

Victim Personal Statements 2018/19

Analysis of the offer and take up of Victim Personal Statements using the Crime Survey for England and Wales, April 2013 to March 2019.

July 2019



Dame Vera Baird QC

Victims' Commissioner for England and Wales

The role of the Victims' Commissioner is to promote the interests of victims and witnesses, encourage good practice in their treatment, and regularly review the Code of Practice for Victims which sets out the services victims can expect to receive.

Foreword

For the sixth year running, it would appear victims of crime are being deprived of the opportunity to make a victim personal statement (VPS) and make their voices heard in court. One in seven victims (14 per cent) said they were offered the chance by police to make a statement for the year ending March 2019.

Yet a VPS is a key entitlement available to victims under the Victims Code. The statement offers crime victims the opportunity to express how it affected their lives physically, emotionally, financially or in any other way. Significantly, the account is articulated in the victim's own words.

There was also sharp drop in the proportion of victims feeling that their statement had been taken into account by the criminal justice system. Just 46% of those who did make a statement felt it was taken into account, compared to 68% a year ago. This is the lowest recorded score in the past 5 years.

We need to understand the reasons behind this and so that we can take steps to reassure victims their voice is indeed being heard.

I want to see a change the culture of the criminal justice system whereby practitioners at each stage recognise and respect the value of the victims' voice.



Dame Vera Baird QC

Victims' Commissioner – England and Wales

Headline findings

- Few victims report that they are offered the opportunity to make a Victim Personal Statement (VPS) and this has remained consistent since this topic was first included in the Crime Survey for England and Wales six years ago.
 - In 2018/19 victims were given the opportunity to make a VPS by Police in approximately every 1 in 7 incidents (14% of all incidents).
- Overall, victims are no more or less likely to make a VPS than in previous years.
 - In over half of all incidents (55%) where victims were given the opportunity to make a VPS by Police, victims decided to do so.
- Few victims who make a VPS have it read aloud in court. Some victims, who reported that their VPS was not read aloud in court, said they wanted it to have been.
 - In approximately 1 in 6 incidents (17%) where victims made a VPS, their statement was read aloud in court.
 - Where victims had not had their VPS read aloud, victims in a quarter of these incidents (26%) stated that they had said they wanted it to be read aloud. The reasons behind this figure are not clear.
- The proportion of incidents where victims felt that their VPS had been taken into account by the Criminal Justice System was lower in 2018/19 than the previous five years – 22 percentage points lower than 2017/18 and 30 percentage points lower than 2016/17.
 - For under half of all incidents (46%), victims who made a VPS felt that it had been taken into account by the Criminal Justice System.

Introduction (i)

- A Victim Personal Statement (VPS) is the single key entitlement where victims are able to make a statement to explain how a crime has affected them physically, emotionally, financially or in any other way .
- The purpose of the VPS is to give victims a voice in the criminal justice process. It can be considered as part of the evidence before the court prior to sentencing if the defendant is found guilty.
- The VPS entitlement was first formalised in the 2013 version of the Code of Practice for Victims of Crime, and was continued in its [2015 update](#).
- Victims are entitled to say whether they would like to read their VPS aloud, or have it read aloud on their behalf, if a defendant is found guilty.
- While the Crime Survey for England and Wales only asks about VPS offered by the police, victims who have opted into the Victim Contact Scheme are also entitled to make a VPS at a parole hearing.
- Once a VPS is completed and signed, it cannot be changed or withdrawn although a further VPS may be submitted to the police to add or clarify points included in the original.
- The VPS will always be shared with the Crown Prosecution Service. If the case reaches court, the VPS will be served on the court and the defence if it is included as evidence in the trial, so the suspect in a case will usually be able to see it.
- For a more comprehensive review of the VPS [read the 2015 report](#) published by the Victims' Commissioner.

