

## **Code of Practice for Victims of Crime 2013 – NCALT MG Forms and UNIFI Guidance**

This guidance document has been created to provide Devon and Cornwall Police officers with an understanding of the requirements within the Code of Practice for Victims of Crime. Devon and Cornwall Police are legally obliged to carry out a specified service to all victims of crime and in certain circumstances; the Force must ensure that an 'enhanced service' is provided to a victim. This document will discuss the key areas of the Code and will show how this service and the information gathered from the victim is recorded correctly.

### **OUR OBLIGATIONS TO VICTIMS OF CRIME**

The officer (OIC) must inform victims about the Victims Code and tell them what to expect from the Criminal Justice System. It is therefore, vitally important that all officers within the Force have a comprehensive knowledge of the revised Victims Code of Practice. In addition, Devon and Cornwall Police provide both the 'You Matter We Care' booklet and 'The Victims Code Z-Card' which acts as an additional guidance document that officers can give to victims.

### **PRIORITY CATEGORY VICTIMS**

The Police **must** conduct an initial needs assessment (triage) at an early stage to decide whether a victim falls into one or more of the four priority categories, which are as follows:

#### **1) Vulnerable victims**

The Victims Code states that any victim under the age of 18 years of age is automatically classed as a vulnerable victim.

In addition to this, a victim is also vulnerable if the quality of their evidence is likely to be diminished due to:

- A mental disorder within the meaning of the Mental Health Act 1988;
- A significant impairment of intelligence and social functioning;
- A physical disability or a physical disorder.

#### **2) Intimidated victims**

According to the Code, an intimidated victim is anyone whose quality of evidence will be affected because of their fear or distress about testifying in court.

You should consider any behaviour towards the victim on the part of the accused, members of the family or associates of the accused.

The nature of the offence is also relevant. For example, victims of sexual offences or gun and knife crime are automatically considered to be intimidated.

The victim's age and other characteristics defined in the Code may also be relevant.

OFFICERS MUST LOOK ON PAGE 3 OF UNIFI TO SEE IF THE VICTIM HAS BEEN CLASSED AS EITHER **VULNERABLE** OR **INTIMIDATED**.

F45004 View Crime - Page 3 - Crime Complainers / Victims (RESTRICTED)

File Edit Operations Go to Settings Window Help

**Basic Details**  
 Crime Report No: CR/081022/14 UNDETECTED Last Update: 01/07/2014 URN: 2768132  
 HO Crime Class: SEXUAL ASSAULT OF A MALE CHILD UNDER 13

**Complainers / Victims**

Name	Involvement	Vulnerable	Intimidated
CAMM JAYDEN MICHAEL	VICTIM	YES	YES

Item 1 of 1 Selected

**Additional Details**

Address: FLAT 6, 14, HIGHFIELD ROAD, ILFRACOMBE, DEVON EX34 9LZ

Title: Age: 4 Ethnic App: WHITE EUROPEAN Persistent Target: NO  
 Sex: MALE Occupation: Ethnic Self: NOT STATED Victim of Serious Crime: NO

Injuries: NONE Details of Injury:  
 Previous Victim: NO VPS Obtained: NO Not In Use: NO Reason for Enhanced Service:  
 YMWC: NO Not in Use: NO VSS: NOT APPLICABLE

**Hate Crime Details**

Consent for Referral to other Agency: NO Previous Hate Crime Victim: NO

To Whom Referred: To Whom Reported: Not In Use:

View Telephone Numbers View Religion View Languages View Enquiry Progress Letters

<Back Next> OK

UNIFI ALSO DISPLAYS A **SMALL GREEN CROSS** ON THE CRIME ICON IF A VICTIM ON THE CRIME IS EITHER **VULNERABLE** OR **INTIMIDATED**. IN ADDITION UNIFI AUTOMATICALLY PLACES THESE TYPES OF CRIME TO THE TOP OF ANY SEARCH RETURN TO ENSURE THESE TYPES OF PRIORITY VICTIMS ARE IDENTIFIED AT THE EARLIEST STAGE OF ASSESSMENT.

