

ARE WE GETTING IT RIGHT FOR YOUNG VICTIMS OF CRIME?

A REVIEW OF CHILDREN'S ENTITLEMENTS IN THE VICTIMS' CODE

FOREWORD BY THE VICTIMS' COMMISSIONER, THE BARONESS NEWLOVE OF WARRINGTON



As Victims' Commissioner for England and Wales I have taken a close interest in the ongoing Independent Inquiry into Child Sexual Abuse and the way in which children are treated by the criminal justice system. This interest and my remit to monitor compliance with the Victims' Code prompted me to carry out this review into children's entitlements, as set out in the Code.

In this review 12 children, young people and, in some cases, their families were interviewed to determine whether they were informed about their entitlements, as set out in the Victims' Code. It considered whether these entitlements were delivered with decency and respect, and how the experience of young victims in the criminal justice system fits with what we already know about

works to support victims of crime in terms of timely and accurate information; procedural justice; multi-agency working and a professional victims' advocate service.

I am very grateful to the children, young people and their families that participated in this review. I thank them sincerely for the time and energy it took to discuss their experience in the criminal justice system. I am saddened to say that many of the young victims that took part in this review did not receive all of their entitlements as set out in the Victims' Code and this needs to be addressed by criminal justice agencies.

This report sets out a number of recommendations to criminal justice agencies, which I believe will help ensure that young victims of crime are afforded their rights and are delivered with the decency that these young victims deserve.

This review forms part of a broader series of reviews into compliance with the Victims' Code and good practice in supporting victims of crime.

Baroness Newlove of Warrington

Victims' Commissioner for England and Wales

A handwritten signature in black ink, appearing to read 'Helena', with a long, sweeping underline that extends to the left and then curves back under the name.

ACKNOWLEDGEMENTS

The Victims' Commissioner's Office would like to thank the Children's Commissioner's Office for their support in recruiting young victims to take part in this review and for peer reviewing it prior to publication. We are very grateful to the NSPCC, Catch 22 Merseyside, Victim Support in Essex and the South Essex Rape and Incest Crisis Centre (SERICC) who also helped recruit victims to be interviewed, and supported them through the process. Finally, and most importantly, we would like to thank all the victims who told us about their experiences.

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EXECUTIVE SUMMARY

This review presents the findings from a research project carried out by the Victims' Commissioner Office into the provision of children's entitlements as set out in the Victims' Code.

The purpose of the research was to establish whether children are afforded their rights, as set out under the Victims' Code and whether these rights are delivered with the decency and sensitivity that young victims of crime deserve.

Twelve children and young people, aged 9 – 17, and in some cases their families, were interviewed for this review. They were asked whether they had been informed about and received their entitlements under the Victims' Code from the point of reporting a crime to the end of their trial at court. Respondents were also prompted to give further details about their experience including anything that helped them as well as anything that they found difficult about their journey through the criminal justice system.

The review is a thematic analysis of the children's responses. It examines the delivery of these entitlements in relation to the four key elements that we know to work when supporting victims of crime: through the effective provision of timely and accurate information and communication, transparent procedural justice, effective multi-agency working and professionalised victim advocate services¹.

The review found a mixture of experiences for children when receiving their entitlements under the Victims' Code. There were some examples of good practice, particularly in relation to young victims' attendance at court, but on the whole the young victims who were interviewed were not informed about or did not receive all of their entitlements under the Code.

Many of the children and their families did not feel that they were treated with dignity and respect by criminal justice agencies, with some feeling that they were not believed nor taken seriously because of their age. Despite this issue being highlighted in previous reviews such as Professor Jay's Independent Inquiry into Child Sexual Exploitation in Rotherham (2014) and NSPCC/Metropolitan Police's report on sexual abuse allegations against Jimmy Saville (2013), it seems that lessons are still not being learnt about believing young victims when they come forward and taking them seriously.

Children and young people's experience of the criminal justice system does not always reflect what is known to help support victims cope and recover from the crime. In particular the children, young people and their families expressed confusion and frustration because of a lack of accurate and timely information and communication. Some children and young people reported a perceived lack of procedural justice in which they were made to feel like criminals themselves. The Victims' Code does not mandate a multi-agency approach to supporting victims, but the children and young people in this review reported that services outside of the remit of the Victims' Code, such as social services and education, also had a great impact on their experience of the criminal justice system.

This review concluded that the provision of a professional victims' advocate service would help alleviate many of the frustrations and difficulties that children, young people and their families reported in this review.

¹ Evidence from What Works in Supporting Victims of Crime - <http://victimscommissioner.org.uk/wp-content/uploads/2014/10/What-works-in-supporting-victims-of-crime.pdf>

There are some key recommendations that should help improve the experience of young victims in the criminal justice system. These include: criminal justice agencies to review their policies and procedures to ensure that they are fit for purpose in delivering enhanced entitlements to children as set out in the Victims' Code; criminal justice agencies to review their literature, materials and communication methods to ensure that they are appropriate for children and families; access to registered intermediaries to support children during police questioning and when giving evidence at court; regular and constant monitoring of compliance with the Victims' Code; nationally representative measurement of victim satisfaction for childhood victims of crime and their families; and a victims' advocate to provide children, young people and their families with a seamless and dedicated single point of contact throughout their criminal justice experience.

INTRODUCTION

1. The Code of Practice for Victims of Crime (Victims' Code)² was introduced in 2006, setting out a range of services and minimum standards that victims can expect to receive from criminal justice agencies that are signed up to the Code. The Victims' Code is enshrined in the Domestic Violence, Crime and Victims Act 2004 section 33.
2. In 2013 the Victims' Code was revised to reflect commitments made in the EU Victims' Directive and it introduced enhanced levels of service for vulnerable and/or intimidated victims, persistently targeted victims and victims of the most serious crimes³.
3. All victims under the age of 18 at the time of the offence are defined as vulnerable under the Victims' Code and so they are all entitled to enhanced services. A further update to the Code was made in October 2015 to complete the formal transition of the EU Victims' Directive into UK legislation and the criminal justice system.
4. The Victims' Commissioner is responsible for keeping the compliance of the Victims' Code under review, and has carried out a number of reviews including; A review of Complaints and Resolution for Victims of Crime, published in January 2015⁴ and The Silenced Victim: A review of the Victim Personal Statement, published in November 2015⁵.
5. In March 2016, the Victims' Commissioner's Office, in conjunction with Portsmouth University, published a rapid evidence assessment of the best available international evidence on what works in supporting victims of crime, titled *What Works in Supporting Victims of Crime* (Wedlock and Tapley, 2016)⁶.
6. The report found that there are four key principles that work in supporting victims of crime: information and communication; procedural justice; multi-agency working and professionalised services, particularly those that provide the victim with a single individual advocate or victim case worker to help them in their whole journey throughout the criminal justice system.
7. The Victims' Commissioner's Strategy Plan⁷ sets out five overarching aims for her second term in office 2016-19. One of these is to review the provision of victim services on the basis of the four key principles of what works in supporting victims of crime. This review and future reviews produced by the Victims' Commissioner will be based upon these four key principles. They provide the foundation to build further robust evidence on what services and entitlements are delivered to victims of crime, and how they are best delivered in order to support victims through the criminal justice system.

² Ministry of Justice (2015) *Code of Practice for Victims of Crime*: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/476900/code-of-practice-for-victims-of-crime.PDF

³ See the appendix for a list of entitlements for children and vulnerable victims under the Victims' Code

⁴ Office of the Victims' Commissioner (2015) *A review of Complaints and Resolution for Victims of Crime*: http://victimscommissioner.org.uk/wp-content/uploads/2015/01/A-Review-of-Complaints-and-Resolution-for-Victims-of-Crime_January20151.pdf

⁵ Office of the Victims' Commissioner (2015) *The Silenced Victim: A review of the Victim Personal Statement*: <http://victimscommissioner.org.uk/wp-content/uploads/2014/10/The-Silenced-Victim-A-review-of-the-Victim-Personal-Statement.pdf>

⁶ Wedlock, E and J. Tapley (2016) *What Works in Supporting Victims of Crime*: <http://victimscommissioner.org.uk/wp-content/uploads/2014/10/What-works-in-supporting-victims-of-crime.pdf>

⁷ Victims' Commissioner's Strategy Plan 2016-19: <http://victimscommissioner.org.uk/wp-content/uploads/2014/10/VC-Strategy.pdf>

8. This review is a thematic analysis of interview data collected from young victims of crime to identify whether the children and young people interviewed were given their entitlements as set out in the Victims' Code.
9. The four key principles of what works to support victims of crime are used as a framework to investigate how well these entitlements were delivered and how effective provision of entitlements for children under the Victims' Code can help to support young victims in their engagement with the criminal justice system, and in coping and recovering from crime.
10. The review aims to give children and young people a voice. It gives them a chance to tell their account, of what it is like to go through the criminal justice system as a young victim of crime, in their own words. The names of the children and young people have been changed to protect their identity.

BACKGROUND

1. As part of this review, previous research, statistics and investigations have been drawn together in order to gain a broader understanding of some of the key issues relating to children and young people in the criminal justice system. This includes an analysis of the prevalence of crime committed against children and young people from statistics on self-reported and police recorded crime; unreported crime against children, their experience in the criminal justice system (including barriers to children in engaging with the police); identification of an historic culture of children not being believed or taken seriously and children's experience in court.

PREVALENCE OF CRIME AGAINST CHILDREN AND YOUNG PEOPLE

CRIME SURVEY DATA AND POLICE RECORDED CRIME

2. Data from the Crime Survey for England and Wales estimated that in the year ending September 2016, around 12 in 100 children aged 10 to 15 were victims of at least one crime. The survey recorded a total of 780,000 crimes experienced by children; of this number, 52 per cent were categorised as violent crimes (404,000), 34 per cent as thefts of personal property (265,000), nine per cent as criminal damage to personal property (67,000), and six per cent as robbery (45,000)⁸.
3. The Crime Survey for England and Wales does not include children under the age of 10 or those aged 15 to 17. It also does not include questions about sexual abuse, sexual violence or sexual exploitation of children.
4. Police recorded crime figures demonstrate that a disproportionate number of children and young people are victims of violent and sexual offences.
5. Police recorded crime data of violent and sexual offence in the year ending March 2015, showed that children aged under 16 accounts for a large proportion of all of the rape offences recorded by the police. Just under a third (30 per cent) of female rape victims were aged under 16, with the majority (60 per cent) of male rape victims being aged under 16⁹.

⁸ Crime in England and Wales: year ending September 2016. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingsept2016> (Accessed January 2016)

⁹ Experimental Statistics 1: New data on police recorded violent and sexual offences, year ending March 2015. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/compendium/focusonviolentcrimeandsexualoffences/yearendingmarch2015/experimentalstatistics1newdataonpolice-recorded-violent-and-sexual-offences-year-ending-march-2015#violent-offences-by-age-and-sex-of-the-victim> (Accessed January 2016)

6. Rape victims were most likely to be aged 15 to 19 and account for nearly a quarter (23 per cent) of all rape offences recorded by the police, even though only six per cent of the population are this age. This was followed by victims aged 10 to 14 (16 per cent of rapes though only five per cent of the population are aged 10 to 14).