Introduction (ii)

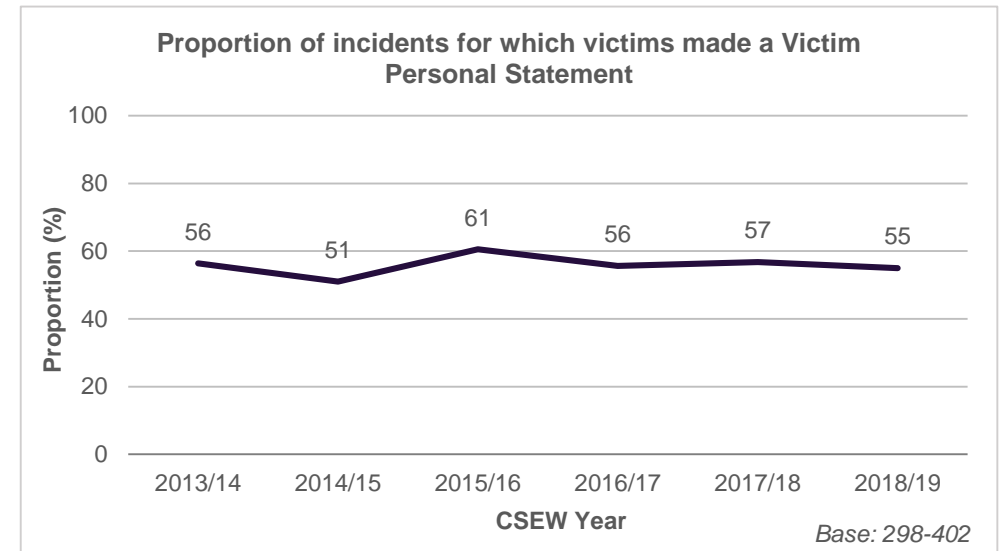
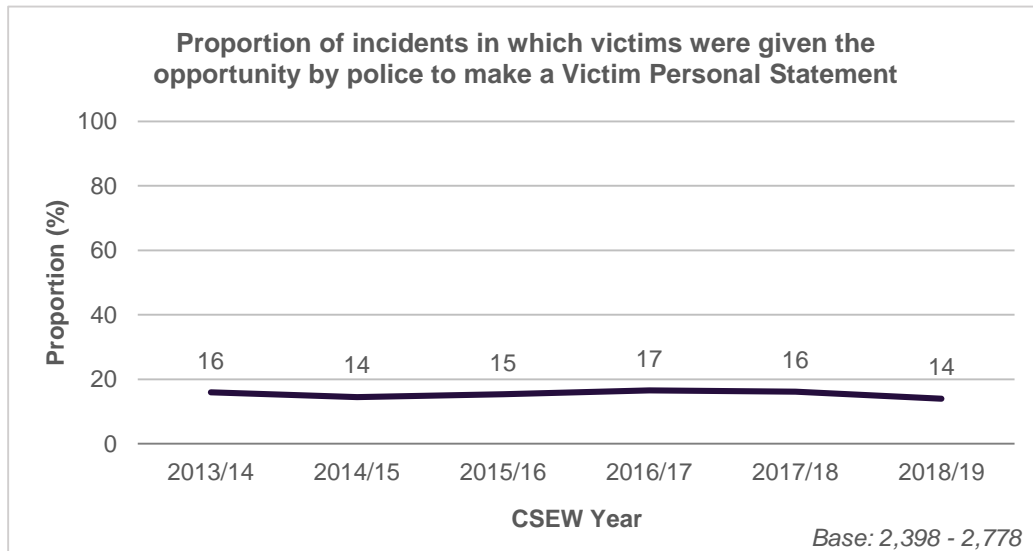
This review looks at the questions in the Crime Survey for England and Wales (CSEW) outlined in the table below. The table also sets out the number of individuals who were asked this question in the survey (the unweighted survey base). This means the number asked these questions before any weights were applied to the data to ensure it is representative of the wider population.