F122801 Allocate Crimes

File Edit Operations Settings Window Help

**Search Criteria**  
 LPA: 42 Select... Hatpeg: LOCAL INVESTIGATION Select... Refresh: Manual Automatic 5 Minutes  
 Section: Report Status: INITIAL CREATION Select... Search

**Crime Summaries**

Crime Report No	Committed From	Committed To	Enquiry Officer	Allocation Status	Report Status
CR/086392/14	01/01/1999 00:01	30/06/2014 21:21		UNALLOCATED	INITIAL CREATION
CR/086430/14	01/07/2014 12:15	01/07/2014 12:30		UNALLOCATED	INITIAL CREATION
CR/086483/14	01/05/2014 00:00	02/07/2014 19:00		UNALLOCATED	INITIAL CREATION
CR/086486/14	01/07/2014 11:00	01/07/2014 11:30		UNALLOCATED	INITIAL CREATION

Item 4 of 12 Selected GPM RESTRICTED

**Crime Details**  
 HO Crime Class: THREATS TO KILL  
 Crime Location: 8, LANGLAUGH PARK, ILFRACOMBE, DEVON EX34 8RA CI2R  
 Expired Diary Entries: Date:  
 Primary Investigation: NO Item 0 of 0 Selected  
 Reporting Officer: PC 11707 42 MATTHEW REED Enquiry Officer:  
 Disposal Code: 24 Disposal Description: UNDER INVESTIGATION

View Crime

Create Workflow Add Crime Enquiries... Complete Cancel

### 3) Persistently targeted victims

This includes anyone who has been targeted repeatedly as a direct victim of crime over a period of time, particularly if they have been deliberately targeted or they are a victim of a substantial campaign of harassment or stalking.

Whether a victim falls into this category is a matter of professional judgement. The category is intended to cover victims of crimes such as harassment or stalking, or sustained anti-social behaviour, particularly when the victim is being singled out.

A victim who has suffered two unrelated crimes within a relatively short period of time would not ordinarily fall into this category.

### 4) Victims of the most serious crime

The most serious crimes include all domestic violence, all sexual offences and hate crime offences. In addition, serious crimes also include human trafficking, attempted murder, kidnap, false imprisonment, arson with intent to endanger life and wounding or causing grievous bodily harm with intent.

The code also defines a victim of the most serious crime as a bereaved close relative.

**OFFICERS MUST LOOK ON PAGE 3 OF UNIFI TO SEE IF THE VICTIM HAS BEEN CLASSED AS EITHER PERSISTENTLY TARGETED OR A VICTIM OF THE MOST SERIOUS CRIME.**

45004 View Crime - Page 3 - Crime Complainers / Victims (RESTRICTED)

File Edit Operations Go to Settings Window Help

**Basic Details**  
Crime Report No: CR/081022/14 UNDETECTED Last Update: 01/07/2014 URN: 2768132  
HO Crime Class: SEXUAL ASSAULT OF A MALE CHILD UNDER 13

**Complainers / Victims**

Name	Involvement	Vulnerable	Intimidated	
CAMM JAYDEN MICHAEL	VICTIM	YES	YES	

Item 1 of 1 Selected

**Additional Details**

Address: FLAT 6  
14, HIGHFIELD ROAD  
ILFRACOMBE  
DEVON EX34 9LZ

Title: [ ] Age: 4 Ethnic App: WHITE EUROPEAN Persistent Target: NO  
Sex: MALE Occupation: [ ] Ethnic Self: NOT STATED Victim of Serious Crime: NO

Injuries: NONE Details of Injury: [ ]

Previous Victim: NO VPS Obtained: NO Not In Use: NO Reason for Enhanced Service: [ ]

YMWC: NO Not in Use: NO VSS: NOT APPLICABLE

**Hate Crime Details**

Consent for Referral to other Agency: NO Previous Hate Crime Victim: NO

To Whom Referred: [ ] To Whom Reported: [ ] Not In Use: [ ]

View Telephone Numbers View Religion View Languages View Enquiry Progress Letters

<Back Next> OK

**THERE IS ALSO A FREE TEXT FIELD TITLED 'REASONS FOR ENHANCED SERVICE'. THIS SHOULD BE USED TO HIGHLIGHT THE RELEVANT ASPECTS THAT HAVE TRIGGERED THE PRIORITY STATUS OF THE VICTIM.**

### **VICTIM NEEDS ASSESSMENTS (VNA'S)**

According to the Code, **all priority victims** of crime are entitled to a further needs assessment by the Police to identify any needs or support required. The length and content of this assessment depends on the severity of the crime and the victim's individual needs. The assessment will take into account the victim's personal characteristics, the nature and circumstances of the crime, and the victim's views.

Victim Needs Assessments (VNA's) are a statutory obligation for all Police services to adhere to, and therefore a new formalised process will be introduced to Devon and Cornwall Police in the near future.