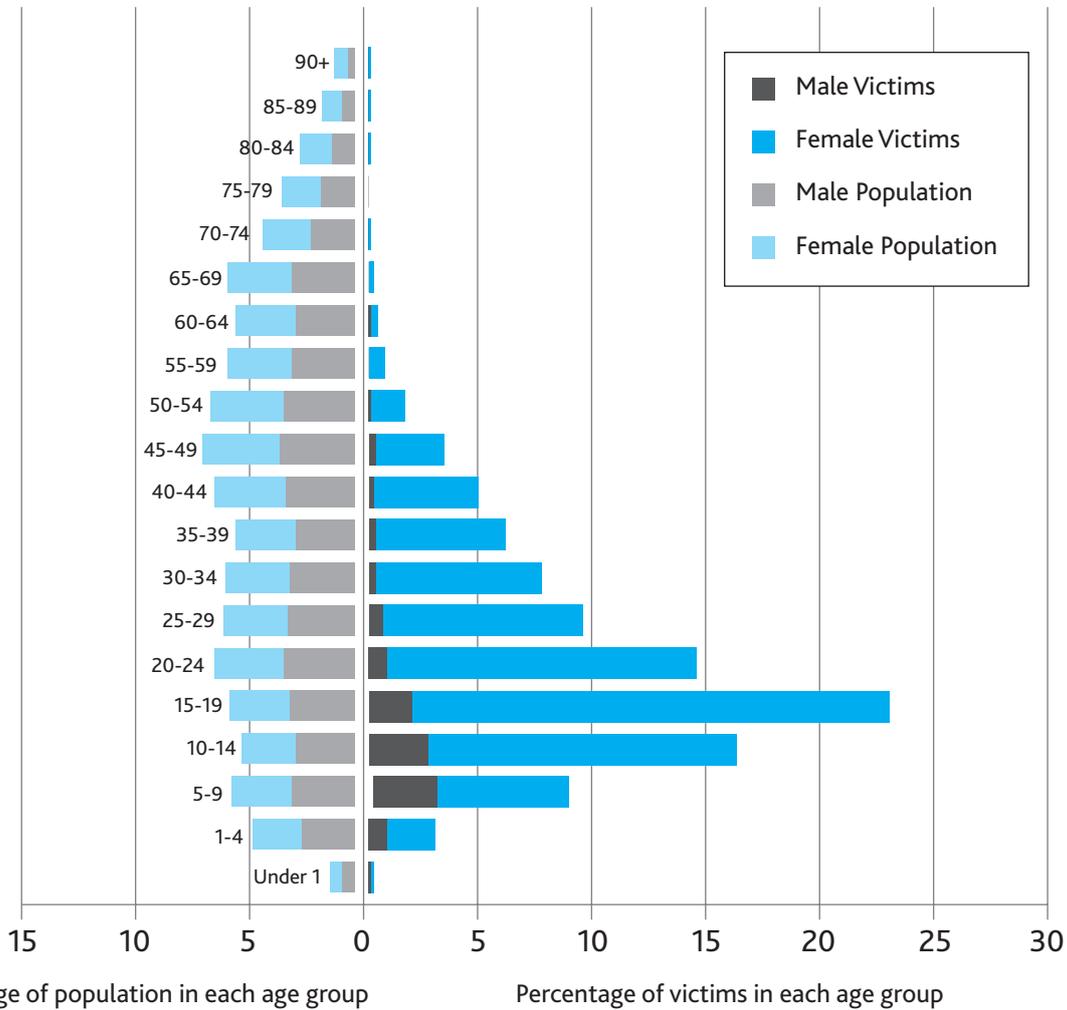


Figure 1: Proportion of rape offences, by age and sex of the victim, Home Office Data Hub (13 forces), year ending March 2015 England and Wales (ONS 2016)

7. Police recorded crime figures demonstrated that in the year ending March 2015, young victims aged 15 to 19 were more likely to be victims of violence against a person compared with their population profile. While those aged 15 to 19 made up around six per cent of the population, they account for 12 per cent of recorded cases of violence against a person offences.

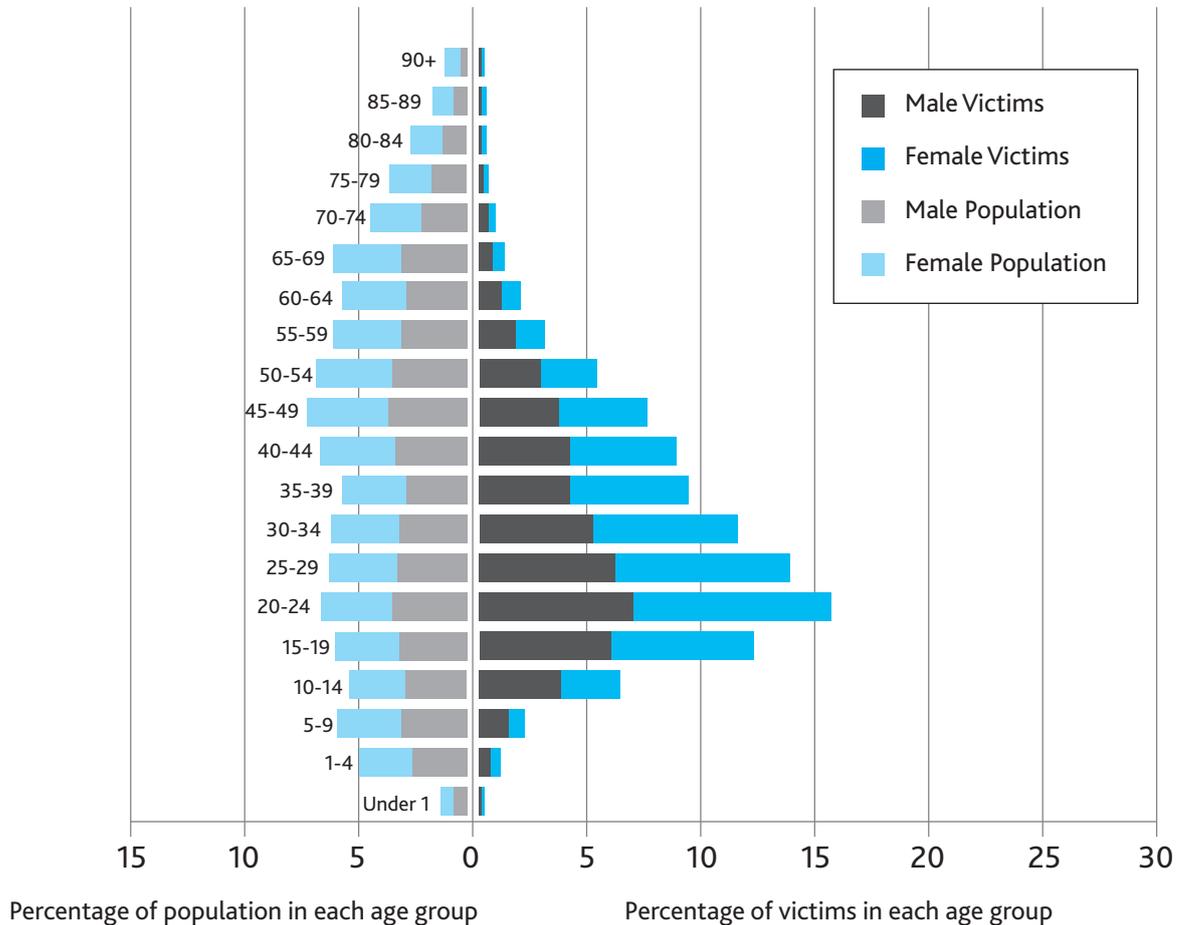


Figure 2: Proportion of violence against the person offences, by age and sex of the victim, Home Office Data Hub (13 forces), year ending March 2015 England and Wales (ONS 2016)

8. In the year ending March 2016, police recorded crime figures showed that children aged under 16 accounted for a large proportion of other sexual offences. Half (50 per cent) of female victims and the majority (62 per cent) of male victims were aged under 16. A disproportionate number of children are also victims of other sexual offences, compared with the number of children in the population. Twenty-eight per cent of victims of other sexual offences recorded by the police were aged 10 to 14, even though only five per cent of the population are this age.

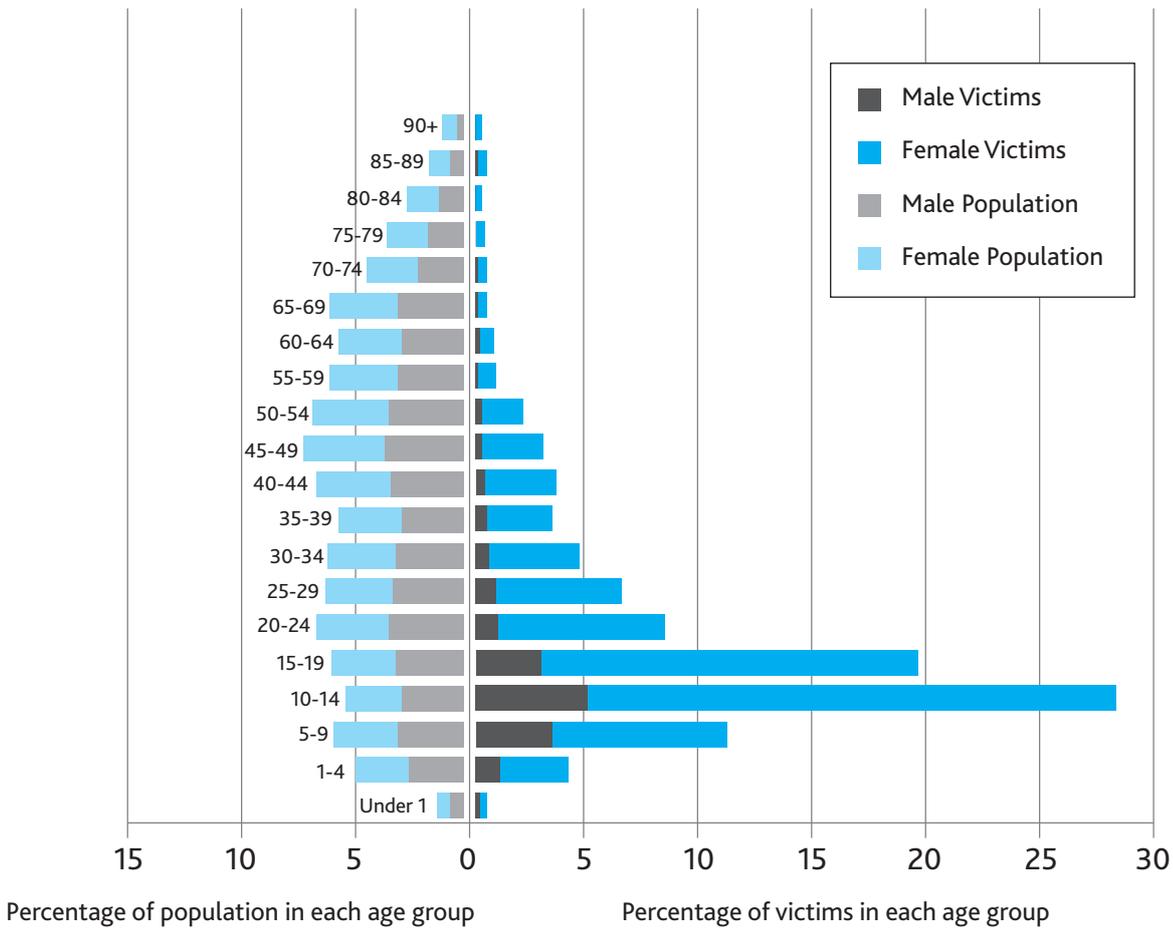


Figure 3: Proportion of other sexual offences, by age and sex of the victim, Home Office Data Hub (13 forces), year ending March 2015 England and Wales (ONS 2016)