CSEW Question	2013/14 Unweighted base	2014/15 Unweighted base	2015/16 Unweighted base	2016/17 Unweighted base	2017/18 Unweighted base	2018/19 Unweighted base
Victims of crime have an opportunity to make a formal statement to the police about how the crime affected them financially, physically or emotionally or in any other way. This is called a Victim Personal Statement. Did the police give you this opportunity?	2,778	2,522	2,603	2,398	2,414	2,435
Did you make a Victim Personal Statement?	402	307	345	335	325	298
Was your Victim Personal Statement read aloud in court?	Not asked	Not asked	164	147	145	165
Did you say you wanted your Victim Personal Statement read aloud in court?	Not asked	Not asked	127	113	113	103
Do you feel that what you said in your Victim Personal Statement was taken into account by the Criminal Justice System?	170	123	154	143	133	164

Offering and making VPS

In 2018/19, in 1 in 7 incidents (14%) victims were offered the opportunity to make a VPS by the police. There is a significant difference in the proportion of victims offered a VPS in 2016/17 and 2018/19, but it was not significantly different from 2017/18.

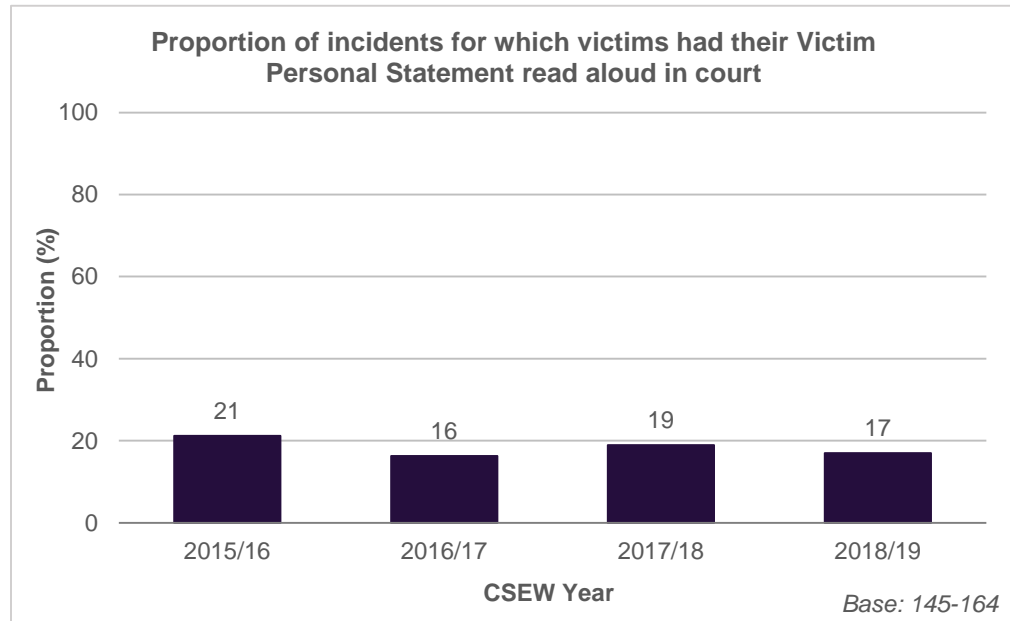
In over half of all incidents (55%) where victims were given the opportunity to make a VPS, the victim did so. The proportion who chose to make a VPS was consistent with previous years.