### **SPECIAL MEASURES**

Special measures is the term used to describe the measures a court can order to assist vulnerable or intimidated witnesses to give their best evidence in court. Officers are required to explain special measures where appropriate to victims who are classed as vulnerable and intimidated, and establish what measures, if any, the victim feels they need to best help them give their evidence.

Special measures consist of the following services:

- Screens / curtains in the courtroom so the witness does not have to see the defendant, and, in some cases, the public gallery;
- A live video link allowing a witness to give evidence away from the courtroom.
- Evidence in private – the public gallery can be cleared in cases involving a sexual offence, human trafficking, or where the court is satisfied that someone other than the accused may seek to intimidate the witness;
- Removal of wigs and gowns by judges, defence and CPS barrister;
- Video-recorded statements – these allow a witness to use a pre-recorded video statement as their main prosecution evidence;
- Examination of a witness through a registered intermediary;
- Provide communication aids.

**IF SPECIAL MEASURES ARE APPROPRIATE WITHIN THE CASE, OFFICERS ARE REQUIRED TO RECORD THIS INFORMATION WITHIN THE MG2 ALONG WITH A RATIONALE OF WHY THESE SPECIAL MEASURES WOULD BE BENEFICIAL.**

## **KEEPING THE VICTIM INFORMED**

Ordinarily a victim of crime is entitled to be informed by the Police and to have the reasons explained to them within 5 working days of a suspect being:

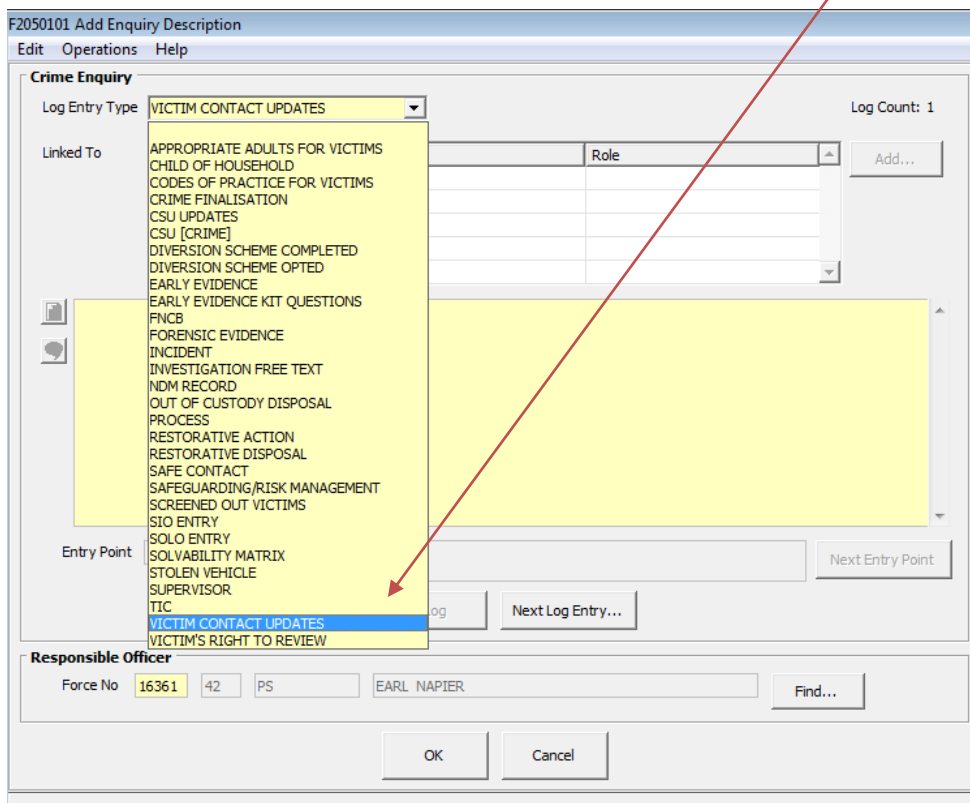
- Arrested;
- Interviewed under caution;
- Charged or released with no further action;
- Released on bail, or if police bail conditions are changed or cancelled.

Similarly, victims are entitled to an explanation within 5 days of a decision not to investigate a crime and to be advised when an investigation has been concluded with no person being charged.

**Priority victims are entitled to receive this information within 1 working day.**

The police should agree with the victim how frequently any interim updates will be given and by what method.