UNREPORTED CRIME AGAINST CHILDREN: 'SUFFERING IN SILENCE'

9. Despite the large proportion of recorded crime against children, there is evidence to suggest that much of the crime committed against children and young people goes unreported, and therefore unrecorded, indicating that children and young people experience much higher rates of crime than police data suggests.
10. In 2014, the charity Victim Support, in conjunction with Bedfordshire University, undertook a scoping inquiry into the hidden victimisation of children and young people on behalf of the All Party Parliamentary Group for Victims and Witnesses. The *Suffering in Silence* report (2014) compiled existing data to show that the majority of crimes against children and young people were not reported, for example only 13 per cent of violent crime and 15 per cent of thefts were reported by young victims (ONS 2014, as cited by Beckett et al, 2014). In a study commissioned

by the NSPCC, Radford et al (2011) found that approximately one third of 11 to 17 year olds had experienced physical violence within the previous year and one quarter of 11 to 24 year olds said that they had experienced some form of abuse or neglect during their childhood (Radford et al, 2011, as cited by Beckett et al, 2014). The *Suffering in Silence* report investigated some of the potential reasons for this underreporting of crime against children and young people. It found that children do not always know what constitutes a crime, particularly when criminal behaviour has been normalised in a peer group or when children have been groomed for abuse or exploitation. The report found that many children do not know how to report a crime; and teachers or other professionals do not always know how to respond when a child discloses a crime that has been committed against them. When a child knows the perpetrator or the crime takes place in a familiar context, such as school, the child is less likely to report the crime. Children often feel responsible for becoming a victim of crime and this can be reinforced by the language and behaviour of professionals that they disclose the crime to. The report also found that children have a fear and mistrust of the police; this could prevent them from reporting a crime because they fear that they will receive worse treatment than an adult will receive if reporting a crime. Children also fear that they would be treated with 'a lack of respect, suspicion or discrimination' (Beckett et al 2014 p.5)¹⁰.

11. The *Suffering in Silence* report recommended that The Home Office and Ministry of Justice co-ordinate and oversee the collection of comparable police data and self-reports on experiences of crime. They recommended that this data should differentiate children and young people from adults, and cover all types of crime. Although the Crime Survey for England and Wales includes children aged 10 – 15 (though not victims of sexual offences), and recorded crime is differentiated by age of victim; there is clearly a gap in the evidence as to the exact extent of crime experienced by children and young people in England and Wales because no one source is able to accurately report on levels of victimisation suffered by young victims.
12. This review examines whether children are afforded their rights as set out in the Victims' Code and it will also examine how those rights are communicated and delivered. The children who took part in the *Suffering in Silence* research felt that they would not be taken seriously or treated with the same respect as an adult if they reported a crime. This review examines whether children, who have reported a crime, feel that they were treated with dignity and taken seriously as they journey through the criminal justice system.

CHILDREN'S EXPERIENCE OF THE CRIMINAL JUSTICE SYSTEM

PEEL POLICE EFFECTIVENESS 2015 (VULNERABILITY) – A NATIONAL OVERVIEW

13. In 2015, as part of its programme of annual inspections on the effectiveness, efficiency and legitimacy of police forces, Her Majesty's Inspectorate of Constabulary (HMIC) carried out an inspection into vulnerability, which intended to determine how effective police forces were at protecting and supporting vulnerable victims. The inspection had a particular focus on how police forces responded to victims of domestic abuse, absent and missing children and how they responded to childhood sexual exploitation. The inspection rated 43 police forces in their protection and support of vulnerable victims. Of these, 12 forces were categorised as 'good', 27 forces 'require improvement' and four forces were deemed to be 'inadequate' at protecting

¹⁰ Beckett, H and C. Warrington (2014) *Suffering in Silence: Children and unreported crime*. Victim Support. Available at https://www.google.co.uk/search?q=suffering+in+silence+victim+support&ie=utf-8&oe=utf-8&gws_cr=cr&ei=BQmbWP-OBYLSgAaF4r6wBg (Accessed January 2017)

vulnerable people from harm and supporting vulnerable victims. No police force was judged to be 'outstanding'. These scores indicated that all police force areas have room for improvement in the way that they protect and support vulnerable victims.

BARRIERS TO CHILDREN ENGAGING WITH THE POLICE: 'CHILDREN'S VOICES'

14. Research carried out by the University of Bedfordshire on behalf of HMIC (*Children's Voices* Beckett et al, 2016) found that more than half of the children they spoke to said they would find it hard to go to the police if a crime happened to them. The children would instead prefer to tell someone they already know such as a friend, family member, teacher or youth worker. They said it would be difficult to go to the police because they were worried that other people would find out; were scared that things would get worse; had bad experiences with the police in the past; were worried that they would not be believed or that they would be treated like a criminal; or found the police scary, especially when wearing a uniform.
15. The children that took part in the research said they thought the police did not always treat young people fairly because of their ethnicity, gender and their (or their family's) previous history with the police.
16. When children did engage with the police Beckett et al found a range of good, bad and mixed experiences. They found that children's overall impression of the criminal justice system could be largely influenced by their experience with the individual police officer that they saw. Children said that in order to help them feel positive about their involvement with the police, officers should: be understanding and caring; respect and not judge them; listen carefully and do something about it; keep in regular contact about their case; keep their information private; try to arrange to see the same police officer each time in order to build up trust; help get them additional support and give them a say in decisions made about them.

BELIEVING CHILD VICTIMS: INDEPENDENT INQUIRY INTO CHILD SEXUAL EXPLOITATION IN ROTHERHAM 1997-2013

17. Professor Alexis Jay's *Independent Inquiry into Child Sexual Exploitation in Rotherham* (2014) estimated that 1,400 children were sexually exploited in the area between 1997 and 2013. The report demonstrated that not only were individual children often disbelieved when reporting crime, but there had also been an embedded culture of not believing children, who were victims of crime and not doing enough to protect them from further harm. The report highlighted collective failures not only at the operational level, but also 'collective failures' of political and officer leadership across the police force and Rotherham Council.
18. Professor Jay found that three previous reports in 2002, 2003 and 2006 provided '*stark evidence*' to the police and the local council about the scale and seriousness of childhood sexual exploitation in the area. She found that the first of these reports was '*effectively suppressed*' because senior officers disbelieved the data in the reports. Suppression of this report led to suggestions of a cover up and Professor Jay found that the second two reports were ignored.
19. Professor Jay's report described how frontline professionals from the Council, Police and National Health Service worked together on individual cases and a multi-agency approach to childhood sexual exploitation. They alerted senior officers at the Council but they '*were met with disbelief*'. She found that the group was given '*little management support for the good work they were trying to do*'. Professor Jay found that senior officers failed to address the seriousness and scale of the problem.

20. Despite finding '*systemic failings*', Professor Jay also found many improvements by the Council and the police in the previous four years (2010-2014). She went on to make 15 specific recommendations to Rotherham Council and the Safeguarding Children's Board. These recommendations included issues around risk assessment; multi-agency working with police, the Council and the Children and Young People Service; ongoing work with victims and post-abuse support; working with minority ethnic communities, including issues about race; and serious case reviews.

OPERATION YEWTREE: 'GIVING VICTIMS A VOICE'

21. A joint report from the Metropolitan Police and NSPCC into allegations of sexual abuse made against Jimmy Saville under Operation Yewtree (Gray and Watt, 2013) reported a number of longer term outcomes from the investigation. It found there was a significant rise in the level of reporting of historic sexual abuse of children, which was believed to be as a result of the media coverage surrounding this high profile case, which increased confidence in victims that they would be believed.
22. Gray and Watt reinforced the need for rigorous safeguarding and vetting procedures. They found that lessons had been learnt and there was now a better understanding of the reluctance to confront abusive behaviour which could help to avoid this in the future.
23. The authors found that the most important lesson to be learnt from the investigation related to authorities not believing the children and adults that spoke up against him at the time of the alleged offence, '*All too often they were not taken seriously*'. They concluded:

'We must not allow this to happen again - those who come forward must be given a voice and swift action taken to verify accounts of abuse'

Gray and Watt (2013, p24)

24. This review by the Victims' Commissioner examines the provision of children's entitlements under the Victims' Code. The Victims' Code does not explicitly state that children should be believed or taken seriously, however previous literature, case reviews and investigations have clearly highlighted that there is a need for a cultural shift in taking children seriously and believing them when they report a crime. This review investigates whether this cultural shift has been embedded in the criminal justice system and whether children who report crimes now are believed and taken seriously.

CHILDREN'S EXPERIENCE OF GIVING EVIDENCE IN COURT: 'MEASURING UP?'

25. In addition to their treatment by the police, the treatment children receive when going through a court trial can have a great impact on their ability to effectively give evidence as well as the potential levels of further distress and trauma caused by the process.
26. The Crown Prosecution Service carries out a national survey on victim satisfaction but children and young people under 18 years of age are not included in the sample for this survey. Currently no nationally representative data is collected by statutory agencies to evaluate children and young people's satisfaction with the Crown Prosecution Service, or their experiences when attending court as a victim or witness.
27. In an evaluation of the implementation of Government commitments to young witnesses in criminal proceedings titled '*Measuring Up?*', Plotnikoff and Woolfson (2009), in conjunction with the Nuffield Foundation and the NSPCC, considered whether there was a gap between

what they viewed as a sound framework, provided by the Government to support young victims and witnesses to give evidence, and the actual delivery of these measures. The researchers interviewed 182 young witnesses (172 of whom gave evidence) and parents of 172 of those children. They found that the policies were of great benefit to young victims and witnesses when they were put into practice. For example they found that the introduction of Witness Care Units made a great contribution to providing timely and accurate information to the families of young victims in England and Wales, with 75 per cent of parents saying that they had received information before the trial from the Witness Care Unit, more than from any other criminal justice agency. However, they also found a significant gap between the Witness Care Unit's policies and the experience of children and young people in practice. For example, although their policy stated that all young witnesses can make a statement in the form of a video-recorded interview, only 55 per cent of young victims gave evidence in this way. It also stated that young victims should receive assistance before the trial, yet the report found that 44 per cent of young people had not met a supporter before trial or had a familiarisation visit to court ahead of the trial. Despite policies around standards of questioning at court, 65 per cent of young witnesses reported problems in understanding the questioning including complex questions, questions that were asked too quickly and being talked over when they answered. They found that despite clear policies around emotional support for young witnesses while they give evidence, two thirds of young witnesses were allocated support by someone they had never met before.

