

**Dame Vera Baird QC**  
**Victims' Commissioner for England and Wales**

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Dear Sonia

## **TRANSPARENCY WITHIN THE CRIMINAL JUSTICE SYSTEM**

I am grateful to you and Gordon for the useful meeting last week; the wide-ranging discussion was thought-provoking and informative.

As you will have gathered, I am particularly keen victims should be better informed about the criminal justice system. It needs to be more transparent. Victims need to know what to expect as a case progresses through the system and have some understanding of the rationale behind decisions. This knowledge will empower them to make informed choices at appropriate points in the process.

In my experience, most victims are not seeking vengeance, but they do want justice. This includes an offender serving the sentence handed down by the court as well as reassurance that any risk presented by the offender will be managed effectively when they are returned to the community. Too often, victims are passed from agency to agency and the information provided is patchy, inaccurate or poorly explained.

As a starting point, I want to be sure victims are given a realistic assessment of sentencing options should the defendant be convicted. This will avoid disappointment further down the line. This is an issue I will be taking up with the police, who are often the point of contact for victims prior to trial.

When a defendant is sentenced, I want to be sure victims (and defendants) actually understand what the sentence means in practical terms. Our sentencing laws are somewhat opaque and it is little surprise so many victims are confused. I want to explore whether victims and defendants can be given transcripts of judges sentencing remarks so that they can absorb the information at a time of their choosing and seek advice where appropriate.

The third element to transparency is victims being provided with sufficient information to enable them to understand an offender's progression through a prison sentence through to the point of release.

For example, when we met, we discussed whether we can inform victims in the Victim Contact Scheme when the offender has been re-categorised, perhaps explaining in general terms how and the decision was taken and the factors likely to have been taken into account. I understand this has been considered and there are some concerns as to how much information may be shared legally. Yet victims can be told when an offender is transferred to Category D conditions. I need to understand why this is permissible, when sharing information about transfers between categories A - C may not be. I am asking that the current position be reviewed.

We also had a wider discussion about the purpose of the annual contact letter. You and Gordon explained the primary purpose of the letter was to retain ongoing contact with victims prior to the offender approaching release. I agree this is very important.

I asked whether there was scope to go further and use the letters to explain in general terms the opportunities which are given to prisoners to promote their rehabilitation whilst they are in custody. I agree this information may not be of interest to all victims, but I would welcome the opportunity to explore this further, by seeking the views of victims.

I also think this might be a good opportunity to reflect upon the section of the letter that refers to "significant developments". Evidence from our victim engagement exercise in 2018 suggests victims interpret this as meaning there has been no change in the risk presented by the offender. In reality, a great deal of progress may have been made and, when the victim receives a parole decision stating the offender is safe to be released, this might come as a shock.

I accept that details of the offender's rehabilitation cannot be shared, but equally, we should avoid the misleading impression that there has been no rehabilitation. I ask whether there might be scope to re-think this part of the letter.

You and Sonia mentioned that these issues might be considered by a focus group of victims. I think this would be an excellent idea and I am very keen that this be pursued. Furthermore, as I explained at the meeting, I would be interested to hear first-hand the feedback from members of the group.

I look forward to receiving your response. In line with my usual practice, a copy of this letter will be placed on my website.

Kind regards



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