VPS in courts

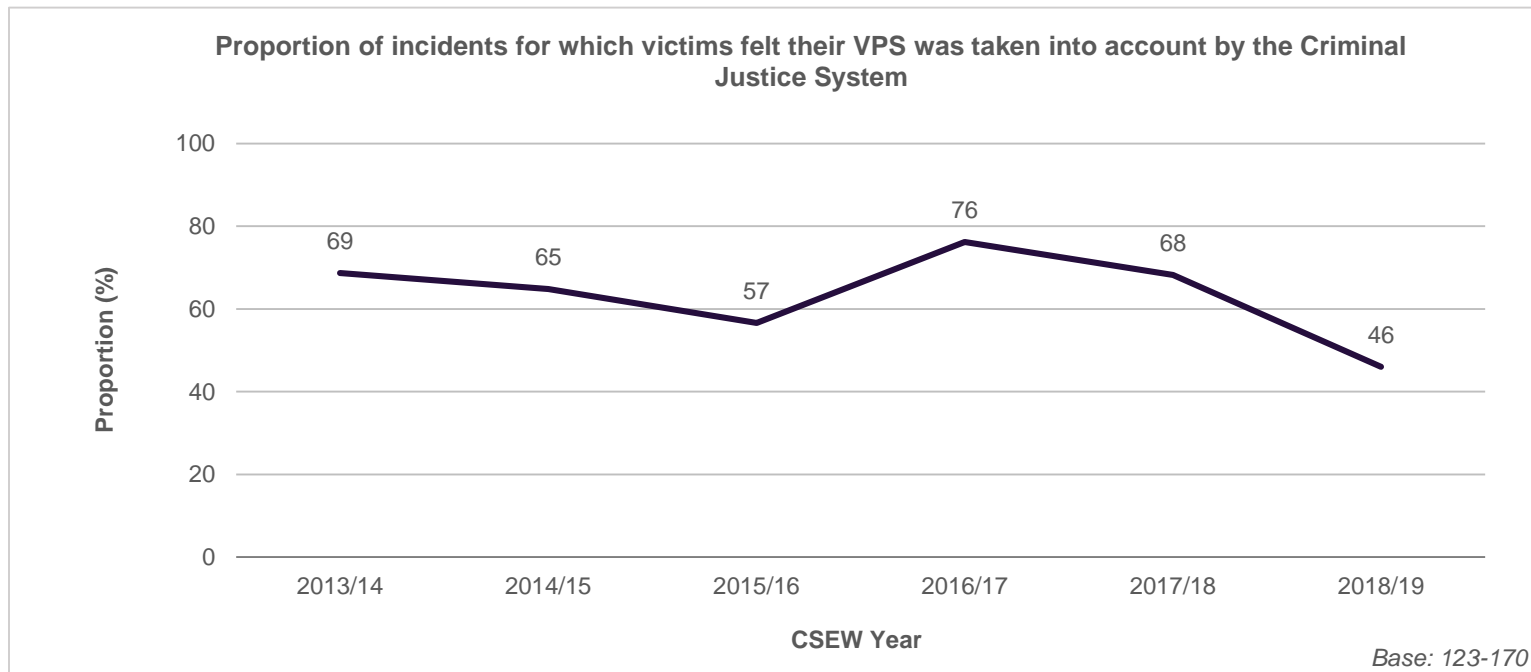
In 2018/19, in approximately 1 in 6 (17%) incidents where victims made a VPS, this statement was then read aloud in court. There was no significant change in this proportion from previous years.

In the same year, in just under 1 in 4 (26%) incidents where victims did not have their VPS read aloud in court, these victims had said that they wanted their VPS to be read out. This remains consistent with the levels recorded in the three previous years this question had been asked.



Do victims feel that VPS are taken into account?

In 2018/19, the proportion of incidents in which victims felt that their VPS had been taken into account was at the lowest level on record*. Under half of all victims (46%) felt their VPS was taken into account by the Criminal Justice System. This is 22 percentage points lower than 2017/18 and 30 percentage points lower than 2016/17**.



* Responses were grouped into 'yes' and 'no'. 'Yes' refers to 'completely' and 'to some extent' and 'no' refers to 'not really' and 'not at all'.

** There were 164 responses to this question in 2018/19, higher than the previous four years. Any percentage change should be interpreted with care due to the small sample size