28. The *Measuring Up* report found that young witnesses had a very mixed experience when giving evidence in court, which many of them found to be '*distressing and disenchanting*' (Plotnikoff and Woolfson, 2009 p163). However, it also found that most of the difficulties encountered by young witnesses could have been remedied or avoided by increased diligence in delivering the existing policy commitments. If the young witnesses had been dealt with in the way in which they were entitled to, their experience of the criminal justice system could have been significantly improved.
29. The Ministry of Justice drew up an Action Plan in response to the recommendations made in the *Measuring Up* report. In 2011, Plotnikoff and Woolfson published a follow up report titled '*Young Witnesses in Criminal Proceedings*' in conjunction with the Nuffield Foundation and the NSPCC in which they revisited the recommendations and reported on progress made as a result of the Ministry of Justice Action Plan. They concluded that some significant changes had been made by Government in order to improve the experience of young witnesses. However they also said: '*there remain areas in which the State is failing in it's commitment to enable young witnesses to give their best evidence*' (Plotnikoff and Woolfson, 2011 p8.).

PRE-RECORDED CROSS-EXAMINATION: PROCESS EVALUATION OF PRE-RECORDED CROSS-EXAMINATION PILOT (SECTION 28)

30. Special measures to help children and vulnerable witnesses give evidence in court were introduced in the Youth Justice and Criminal Evidence Act 1999. Section 27 of the Act provided an entitlement for children to pre-record their evidence which could be played in court. Section 28 further enhanced this provision so the recipients of Section 27 could also have their cross-examination recorded, meaning they would not have to go to court at all. A recent evaluation of a pilot of Section 28 (Baverstock, 2016) found that giving pre-recorded evidence in this way reduced the level of distress and trauma suffered by the young witness. However, the report suggested that communicating the aims and processes around Section 28 to witnesses could be improved.

SUMMARY

31. It is clear from previous literature, research and crime statistics that a large number of children should benefit from the enhanced entitlements available to them through the Victims' Code. Children who have become a victim of crime deserve to be afforded these entitlements and they deserve to have them delivered in a manner which ensures that they are treated with dignity and respect, believed and taken seriously despite, or even because of, their young age. There is currently no definitive research on whether children receive all of their entitlements from when a crime is reported through to the end of their journey through the criminal justice system.
32. This review aims to examine whether children and young people are afforded their entitlements as set out under the Victims' Code. It will examine the delivery of these entitlements in relation to the four key elements that are known to work in supporting victims: information and communication; procedural justice; multi-agency working and professionalised victim services.

THE RESEARCH QUESTIONS

33. The key research questions that this review aimed to address were:
 1. Are children afforded their rights as set out under the Victims' Code?
 2. Are these rights delivered with the decency and sensitivity that childhood victims of crime deserve?
 3. How does the current provision of entitlements for child victims reflect what is known about how best to support victims of crime through effective provision of information and communication, transparent procedural justice, effective multi-agency working and professionalised advocate services?

METHODOLOGY

1. A total of 12 qualitative interviews were carried out with children and young people (or their parents) between the ages of nine and 17.
2. Participants were asked whether they had been informed about their rights as set out in the Victims' Code and whether they had received them. They were also prompted to give any further details about the way in which these rights were delivered (see the appendix for a full list of children's entitlements as set out under the Victims' Code).
3. The interviews lasted between 40-60 minutes. Participants were asked a series of questions relating to each of the rights set out in the Victims' Code regarding reporting the crime, police investigation, processes before the trial, meeting the prosecutor, getting ready for trial, at the trial and after trial. The scope of the questions did not include rights relating to appeals, after the sentence, restorative justice, compensation and complaints. Three out of the 12 cases in this review proceeded to trial at court. Two of the children gave evidence in the trial and one was not required to give evidence because the defendant pleaded guilty to the charges.
4. Interviews were carried out either at the child or young person's home with their support worker and family members present or on the premises of the counselling service that they regularly attend with their support worker on hand to provide support if they needed it.
5. Two of the interviews were carried out with the mothers of the victims. Ten of the interviews were carried out by staff from the Victims' Commissioner's Office and two were conducted by the children or young person's own support worker. The views and preferences of the children and young people about how to engage with this project were taken into account; permissions were sought from children, young people and their families to publish the data in this report. All of the views of children and young people expressed in this report are their own, though the names and any identifying details of crimes experienced by these children and young people have been changed in order to protect their identity.
6. All of the children and young people interviewed as part of this review were female. They have all been a victim of violence, sexual assault or sexual abuse. These young victims were recruited to take part in the review with the kind help of the Children's Commissioner's Office, The South Essex Rape and Incest Crisis Centre (SERICC), the National Society for the Prevention of Cruelty to Children (NSPCC), Victim Support and Catch 22. Individual cases were identified by case workers who carried out a needs and risk assessment to ensure that they were not likely to be retraumatised by taking part in the review.
7. An ethics protocol was developed and adhered to in line with the NSPCC guidance on carrying out research with young victims of crime.

RESEARCH PARTICIPANTS

Anonymised name	Age at the time of reporting the crime (N.B. in some cases the crime was committed at an earlier age than it was reported)	Crime type
Alice	9	Sexual assault committed by a child of 11 years old
Beth	15	Sexual assault (age of perpetrator unknown)
Charlotte	15	Childhood sexual abuse committed by an adult
Darcy	17	Rape committed by a teenage peer
Eliza	14	Childhood sexual abuse committed by an adult
Fiona	14	Sexual assault committed by an adult
Gemma	17	Stalking and assault without injury committed by an adult
Hayley	17	Rape committed by a teenage peer
Isobel	15	Assault with injury committed by teenager
Jenny	17	Childhood sexual abuse committed by an adult
Kelly	14	Assault with injury committed by teenager
Lilly	12	Childhood sexual abuse committed by an adult

8. Data from the interviews was transcribed and recorded electronically, it was then analysed in relation to the entitlements under the Victims' Code. A thematic analysis of the qualitative data was carried out in order to ascertain how well entitlements were delivered to children in terms of the four key elements that are known to support victims: information and communication; procedural justice; multi-agency working and professionalised victims' services.

LIMITATIONS OF THE REVIEW

9. The sample for this review consists only of young female victims of crime. The recruiters were not able to identify any young male victims of crime to take part. The young victims that took part were all victims of violence, sexual abuse or sexual assault. We cannot know from this review whether their experience of the criminal justice system is specific to victims of this type of crime or whether all young victims share a similar experience.
10. The majority of children and young people who took part in this review (nine cases) were from the Essex region. One child was from Wales, one from Kent and one from Merseyside. This could give some geographical bias to findings in the review. Because the majority of cases fall under the remit of one police force area, the ability to generalise the findings to all police and courts is limited.
11. This is a small scale qualitative review so we cannot make generalisations to all young victims of crime. It gives an indication of what these girls in particular have experienced in the criminal justice system, which is not to say it is representative of everyone's experiences. However, the experience of every individual child who is a victim of crime is important, and this report highlights that these girls did not always receive their rights as set out in the Victims' Code. It also demonstrates that the way in which these rights are delivered is just as important to the victim's experience of the criminal justice system as whether or not they are delivered at all.

FINDINGS

INFORMATION AND COMMUNICATION

1. In March 2016, the Victims' Commissioner's Office published a rapid evidence assessment of what works in supporting victims of crime¹¹ (Wedlock and Tapley). It found that timely and accurate information was important to assist victims in coping with the impact of victimisation and the impact of proceeding through the criminal justice system. A lack of information and poor communication could cause victims further distress and could result in victims disengaging with the criminal process or withdrawing their co-operation altogether.
2. The research evidence highlighted that victims want timely and accurate information about the criminal justice system and the progress in their case (Victim Support 2011). They want to be communicated to in language that they can access and understand (Ashworth 1998:64, cited by Tapley, 2005:246), which is even more important when working with young victims of crime. Registered Intermediaries are employed within the criminal justice system to help interpret confusing legal terms and questioning for young and vulnerable victims.
3. The 2016 research report also found that victims want information on accessing support and who to ask questions to if they don't understand something about their case. Victims also want to be consulted on issues that affect them, rather than just having things done to them or for them (Jordon, 2013). They want to be consulted on how they are contacted and for that choice in communication to be respected and adhered to (Tapley, 2005). Victims also want to be listened to with empathy, and treated with dignity and respect. The way in which victims are treated could have a great impact upon their wellbeing and their ability to cope with the crime and their engagement with criminal justice agencies (Elliot et al, 2014). The way in which the police respond to victims has a powerful impact upon victims' wellbeing and their ability to cope (ibid).
4. Much of the entitlements under the Victims' Code relate to the victim's right to receive information and for this to be communicated in a timely and accurate way. If adhered to correctly, the needs of victims as set out above would be met by many aspects of the Victims' Code.
5. In this review, young victims and their carers were asked whether they received their entitlements to information and communication as set out in the Code. The interviews also provided additional qualitative information about the way in which these entitlements had been delivered, as well as the manner in which some entitlements were denied.

SPECIAL MEASURES

6. The Victims' Code sets out the specific special measures that children are entitled to know about and receive in order to protect them from the stresses of giving evidence in court. These measures ensure that their best evidence is achieved in order to secure a conviction. They include:
 - pre-recording their evidence for court;
 - giving their evidence from behind a screen;
 - getting everyone else to leave the court when the child gives their evidence;
 - judges and lawyers taking off their wigs and gowns in order to be less intimidating to the child;

¹¹ Wedlock, E and J. Tapley (2016) *What Works in Supporting Victims of Crime*. Office of the Victims' Commissioner.