**OFFICERS ARE REQUIRED TO RECORD WHEN THESE UPDATES HAVE BEEN PROVIDED TO THE VICTIM WITHIN A DEDICATED LOG ENTRY TYPE IN UNIFI CALLED 'VICTIM CONTACT UPDATES' (PAGE 10 – CRIME ENQUIRIES).**



The screenshot shows the 'F2050101 Add Enquiry Description' window. The 'Log Entry Type' dropdown is set to 'VICTIM CONTACT UPDATES'. A list of other log entry types is visible in a scrollable area, with 'VICTIM CONTACT UPDATES' highlighted. A red arrow points from the text above to this highlighted option. The 'Responsible Officer' section shows 'Earl Napier' with force number '16361'.

Linked To	Role
APPROPRIATE ADULTS FOR VICTIMS	
CHILD OF HOUSEHOLD	
CODES OF PRACTICE FOR VICTIMS	
CRIME FINALISATION	
CSU UPDATES	
CSU [CRIME]	
DIVERSION SCHEME COMPLETED	
DIVERSION SCHEME OPTED	
EARLY EVIDENCE	
EARLY EVIDENCE KIT QUESTIONS	
FNCB	
FORENSIC EVIDENCE	
INCIDENT	
INVESTIGATION FREE TEXT	
NDM RECORD	
OUT OF CUSTODY DISPOSAL	
PROCESS	
RESTORATIVE ACTION	
RESTORATIVE DISPOSAL	
SAFE CONTACT	
SAFEGUARDING/RISK MANAGEMENT	
SCREENED OUT VICTIMS	
SIO ENTRY	
SOLO ENTRY	
SOLVABILITY MATRIX	
STOLEN VEHICLE	
SUPERVISOR	
TIC	
<b>VICTIM CONTACT UPDATES</b>	
VICTIM'S RIGHT TO REVIEW	

**VICTIM PERSONAL STATEMENTS AND BUSINESS IMPACT STATEMENTS**

All victims are entitled to make a Victim Personal Statement (VPS). This gives them an opportunity to explain in their own words how a crime has affected them, whether physically, emotionally, financially or in any other way. The judge or magistrate will consider the VPS when passing sentence.

Under the revised Code, victims can request to read out their statement themselves, have the prosecutor do so on their behalf or not have it read out at all. Officers should ask the victim whether they would like to read it or have it read out in court. Victims must be informed that if they choose to read out their VPS, they can be cross-examined in relation to it in court.

The victim can make a VPS at any time before a case comes to court. The court will decide if the victim is allowed to read out their VPS.

**OFFICERS MUST ENSURE THAT IF A VPS HAS BEEN PROVIDED, THIS IS RECORDED WITHIN UNIFI. IF THE VPS IS PROVIDED AT A LATER DATE, THE VPS SECTION ON UNIFI MUST BE UPDATE VIA CDIB.**

The screenshot shows a web-based application window titled "F45004 View Crime - Page 3 - Crime Complainers / Victims (RESTRICTED)". The interface is divided into several sections:

- Basic Details:** Crime Report No: CR/081022/14, UNDETECTED, Last Update: 01/07/2014, URN: 2768132. HO Crime Class: SEXUAL ASSAULT OF A MALE CHILD UNDER 13.
- Complainers / Victims:** A table with columns: Name, Involvement, Vulnerable, Intimidated. One entry is visible: CAMM JAYDEN MICHAEL, VICTIM, YES, YES.
- Additional Details:** Address: FLAT 6, 14, HIGHFIELD ROAD, ILFRACOMBE, DEVON EX34 9LZ. Title: (empty), Age: 4, Ethnic App: WHITE EUROPEAN, Persistent Target: NO. Sex: MALE, Occupation: (empty), Ethnic Self: NOT STATED, Victim of Serious Crime: NO. Injuries: NONE, Details of Injury: (empty). Previous Victim: NO, VPS Obtained: NO, Not In Use: NO, Reason for Enhanced Service: (empty). YMWC: NO, Not in Use: NO, VSS: NOT APPLICABLE.
- Hate Crime Details:** Consent for Referral to other Agency: NO, Previous Hate Crime Victim: NO. Below are three dropdown menus: To Whom Referred, To Whom Reported, and Not In Use.

At the bottom, there are buttons for "View Telephone Numbers", "View Religion", "View Languages", "View Enquiry Progress Letters", "<Back", "Next>", and "OK". A red arrow points from the text above to the "Involvement" field in the "Complainers / Victims" table.