation, and this results in a failure to identify patterns of offending, which often constitute a course of conduct offence such as harassment. Yet even though the police decide not to deal with such behaviour through the criminal justice system, the victim is a victim of crime and therefore

¹ Domestic Violence, Crime and Victims Act, 2004 (Chapter 3). Accessed at: <https://www.legislation.gov.uk/ukpga/2004/28/part/3/chapter/3/crossheading/commissioner-for-victims-and-witnesses>

eligible to victim support services. This often results in victims not being referred to victim services, in spite of a statutory entitlement.

7. For this reason, I want victims of persistent antisocial behaviour be specifically recognised under the Victims' Code. Such recognition will re-enforce their entitlement and prompt compliance with the Victims Code. is essential to ensure they have access to the support services they may need.
8. There is no statutory definition of persistent ASB, and therefore I am proposing we rely upon the threshold for an ASB Case Review². This requires victims to have reported three separate qualifying incidences of ASB within a six-month period³.
9. If a victim meets this threshold, they should be identified as a victim of persistent ASB and have access to their entitlements under the Victims' Code.

Recognition of Bereaved victims of homicide abroad under the Victims' Code

10. Bereaved families of victims of homicide are not recognised under the Victims' Code and therefore are not entitled to the entitlements within the Code. I recognise the Victims' Code cannot apply to a foreign jurisdiction, but there is no reason why the support services for these victims within the UK (for example, access to support from the National Homicide Service, or criminal injuries compensation for victims of terror attacks abroad or inclusion in the Victim Contact Scheme if the offender is repatriated to the UK) cannot fall within the remit of the Code. This would mean these victims having statutory entitlements, as opposed to discretionary support, and a means of holding agencies to account when they fail to deliver.

Review of the Criminal Injuries Compensation Authority

11. The Bill is an opportunity to review the operation of the Criminal Injuries Compensation Scheme and to make amendments as recommended by IICSA. For example, I want to see the time limit to apply for compensation to be extended, particularly in respect of sexual violence, where victims are often advised not to claim until after the trial is over. I also want to see more flexibility in cases where there are unspent convictions, so that those who have criminal convictions as a result of sexual or criminal exploitation can still apply and be considered for compensation. The current exclusion of these victims from the scheme is a continuing injustice and needs to be addressed.

² [Anti-social behaviour case review - GOV.UK](https://www.gov.uk/government/news/anti-social-behaviour-case-review)

³ Anti-social Behaviour, Crime and Policing Act 2014, Section 104 accessed at <https://www.legislation.gov.uk/ukpga/2014/12/part/6/crossheading/response-to-complaints-about-antisocial-behaviour>

Victim Personal (Impact) Statements

12. Victim Personal Statements, or Victim Impact Statements as I prefer, provide an opportunity for victims to explain to the court the impact of the crime on their life in their own words. After receiving feedback from victims, I am concerned victims are coming under undue pressure to sanitise their statements, denying victims the chance to have their voice and true feelings heard. The statement is read by or on behalf of the victim after the verdict has been handed down and for many victims, it will be the only time their voice is heard. We are in danger of losing the true purpose of these statements.
13. I would like this Bill to include provisions which protect the victims' voice and ensure Victim Impact Statements first and foremost serve the needs of victims.

Victims' Rights (Clause 5, schedule 2)

14. I welcome the provisions set out in Clause 5 and schedule 2 of the Bill, which extends the victims eligible for the Victim Contact Scheme by placing the Victim Notification Scheme on a statutory footing. I am also pleased to see the introduction of a dedicated helpline for victims.
15. As someone who is part of the Victim Contact scheme, I know access to timely and accurate information is invaluable in helping victims feel supported and informed throughout the justice process. However, the scheme is only valuable when it works well.
16. The findings of a Process Evaluation of the Victim Notification Scheme⁴ conducted by Jacki Tapley were published in March 2025. It is vital the government considers these findings and ensures the fundamental issues raised by Dr Tapley are addressed.
17. I would like to see the Bill set out specific information victims are entitled to receive under the scheme. This might include:
- **Progress updates**
While an offender is in custody, some victims may also feel reassured by being provided with progress updates on the offender, such as rehabilitative programmes they are engaging with.
 - **Release Date**
Currently, victims are not informed of the offender's release date in advance. They are only advised of the week of release. This is unsettling for victims and there are instances when the offender is banging on the front door before the VCS has called the victim to confirm release. This is not good enough and there is no obvious reason why victims cannot be told of the release date in advance.

⁴ [Process evaluation of the Victim Notification Scheme - GOV.UK](#)

- **The whereabouts of the offender**

The victim is not informed of the whereabouts of the offender. This can be unsettling, and we have dealt with cases where we are told the offender is living hundreds of miles away but the victim is not allowed to know this. They live in fear he is living just down the road. This must stop.

18. I also support the calls for restrictions zones for offenders to replace exclusion zones. This would mean offenders being restricted as opposed to exclusion zones, where it is the victims who is being restricted. Exclusion zones are centred on the location of the victim, which often leaves them feeling trapped, as they feel they are restricted to living and not going outside of that zone.

Unduly Lenient Sentence Scheme

19. I support the provisions in the Bill that amend the time limit so as to guarantee Law Officers have at least 14 days to consider whether to refer a sentence once a request to review the sentence has been received.
20. I want this amendment to the scheme to go further and provide more time for victims to make a request to Law Officers. Victims are not routinely informed of their right to apply under the scheme and do not have access to legal advice, making it challenging for them to meet the 28-day deadline. The Bill is an opportunity to address this deficiency.
21. The Victims and Courts Bill offers an opportunity to enhance the offer being made to victims so that all victims receive the support, recognition, and justice they deserve. I urge the committee to ensure victims' needs are placed firmly at the heart of this legislation.