- giving evidence by live video-link; and,
 - pre-recording answers to set questions about their evidence and having a Registered Intermediary to help them understand the questions in court.
7. The Code states that children should be informed about these special measures during the police investigation. Most of the participants interviewed as part of this review were told about some of these measures during their experience in the criminal justice system, though some young victims were not told anything about special measures at this point. The amount of detailed information on special measures varied at the point of police investigation.
8. Darcy (aged 17) and Eliza (aged 14) were told that they could record their evidence on video, so that they wouldn't have to go to court, but not told about any of the other special measures. Gemma (aged 17) was told by the police that they:

'Won't bother going through it unless they find the perpetrator'

9. When discussing the possibility of the case going to court, Gemma said:

'They [the police] said if it goes to court are you happy to stand up in front of him. I said no and they said – well hopefully you won't need to go to court'

10. The police did not inform her of any alternative ways to give evidence to the court.
11. Kelly (aged 14) was not told about special measures at the point of police investigation but was told later.
12. Children and young people should also be reminded of their rights to special measures before trial. Only three of the respondents were involved in cases that went to trial, including one case where the defendant pleaded guilty so the victim was not required to give evidence at court. Jenny (aged 17) received full information about all of the special measures available for her to give evidence.
13. During a pre-trial visit, Lilly (aged 12) was told about her right to give evidence via live video-link, which she used during the trial. Special measures also include the right to see the video recording or written statement before going to court so the victim can remember what they said. At trial the pre-recorded witness statement is usually played so the witness is not required to give their evidence again. However, viewing the recorded witness evidence statement caused Lilly a great deal of distress. Her mother described the impact of viewing the evidence in court:

'Seeing her video evidence again devastated her, and she was so upset she had to come out halfway through to be comforted by me. I had to be very firm to get her to return [to the courtroom] as she did not want to. She did not want to go in the first place. It was very hard for me as a mother to force my child against her will to go back and view the evidence, knowing how distressed she was'

Lilly's mother (Lilly aged 12)

14. Lilly was not told about any of the alternative special measures that could be used to give evidence such as: other people leaving the court when it is her turn to give evidence; making a video of her evidence in addition to the original witness statement, so that that she wouldn't have to be in court herself; or pre-recording her cross-examination questions and answers.
15. The way in which special measures are applied is important in ensuring that they protect the young victim as intended. For example, Jenny (aged 17) was granted the use of a screen to give evidence so she wouldn't have to look at the defendant or be seen by him. However, she

reported that:

'When I left the court from behind the screen he was still there. They should have taken him out so I didn't have to see him. What's the point of the screen when I still have to see him on my way out anyway'

Jenny (aged 17)

VICTIM PERSONAL STATEMENTS

16. All victims including children and vulnerable witnesses are entitled to make a Victim Personal Statement (VPS) to explain, in their own words, how the crime has affected them. The Crime Survey for England and Wales continues to show that very few victims are offered the opportunity to make a VPS (15% in 2015/16). In this review, three of the children or young people were given the opportunity to make a VPS. In the case of Kelly (aged 14), the police came to her house to complete the VPS. Lilly (aged 12) was not given the opportunity to make a VPS herself, but the police requested that her mother make a VPS to explain the impact of the crime on her child.

INFORMATION ON COUNSELLING AND SUPPORT

17. Young and vulnerable victims are entitled to have their details passed on to an organisation that can provide help and support for them within two days of reporting the crime. All of the respondents in this review were recruited through support organisations and so all had access to counselling and support, they commented on how much this had helped them cope and recover from the crime. Half of the girls were aware that the police had made a referral to support services or were given leaflets directly about suitable support services that they could approach. The other half of the young victims, who were interviewed, were not aware of the police passing on their details to support services. They had either self-referred or were referred to support services by their General Practitioner or Social Worker.

AGREED LEVEL OF COMMUNICATION

18. The Victims' Code states that victims are entitled to *'receive information about what is happening and discuss with the police how often they will contact you'*¹².
19. In this review, children, young people and their carers were asked about the methods and levels of communication that they received in relation to their case. Only three of the respondents reported being consulted on their preferred methods and frequency of communication. Kelly (aged 14) agreed with the police that they would keep her informed on progress in the case by phone but:

'[We] didn't receive a single phone call to up date us on the case. It took eight weeks to arrest the perpetrator. Mum kept phoning, they always said they were busy – we haven't forgotten you but we are busy. Eventually she was arrested in the 2nd week of July. From the moment of report at the start of May until she was arrested there was no single communication from the police. Mum had the police officer's email address, she emailed, she telephoned his superior – she was always chasing up. It took a while!'

Kelly (aged 14)

20. Hayley (aged 17) did not agree how she would be contacted by the police when they updated her on progress in her case. As a result, she felt intimidated when they turned up at her home without prior arrangement.

'The police would just turn up at the front door or ring me whenever they liked. One time when

¹² Code of Practice for Victims of Crime, section 1.6

they turned up, I didn't want to talk to them and barricaded myself in my room. I wished they would give me notice to say when they would come to see me so that I felt prepared. I felt nervous that the police could turn up at any time'

Hayley (aged 17)

21. Fiona (aged 14) was told that she could only be contacted by the police by mobile phone.

'I am the only girl in school who doesn't carry a mobile phone because we are not allowed to. The police said I 'have' to carry a mobile so that they can contact me'

Fiona (aged 14)

22. Other experiences of agreeing modes of communication with the police were more positive.

'[The police] came around when the kids were at school. They gave me their phone numbers and I was able to get in touch with them as well'

Alice's mother (Alice aged 9)

'The community policeman was very helpful and explained things well. We were allowed to ask questions of him, he was knowledgeable and told us all that we needed to know'

Gemma's mother (Gemma aged 17)

23. Kelly (aged 14) described the very different approach taken to communication by two different police officers involved in the case.

'Mum got the new police officer's mobile number, when she phoned him; he got back to her straight away. This police officer was good. If we had him from start to finish we wouldn't be here saying this. How can two police officers be so different?'

Kelly (aged 14)

24. Fiona (aged 14) described how communication was not only important in relation to the case but also in relating to the victims themselves and appreciating that being a young victim of crime can put them in added danger of self-harm.

'My friend was concerned about me at one time and she called the police. They came to my house at 2am to check that I was ok. They were concerned about my wellbeing. I felt reassured that they came to check on me'

Fiona (aged 14)

25. Knowing how to relate to children and young people can help make them feel comfortable when going through a stressful process:

'The lady who took the photos of Kelly's injuries was really nice. She understood how to deal with someone her age and made Kelly feel really comfortable'

Kelly's mother (Kelly aged 14)

26. For some young victims this positive feedback on their experience with one aspect of police care was countered with negative feedback in relation to another.

'The community policeman was sympathetic, showing he cares, but not the others'

Gemma (aged 17)

'I was given a nice police officer who listened to me and didn't interrupt. He would text and ring to make sure I was ok. When the case was moved from Essex police to London police this was changed to a female police officer who closed the case straight away. I found that the female police officer didn't listen to me as much as the man'

Charlotte (aged 15)

TIMELY AND ACCURATE INFORMATION

27. Many of the children and their families discussed the importance of being kept up to date with timely and accurate information. They highlighted timely and accurate information as one of the most important aspects of their experience with the criminal justice system. Many said that the worst thing was not being kept informed about the progress in their case.

'[Darcy's counsellor] told me that the police officer in the case had been on annual leave for one month, but the police never bothered to tell me. I just want to be kept informed and told what's happening...I think the case is still open but I have never been told for sure'

Darcy (aged 17)

'You try to speak to someone at the desk and they are civilians they can't answer any questions about police matters. When you call the police it's like a call centre, press 1 for this, press 2 for that, then all you get is 'I can't answer, I'm a civilian'. The service is rubbish'

Kelly's mother (Kelly aged 14)

'The police kept us completely in the dark. We kept on ringing and they wouldn't get back to us'

Isobel's mother (Isobel aged 15)

'I said I want to know if he's been caught to put me at ease and they said they will let me know but I've never heard anything'

Gemma (aged 17)

28. Many young victims were particularly frustrated about the delays in their case and that they were not kept informed about delays in the investigation and not being kept informed about why the investigation was taking so long.

'They didn't keep me informed. The police actually said they would get things done quicker if I stopped calling them. [The police officer in charge of the case] said he felt pressured but after six weeks he still hadn't done anything'

Isobel's father (Isobel aged 15)

'The worst thing was the delay, this was frustrating. I should have had notice that things were going to happen rather than being told four weeks after they had happened. I would think that nothing was going on with the case when they were really four steps ahead. They should just tell me what was going on... I was kept informed for about a year and then it just fizzled out, I haven't been told whether the case is closed or still open. I wasn't told if he was arrested or not. He was old so he might be dead...The abuse happened in Spain. I was never told if I could go back there. I have friends and family and left my pet there, I don't know if I would be breaching if I went there'

Eliza (aged 14)

'I said I want to know if he's been caught to put me at ease and they said they will let me know but I've never heard anything'

Gemma (aged 17)

29. The Victims' Code states that young victims should be informed when they have charged a suspect with carrying out the crime and if the suspect is not charged, the police should explain why. This was not always the case and some of the young victims interviewed for this review were still confused as to whether the suspect had been charged or not.

'I think the suspect was not arrested, I don't know anything about if the case will go to court or what stage it is at. At first, I was told that he would be charged but not what with. I wasn't

aware that they had changed their mind about charging him. Then later on I was told that he spoke to the police voluntarily and that he was not arrested'

Darcy (aged 17)

'The police didn't tell me why he was not charged, I assume it is because he was abroad in Spain and then he escaped to America'

Eliza (aged 14)

30. As well as wanting to be kept informed, the manner in which this information is communicated is just as important to children and young people in order for them to understand what they are being told.

'The most confusing thing is being called "the witness" when it was me that it happened to, I don't understand that'

Darcy (aged 17)

'I wasn't told whether he was arrested. The police said they "called him in" but didn't explain what that meant'

Hayley (aged 17)

'It helped that the police officers were female. It would have helped if they had explained everything, but not all at once, it is hard to take everything in at once. Some leaflets or something in writing would help to be able to look at later and take it all in'

Fiona (aged 14)

PROCEDURAL JUSTICE

31. The rapid evidence assessment, *What Works in Supporting Victims of Crime* published by the Victims' Commissioner in March 2016 (Wedlock and Tapley, 2016), found sufficient evidence to suggest that the quality of service victims receive from criminal justice agencies and associated professionals can be just as important to victim satisfaction as the outcome of their case. Victims value a non-blaming attitude from professionals (Elliot et al, 2014), acknowledgement that wrongdoing has been done to them (ibid), and for the police to take action (ibid). Victims want to be treated fairly by the criminal justice system and receive equitable treatment in comparison with the offender (Wemmers, 2013). The way in which entitlements are delivered can have just as much impact on a victim's view of the service they receive as whether they receive those entitlements at all. Victims want to be listened to with empathy and related to as a person (Elliot et al, 2014). Previous research has identified that these aspects of procedural justice are important for adult victims. This review asked children and young people whether they had received the procedural entitlements as set out in the Victims' Code and also gathered further qualitative information about the impact of how these procedures were delivered.
32. The first procedural entitlement when a crime is reported is that the victim is entitled to '*receive written confirmation that you have reported a crime, including the basic details of the offence. The written acknowledgement could be in the form of a letter, an electronic notification such as an email or text, or it could be written by hand*'¹³. Only Gemma (aged 17) recalled receiving a written acknowledgement that they had reported the crime.

¹³ Code of Practice for Victims of Crime, section 1.1

REGISTERED INTERMEDIARIES AND SUPPORT AN GIVING A WITNESS STATEMENT

33. During the investigation process, the Victims' Code states that children and vulnerable witnesses have the right to 'ask for someone to help you understand the questions you are being asked'. Only one of the respondents was informed about this; however, some of the children had a family member to help them understand the questions posed by police during evidential interviews.
34. The Code also states that children are entitled 'to have someone with them, this could be a parent or a family friend, but normally they should be over 18 years old' (ibid). However, there is the caveat that this entitlement will be given 'unless the police decide this is not allowed and tell you why' (ibid). Most of the children and young people had an adult with them such as a family member, social worker or teacher. Jenny (aged 17) chose to be interviewed alone but had her 18 year old cousin in the room next door for support. Alice (aged 9) was interviewed alone but her mother was able to sit in a room next door and watch the interview live on a monitor. In the case of Lilly (aged 12), the police came to her home to question her initially. The police officers questioned her alone in her bedroom.
35. Hayley (aged 17, a victim of rape by a teenage peer) asked to be interviewed by a woman police officer. She was told that there were no female officers available and that she had to be interviewed alone. Hayley was interviewed by male police officers on three occasions despite asking for a female officer each time. On a subsequent visit to the police station she noticed that there was a female officer on duty and was confused about why she couldn't have been interviewed by her.

'I was told no-one can come into the room for the full interview and there is no female officer. I was nervous and was fiddling with something and it was taken away from me. I felt like I was trapped in a padded cell'

Hayley (aged 17)

PROCEDURES TO SUPPORT VICTIMS WHEN ATTENDING COURT

36. In addition to the special measures that children are entitled to when giving evidence at court, they are also entitled to further support when they attend the court hearing. Children are entitled to use a different door to get into the building and sit in a different waiting room so that they don't encounter the defendant or the defendant's family and friends.
37. Of the two respondents that took part in the court trial, Jenny (aged 17) was told what to expect about the court hearing, shown where she would sit and told about all of the special measures that could be used to help her give evidence including video recording evidence, talking from behind a screen, having other people leave the room when she gave evidence, having judges and lawyers take off their wigs and gowns, giving evidence from a live video-link, answering pre-recorded questions and having someone to help her understand the questions. She found the pre-trial visit helpful in preparing her for what to expect. She explained that:

'Visiting the court room helped to give a picture of what it would be like and I was shown the screen and how to sit behind it'

Jenny (aged 17)

38. Jenny (aged 17) described how the court official sat behind her as she gave her evidence and then escorted her back to the waiting room. She wasn't allowed to sit with her mother when giving evidence as her mother also had to give evidence as a witness. The court allowed a family friend (Jenny's 18 year old cousin) to support her as she gave evidence. Jenny explained that she

had never discussed the case with her mother and was glad that her mother didn't hear her give evidence in court; she preferred the support of her cousin. In Jenny's case the procedures as set out in the Victims' Code were adhered in full with regards to support when attending court.

39. Lilly (aged 12) also took part in a court trial for her case. Lilly's mother was given the date, time and place of the trial and told what to expect. However, the trial was postponed at short notice. The family were told on the Friday that the trial would not go ahead as scheduled on the following Monday. The family only found out because the defendant had told his own child's Social Worker and his child is related to Lilly and attends the same school.

'We were given date, time and place details however this was cancelled at very short notice on the Friday before the Monday which was the first day of Trial. We found out through the defendant telling his child's supervisor the trial was delayed for about six months. On this Friday we were due to take my daughter out of school to view her video evidence and she was waiting in Reception for us, when we heard. So instead of taking her to view her video evidence I had to explain to her in school, that the case would be delayed for a further six months approximately. She was so distraught and hysterical, she had to go home. The reason for the delay was apparently that the defence wanted further work done to enable the forensic team to do further investigations into the forensic evidence. Despite being given six months for this to happen, no further work was undertaken by either the defence or the prosecution'

Lilly's mother (Lilly aged 12)

40. Lilly and her mother were told about some of the potential special measures that could help her give evidence but not all of them. The family had a pre-trial visit and were told that Lilly could give evidence via video-link and that the adult witnesses could give evidence from behind a screen, which they all did. They were not told that she could answer pre-recorded questions on video instead of answering them live. Lilly was told that someone would be available to support her in court. It is not clear who this support was provided by as her mother did not know which organisation they worked for, but this person came to the family home with the police officer investigating the case. The family were told that at 12 years old, Lilly was *'borderline age for support'* so she was given the choice of whether to have support or not. It is not clear why the family would have been told that her age was the borderline to receive support when children's entitlements under the Victims' Code applies to all victims under the age of 18.
41. The family were told that they could go through a separate door to the defendant and his family in order to avoid the upset of seeing him, which they did on the day that Lilly gave evidence. However, on the other days the family had to use the same entrance as the defendant and his family and friends. The family made use of the Victims' Suite so that they would be in a different waiting area, but were told this would be available only if there was enough room. Lilly's mother was pleased to be able to wait separately and glad that there was sufficient space for the whole trial. She also expressed how useful the pre-trial visit was in preparing for their experience.

'The pre-trial visit was very helpful and we were able to ask all kinds of questions, it did not matter how silly or trivial we thought they were. Having the separate space away from the defendant was invaluable, but if the court had been busier we would not have been able to do it, which would have been very difficult and distressing'

Lilly's mother (Lilly aged 12)

MEETING THE PROSECUTOR

42. The Victims' Code states that wherever possible young and vulnerable victims should have the opportunity to meet the Crown Prosecution Service Advocate who is presenting the case against the defendant. Of the 12 children and young people interviewed for this review, three

cases went to court. In one case the suspect pleaded guilty and the victim was not required to attend court. The two other children that attended court were given the opportunity to meet the prosecutor.

'Yes, on the first day of the trial, when we were in the Witness Suite the prosecutor came into our room and introduced herself and took her wig off. She explained that she was going to take [Lilly] to meet the judge in his chambers, only [Lilly] could go and it was a very quick visit. In my presence, the prosecutor together with the witness support person explained to [Lilly] about the defence barrister and the job he had to do but at the same time he was a nice person'

Lilly's mother (Lilly aged 12)

'I met the prosecutor on the day of the court hearing just before going in. He discussed his job and everyone's roles'

Jenny (aged 17)

43. In the case of Alice (aged 9), the suspect was eleven years old and the Crown Prosecution Service decided not to prosecute through the criminal court. The police hand delivered a letter to Alice's mother and explained the reasons for the decision not to prosecute.

'The police told me that the prosecutor was the highest in the CPS. She made a long list of questions and conditions to the defence lawyer. She needed answers to all of these to make the best decision for Alice'

Alice's mother (Alice aged 9)

44. This attention to explaining the decision process helped Alice's mother engage with the process and accept the Crown Prosecutor's decision.

'We were told that if he was prosecuted it would be done and dusted, but dealing with him through social services means that he will be in a specialised children's home until he is 19 years old and he will be watched 24/7'

Alice's mother (Alice aged 9)

EQUITABLE TREATMENT

45. Research shows that one of the key determinants of victims feeling that they have been treated fairly in the criminal justice system is when they feel that they have been given equitable consideration and rights in comparison with the defendant (Wemmers, 2013).

46. The mother of Lilly (aged 12) said that one of the worst things about their experience of the court trial was the lack of perceived equitable treatment between the defendant and the victim.

'The perpetrator was allowed to provide countless character statements but our family were not afforded the same rights. It felt that there was a lack of fairness, as we were not allowed to counteract any assertions the defence made. This disparity continued in other areas in that the perpetrator seemingly was given time to prepare his answers to questions whereas Lilly and the rest of the family weren't. The whole court process felt very unbalanced in favour of the perpetrator because he had months and months to prepare his arguments and we were not given that same opportunity. It appeared that the police had not given their full attention to key pieces of evidence which may have supported my daughter's assertions in court, as the Judge himself on a number of occasions highlighted in open court the police's inability to follow up evidence sources. Also the Police Officer who had been involved in the investigation from the beginning was not in court and the officer who was, could not shed any light on or answer the Judge's questions, because he had little knowledge of the investigation'

Lilly's mother (Lilly aged 12)

47. Other young victims reported that their treatment in the criminal justice system made them feel as they were the ones under investigation rather than the defendant.

'The police questions came across like I was the perpetrator. Always having to prove myself. It should be the other way around'

Eliza (aged 14)

'Every time I went into the interview room I felt like a criminal. I was like a test subject, a monkey in a cage to be prodded. I came out worse than before it was reported'

Hayley (aged 17)

TAKING CHILD VICTIMS SERIOUSLY

48. Research shows that victims feel supported when they are taken seriously and the police take action (Elliot, 2014). Many of the young victims, who took part in this review, felt that they were not taken seriously and more specifically that they were not taken seriously because of their young age.

'It is frustrating that they got away with it because it hasn't been investigated properly. The police are saying it's just a spat between school kids. But one girl confessed it all and has been bragging all around the school that she knocked [Isobel] out. I believe that if she was 20 years old the police would have been out there looking for them. She had a serious head injury, but the police think it's just kids and don't take it seriously. [Isobel] suffered a great deal of stress because of the incident, had medication from the doctor for sleeplessness as well as the physical injuries, and her school work suffered'

Isobel's father (Isobel aged 15)

49. When discussing the lack of progression in her case Kelly (aged 14) said *'I thought a lot more would be done for a child'*. Her mother responded: *'they were very slow – poor. My daughter was stamped on the face! They should not have dealt with it so lightly'*. She explained that her daughter was *'appalled by the lack of support from the police'*, to which Kelly concluded: *'you think they can sort things out and they haven't really. I thought they would be more fast because you are a child but that doesn't matter to them.'*

50. Gemma (aged 17) discussed how she felt when she wasn't taken seriously when reporting an incident of assault to the police.

'They didn't care because we were three teenage girls, it's like we were wasting their time, they couldn't be bothered with us'

Gemma (aged 17)

51. She went on to explain that she didn't feel that the police were keeping her and her friends safe while they waited for a response from them, as the incident was happening.

'I was told to drive to the police station and someone will be with me in five minutes. It took 40 minutes for the police to turn up. We were parked outside the police station but he [the perpetrator] was circling us in his car for the whole 40 minutes. Police said you would have been ok because there was CCTV, but that just catches people doing stuff, they still do it! They [the police] said they had to go through the files and listen to the original call before they could come out to me parked at the police station. Why couldn't they come straight out and keep us safe and then go through the files?'

Gemma (aged 17)

52. During the court trial, Jenny (aged 17) felt that the defence lawyer made use of her young age to discredit her in front of the jury.

'The defence lawyer was really pushy. He was making jokes and making everything light-hearted, like it's all a joking matter, nothing serious. I was only 17, everyone was looking at me and he was making out like it was nothing because I'm just young. He made me out to be a joke'

Jenny (aged 17)

NOT BEING BELIEVED

53. When children and young people report a crime, they need to know that their disclosures will be taken seriously and also that they will be believed and offered protection and support by the authorities they report the crime to (NSPCC, 2013).

54. When Gemma (aged 17) reported being stalked and attacked by a stranger she found that the offender was known to the police. She felt that they didn't believe her claim because it didn't fit with the offender's previous offending pattern.

'I feel like I was being judged. All of the other victims were boys. I was the only girl, but from behind I probably looked like a boy. They didn't believe me because they said up 'til now he has only attacked boys'

Gemma (aged 17)

55. Gemma (aged 17), Hayley (aged 17) and Eliza (aged 14) reported feeling that they were not believed when they were giving their evidential statements.

'The police lady was very sharp, she kept interrupting, saying "what do you mean, was his jacket closed or not closed – which is it? You say he was thin, but how do you know that if he had baggy trousers on like you said?" She questioned everything I said so it felt like she didn't believe me'

Gemma (aged 17)

'One officer didn't seem to believe me and said "are you sure that's how it happened?" Another police officer later apologised for this but I wanted the apology from the one who said it... In the second interview a line didn't match my first interview; I was confused and didn't know what was real anymore. The police acted as though this showed that I was making it up. I was shaking my head and shouting "stay away from me, get out of my head"'

Hayley (aged 17)

'It's like I have to prove I wasn't wrong, not him. The police questions came across like I was the perpetrator – always having to prove myself. It should be the other way around'

Eliza (aged 14)

56. For Beth (aged 15), her experience went beyond not being believed to actually being made to feel that she was somehow to blame for what happened to her. When describing the worst thing about her experience with the criminal justice system, her reply was:

'Being told it was my fault and I was being stupid'

Beth (aged 15)

57. Hayley (aged 17) was made to feel that it was her fault that the police didn't pursue the case further when they told her that if the case went to court it would most likely be thrown out because she was too unstable.

58. The feeling of not being believed by a jury can also leave children feeling that justice has not been delivered and that society has not believed what has happened to them.

'The court case finishes and then there is nothing, you don't see anyone and you are left to your'

own devices. Given that the perpetrator was found not guilty in Crown Court, my daughter was devastated. As a big family we made a big thing telling her that we (her family) believed her, the police believed her, the social workers believed her, school believed her yet when the case went to court and he was found not guilty, and in her words "he had got away with it"

Lilly's mother (Lilly aged 12)

59. Jenny (aged 17) was told directly by the police that the defendant was found not guilty because the jury didn't believe her. A police officer told her that the jury thought her mother had made up the allegations so that they could leave Eastern Europe, where they are from. Given that juries are legally prohibited from discussing their decision making processes it is highly unlikely that jury members told the police officers that this was the reason for their not guilty decision (section 20A Juries Act 1974). Jenny reported feeling very upset to think that the people in the jury didn't believe her and especially that they didn't believe her because of where she came from.

DELIVERING ON PROMISES

60. Some of the children and young people taking part in this review reported feeling disappointed and let down when they were told to expect one thing and it wasn't delivered.
61. This included examples of the police not following up on investigations as they said they would:

'The boy is always outside my house from 6pm – 10pm. I kept calling the police. The police kept saying they would arrest him, then the next week the same thing would happen. This has been going on for weeks, then they still don't arrest him. There are no bail conditions so he still hangs about outside my house'

Darcy (aged 17)

'PC [officer 1] was really nice and he said he would go and talk to the girls the next day. Another police officer was dealing with my friend who was also assaulted in the incident. This officer – PC [officer 2] then also took over the investigation of [Isobel's] case. He took six weeks to go to the girls' house. The girls had admitted everything to the head teacher. There was a big delay between this and the police finally talking to the girls by which time they changed their story and a full statement was not taken'

Isobel's mother (Isobel aged 15)

62. Lilly (aged 12) felt let down when the police officers involved in the case were not available for the trial and didn't follow through with the actions they had promised after the trial.

'It was at this time that we were told by the police officer in charge of the case, that both police officers who had worked with us would not be present at the trial, as they were both on holiday. We felt let down but we did not want to delay proceedings any longer. At the same time the police officer in charge told [Lilly] that she would come to see her & the family in the house after the trial, regardless of the verdict. This did not happen. It is one thing to promise an adult but another to promise a child, given that the verdict was not guilty. Lilly never saw or spoke to this police officer again'

Lilly's mother (Lilly aged 12)

63. For some young victims, their treatment in the criminal justice system and the lack of a conviction has led to them losing faith in the system.
64. Kelly (aged 14) discussed how she would be reluctant to go to the police again in a similar situation: *'I wouldn't bother again if anything happened to me'*.
65. Hayley (aged 17) explained her disappointment in not achieving justice: *'[the police] failed me, they didn't get him!'*

66. For Eliza (aged 14) the lack of attaining a conviction and her treatment in the criminal justice system led to her not reporting abuse in subsequent relationships.

'I haven't heard anything from the police in years, they didn't check up on me. I went through two abusive relationships after that. My Mum doesn't know. I didn't trust the police to report it to them even though I was still a minor. The law is black and white, but where is the grey? The perpetrator taught me not to say no, so I put up with it in the other relationships'

Eliza (aged 14)

MULTI-AGENCY WORKING

67. There is no mandatory requirement in the Victims' Code for agencies to work together in a co-ordinated way to support victims in their journey through the criminal justice system. However, a young victim will encounter a number of professionals from different agencies when they report a crime. The way in which they are treated by all agencies will have an effect on the young victim's perception of the criminal justice system as a whole, and on their ability to cope and recover from the crime.
68. Children and young people are particularly likely to come into contact with professionals from social services. Some young victims and their families reported frustrations with these services and a lack of co-ordination between social services and the police.

'The suspect was 11 years old and was kept under house arrest. The police were frustrated that they couldn't get hold of the boy to interview him. Social services wouldn't let them interview him; they said he had to see a psychologist first. Social services got in the way. When he was finally interviewed he just said 'no comment'. The police were good, but social services were a sham. There was no communication between them. Social services should be covered by the [Victims'] Code. They don't treat people as they should'

Alice's mother (Alice aged 9)

69. Fiona (aged 14) was upset at the way she was treated by social services when she reported an incident of sexual assault to the police. Her parents were unclear about the statutory powers of the Social Worker and whether or not they could refuse to let her search Fiona's room and belongings.

'The social worker came to my home when I wasn't in. She wanted to check if I was the sort of person who would make it all up. She wanted to see if I was a Goth or something. She went to my room and looked through all of my stuff even though my parents didn't want her to. That makes me really angry'

Fiona (aged 14)

70. Further support can be offered to children and young people through their education establishments, but Eliza (aged 14) explained that this was not consistent in her case:

'I had good support from teachers but lost that support at college'

Eliza (aged 14)

71. External agencies can act as advocates for children and their families. Beth's (aged 15) mother explained that it was only when she gained input from services other than the police that she began to be taken seriously.

'I was told no further action would be taken, it was only when I rang other agencies that things got done'

Beth's mother (Beth aged 15)

72. The lack of a co-ordinated response between the Crown Court and the Family Court meant that the perpetrator in Lilly's (aged 12) case was granted visitation access to other children that Lilly shares a home with.

'Lilly, myself, my sister, her child, her child's father (who is the perpetrator) and our mother and father all share a house together. So whilst we were waiting for the case to come to trial, we were having to see him in the Family Court as we were forced to give him supervised contact with his daughter, as per the Court Order. As far as the Family Court were concerned, he did not pose a risk to his child as he had not yet been tried for the offence'

Lilly's mother (Lilly aged 12)

73. When the trial was over and the defendant was found not guilty, Lilly's mother felt that there was a lack of co-ordinated services to support her daughter.

'The court case was over and she [Lilly] desperately needed therapeutic support and she was left high and dry. For us as a family it was devastating to see her at rock bottom, and as a mother I have never felt so powerless and unable to help my child'

Lilly's mother (Lilly aged 12)

PROFESSIONALISATION OF SERVICES: VICTIM ADVOCATES

74. The review into *What Works in Supporting Victims of Crime* (Wedlock and Tapley, 2016) suggested that the function of providing timely and accurate information and communication, delivering procedural justice and coordinating a multi-agency approach could be achieved by assigning a single individual to a victim, who will provide a professional advocacy and coordination role. This professional would also be able to refer victims to appropriate support services as and when they need them, and monitor their progress in case their needs change.
75. Independent Sexual Violence Advisors (ISVAs) often provide this co-ordinated support function for young victims of sexual violence. The Victims' Code does not provide an entitlement for children and young people to receive this service. Robinson (2009) carried out an evaluation of how ISVA services are implemented and found that the most important parts of their roles are to keep victims informed about the progress in their case through the criminal justice system, provide support and advice. These services are perceived to help victims in their initial and continued engagement with the criminal justice process.
76. Nine out of the twelve children and young people interviewed in this review were victims of sexual assault or abuse. These are typically the types of cases to which ISVAs are assigned. In this review the participants were not asked directly about whether they had support from an ISVA because it is not an entitlement set out within the Victims' Code. However, only one of the victims that took part (Darcy, aged 17) independently reported being supported by an ISVA. The ISVA informed her about the special measures available to her when giving evidence in court. The lack of discussion about ISVAs by all of the other participants in the review suggests that they were not supported by an ISVA, or by any other professional service that could provide co-ordination and support for victims throughout the process from start to finish.

SUMMARY AND CONCLUSIONS

1. A summary of evidence from the interviews with the young victims of crime is presented below and conclusions are drawn in relation to the three research questions that this review aimed to address.

ARE CHILDREN AND YOUNG PEOPLE RECEIVING THEIR ENTITLEMENTS AS SET OUT IN THE VICTIMS' CODE?

2. In this review, 12 young victims of crime or their carers were interviewed to ascertain whether they received their entitlements as set out in the Victims' Code. The findings indicated a mixed bag of experiences when receiving these entitlements. There were some areas of good practice particularly in relation to young victims attending court, but on the whole, the young victims who were interviewed did not receive or were not informed about all of their entitlements under the Code.
3. Only one young person (or their family) received written confirmation from the police that they had reported a crime.
4. Only three participants recalled being given the opportunity to make a Victim Personal Statement, suggesting that children and young people were not being given the opportunity to tell a court about how the crime affected them personally.
5. All of the children and young people in this review received some form of counselling or support because they were recruited via support organisations. However, only half were made aware that their details had been passed onto the counselling or support services by the police.
6. In the majority of cases the mode and frequency of communication were not agreed in advance between the police and the children or their families. All of the participants reported difficulties with being kept informed about progress in their case and this led to a great deal of frustration, confusion and dissatisfaction for many of the children and their families.
7. Most participants in this review were told about at least some of the special measures that could be put into place to help them give evidence at court at some point during their experience in the criminal justice system. However, not all of the participants were told about this from when they reported the crime. Most children and young people were not told about all of the special measures available to them in the Victims' Code. The findings in the review suggest that police officers were selective when informing victims about the special measures. The range of special measures set out in the Victims' Code will help different types of victims in different types of cases. Selecting which special measures to inform young victims of limits the choice for the victim and potentially influences their ability to give the best evidence.
8. Only one participant in this review was told that they can have help to understand questions either at the point of reporting a crime or in court.
9. Only three young victims in this review had a case that went to court and only two victims actually gave evidence at court. Both of these children and their families had a pre-trial visit and they found this to be very helpful in preparing them to attend court. They also found meeting the prosecutor before the trial useful in their preparation. Both families were given the use of a separate entrance and waiting room to the perpetrator's family; however, one family was only allowed to use the separate entrance on the day that the child gave evidence. Consideration could be given as to whether the use of this facility should be extended to the victim's family and for the duration of the trial.

ARE CHILDREN'S ENTITLEMENTS BEING DELIVERED WITH THE DECENCY AND SENSITIVITY THAT CHILDHOOD VICTIMS OF CRIME DESERVE?

10. The findings from this review demonstrated that children and young people were not always given all of the rights that they were entitled to, as set out under the Victims' Code. The review also set out to find whether these rights were being delivered with the decency and sensitivity that young victims of crime deserve.
11. The experiences of the children and young people in this review seem to support the assertions made by children in the Victim Support (2016) *Suffering in Silence* report, who said that they would not report crimes against them for fear that the police will treat them with a lack of respect, treat them worse than an adult reporting a crime and treat them with suspicion and discrimination. Some of the children in this review felt that they were discriminated against or not believed because of their status as a child or young person.
12. Some children in this review said that their experience deteriorated after reporting the crime and they said they were not believed. This finding supports that of Beckett et al (2016) who found that children were reluctant to report crime for fear that this would happen. Beckett et al reported children saying that they feared they would be treated like a criminal. Children in this review said that they were made to feel as if they had to prove themselves rather than the perpetrator being under investigation. One child went as far as to say she felt like '*a test subject - a monkey in a cage to be prodded*'.
13. Professor Jay's '*Independent Inquiry into Child Sexual Exploitation in Rotherham*' (2014) and the joint report from the Metropolitan Police and the NSPCC '*Giving Victims' a Voice*' both gave stark warnings that we must learn from mistakes in the past when children and young people have not been believed or taken seriously. However, many children that took part in this review felt that they were not believed by the police, social workers, teachers, or by society as a whole. Many victims felt that they were not taken seriously and they would be reluctant to report a crime if anything happened to them in the future.
14. The PEEL review into police effectiveness in supporting vulnerable victims (2015) found that police forces were not effective in protecting children from suffering further abuse and sexual exploitation. One young person in this review described how, after her case went to trial, she went on to have a number of abusive relationships as a child and that nothing was done to help prevent her from being in this situation even though police knew that she had been sexually abused from a young age. This young person's story supports the findings of the PEEL review and demonstrates the negative outcomes for a young person who has not been effectively supported after their case has concluded.

HOW DOES THE CURRENT PROVISION OF CHILDREN'S ENTITLEMENTS REFLECT WHAT IS KNOWN ABOUT HOW BEST TO SUPPORT VICTIMS OF CRIME?

15. The evidence presented in this review suggests that in many cases children and young people, who are victims of crime, are not always updated with timely and accurate information, do not perceive a sense of justice in the proceedings, and do not experience co-ordinated multi-agency

working. This demonstrates that children's entitlements are not necessarily being delivered in ways that we know to work best in supporting victims of crime (Wedlock and Tapley 2016).

16. The *What Works in Supporting Victims of Crime* review (Wedlock and Tapley 2016) suggested that a single point of contact or victim's advocate could provide a central professional service that would provide victims with the information they need – communicating it effectively with dignity and empathy, listening and responding to the needs of victims. A similarly dedicated professional service with special training in the needs of young victims would be able to ensure that young victims receive all of their entitlements as set out under the Victims' Code. They would also ensure that these entitlements are delivered in a manner that is appropriate for young victims of crime. This professional service would need to have access to all of the appropriate criminal justice databases and the ability to refer victims to support services, monitor their progress and update their provision according to their needs.
17. This review has a limited sample and as such the conclusions cannot necessarily be generalised to the whole population. However, in the absence of any nationally representative measures of victim satisfaction for children, this review provides an insight into the experiences of these young victims, who have not received all of the rights they are entitled to and who often feel confused, ill-informed and disbelieved by the system that is there to protect them.
18. Perhaps if the young victims who took part in this review were supported by a dedicated professional support service, they would not have been reporting such failures in the criminal justice system, which have left them lost, confused, and losing faith in the criminal justice system that should be there to support them.

RECOMMENDATIONS

1. This review aimed to identify whether children and young people who are victims of crime receive their entitlements, as set out in the Victims' Code. Although these findings have limitations, the following recommendations would help to ensure that children and young people receive the rights that they are entitled to under the Victims' Code and that these entitlements are delivered with the needs of these children at their core.
 - **Criminal justice agencies should review their policies and procedures in relation to childhood victims of crime** to ensure that they are fit for purpose when delivering enhanced entitlements as set out under the Victims' Code while treating young victims of crime with the dignity and respect they deserve.
 - **Criminal justice agencies should review all literature and materials that they provide to childhood victims of crime and their families** to ensure that they are appropriate for the audience. Agencies should review how they communicate with children to facilitate a better understanding of criminal justice processes and help children to engage further with the criminal justice system.
 - **Children should be given access to Registered Intermediaries if they need them** to help understand questioning in police interviews and in court. This access should be delivered consistently across the country.
 - **Regular and consistent monitoring of compliance with the Victims' Code should be carried out** to ensure that young victims are receiving their enhanced entitlements as set out in the Victims' Code. Consideration should be given as to whether Police and Crime Commissioners take responsibility for monitoring compliance with the Victims' Code in the first instance.
 - **Nationally representative measurement of victims' satisfaction for childhood victims and their families should be carried out** in order to monitor whether the enhanced entitlements as set out under the Victims' Code are being delivered and whether they are delivered to a consistent quality across the country.
 - **A single point of contact or children's advocate should be made available** for child victims of violent and sexual offences, and cases where the child is particularly vulnerable. This children's advocate would support the child through the whole of their journey through the criminal justice system including updating them on their case, informing them about hearing times and court procedures, supporting them in court and after the trial. The children's advocate should be a professional role with suitable training and accreditation to support children as well as having access to all aspects of the criminal justice system needed to provide a seamless service to the child.
 - **Consideration should be given on whether to extend the Victims' Code to include Social Services and Social Workers** within its remit. Childhood victims of crime and their families often have a great deal of interaction with Social Services and Social Workers. These interactions can have a great impact on the child's experience within the criminal justice system.
 - **Criminal justice agencies should learn lessons from our understanding of what childhood victims of crime have gone through in the past.** Historically, there has been a problem with children not being believed or taken seriously because of their status as a child or young person. Criminal justice agencies need a cultural shift to ensure that their starting point is that children are believed and taken seriously. Young victims of crime should be treated with dignity and respect when they report a crime and journey through the criminal justice process.

- **The judiciary should ensure that defence barristers adhere to the practice directions** which set out the ground rules to plan the questioning of vulnerable witnesses, including children, who are giving evidence in court. This will ensure that defence barristers treat children who are victims of crime with decency and respect, reducing the potential for inflicting further trauma by the court room experience.
- **Further research should be carried out into how best to support children and vulnerable victims of crime** throughout their entire experience in the criminal justice system. This is to ensure that policy is developed using the best available evidence because currently, the majority of research on supporting victims of crime relates to adult victims.

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APPENDIX

SUMMARY OF CHILDREN'S ENTITLEMENTS UP TO THE POINT OF SENTENCING AS SET OUT IN THE CODE OF PRACTICE FOR VICTIMS OF CRIME IN ENGLAND AND WALES

Entitlement	Agency responsible
On reporting the crime	
Information and written confirmation on reporting the crime	Police
Details passed to victim support services.	Police
Primary needs assessment.	Police
Police investigation	
Be accompanied by an appropriate adult when giving a witness statement. ¹⁴	Police
Ask for someone to help with understanding questions.	Police
Video record the statement.	Police
Informed about special measures.	Police
Make a Victim Personal Statement and tell the court if they would like it to be read aloud or played in court if the offender is found guilty.	Police
When the police is investigating the case the victim should: <ul style="list-style-type: none"> • Receive information about what is happening and agree contact procedures; • Be told within one working day if no suspect is found or case closed; • Be told within one working day if a suspect is arrested, interviewed or released by the police; • Be told within one working day if the suspect is let out on police bail or if bail conditions change; • Say if they want to be told if a closed case has been reopened, so the police can consider the victim's wishes 	Police
Access to therapy or counselling.	Police
Before trial	
<ul style="list-style-type: none"> • Kept informed whether the suspect is charged and reasons for deciding not to charge • Right to review a decision not to charge • 'May' be asked for opinion on giving the suspect an out of court disposal • Be informed if police decide to apply for the suspect to be kept in custody • Be informed if suspect is released with bail conditions and reasons why • Be informed if bail is changed or cancelled and reasons why 	Police CPS CPS Police Police Police

¹⁴ A discretionary entitlement, the police can decide this is not allowed.

Meeting the Crown Prosecution Service (CPS)	
Offered a meeting with CPS to explain decisions not to prosecute, when significant changes are made to charges or to stop the case. ¹⁵	CPS (through WCU)
Preparation for the trial	CPS
Informed about significant changes to the charge within one working day of CPS decision	CPS
Information on how to request a review if the victim is not happy with the decision to stop the case or offer no evidence.	CPS
Information and explanation of the following by the Witness Care Unit (WCU) within one working day: <ul style="list-style-type: none"> • Date, time and place of court hearings, what will happen; • Whether the suspect has been released on bail or kept in custody; • If an arrest warrant is issued to a suspect who does not attend court when they should.; • The police should, where possible update the victims if the suspect is arrested for breach of bail conditions 	WCU
If the suspect pleads not guilty the victim can talk to the WCU about what support they need, and they can ask for their contact details to be sent to victim support services. ¹⁶	Police / WCU
The victim should be told by the WCU if they have to give evidence within one working day of them getting the information from the CPS	Police / WCU
If asked to give evidence: <ul style="list-style-type: none"> • See the video recorded or written statement shortly before the trial to assist memory; • Informed by the WCU what will happen on the day, explaining special measures available; • Informed by WCU how to get a Young Witness Pack; • Visit the court before trial, practice using special measures equipment 	WCU

¹⁵ A discretionary entitlement: the CPS might not offer this meeting if they decide a meeting should not take place or if they think it would not help the victim.

¹⁶ This is an entitlement to discuss support needs rather than an entitlement to receive support.

At trial	
Pre-recorded witness statement to be played so that the victim doesn't have to give evidence again	HMCTS / CPS
Cross-examination using video-link from a different room in the court or perhaps away from the court building	CPS
Meet the CPS advocate ¹⁷ and ask questions, be informed of how long they may have to wait to give evidence and told of any delays	CPS
The victim can ask ¹⁸ court staff if they can use a different entrance from the suspect and their family and friends	HMCTS
Wait in a separate area of the court from the suspect and their family and friends	HMCTS
Given a point of contact at court who can inform them about what is happening while they wait to give evidence	HMCTS
After trial	
Paid expenses that the CPS have decided are due if the victim has attended court to give evidence within 10 working days of receipt by CPS of a correctly completed claim form	CPS
Information about services the victim is entitled to within one working day of WCU receiving it from the court. Information about whether the police or WCU are main contact for this information	WCU/Police
Informed about the decision of the court and receive a brief summary of reasons for the decision ¹⁹	WCU / CPS
If the defendant is found guilty the victim should be told the sentence and given an explanation about what the sentence is and what it means	WCU / CPS
Put in touch with victim support services where available and appropriate	WCU
Appeals	
The WCU should inform the victim within one working day of the following: <ul style="list-style-type: none"> • Whether the court will allow an appeal to go ahead; • Whether the offender is going to be released on bail before the appeal or if bail conditions change; • Dates, times and locations of any further hearings dates and any changes to those dates; • The outcome of the appeal or if there are any changes to the sentence originally given by the court; • Information about available victim support services 	WCU
If the appeal is to the Court of Appeal of the UK Supreme Court, the victim can ask for a copy of the judgement once it is published	HMCTS
The victim can make a new or further Victim Personal Statement for an appeal	Police

¹⁷ The Code states that is entitlement is given 'where possible'

¹⁸ The entitlement is to ask to use a different court entrance than the suspect rather than to receive this.

¹⁹The duty to provide reasons does not apply to the final outcome of a jury trial.

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