

## Victims Code of Practice Policy

### POLICY AIM

To ensure BTP has an effective and corporate process for ensuring compliance with the Victims Code of Practice.

The Victims Code of Practice (hereafter referred to as The Code) applies to police and other criminal justice agencies within England and Wales, in relation to victims of *criminal conduct* that occurs within England and Wales.

The Code is established by Section 32 of the Domestic Violence, Crime and Victims Act 2004, and creates a statutory requirement in relation to the type and level of service that victims must receive, once an allegation of crime is made. It goes on to detail enhanced levels of service that must be given to *vulnerable* or *intimidated* victims, and the level of contact required with victims whose crimes are 'screened out' as not capable of further investigation.

The following list of requirements (not exhaustive) indicates the main levels of service police forces must deliver as a consequence of The Code having mandatory effect from April 2006.

- Victims must be updated at least every 28 days throughout the life of a case, from the time the allegation of criminal conduct is made.
- Vulnerable or intimidated victims must be updated within one working day, following the arrest of a suspect.
- Non-vulnerable or intimidated victims will be updated within 5 working days, following the

arrest of a suspect.

- Vulnerable or intimidated victims will be updated as regards to any bail conditions imposed upon an alleged offender, within one working day of the imposition of the conditions.
- Non-vulnerable or intimidated victims will be updated as to any bail conditions imposed upon an alleged offender, within 5 working days of the imposition of the conditions.
- In cases involving vulnerable or intimidated victims, where an alleged offender is released with no further action being taken, the police must update the victim and state the reasons for taking no further action within one working day.
- In cases involving non-vulnerable or intimidated victims, where an alleged offender is released with no further action being taken, the police must update the victim and state the reasons for taking no further action within five working days.

There are also connected requirements in the 'National Quality of Service Commitment for Police Forces in England and Wales', which has been developed by the Home Office, ACPO and the Association of Police Authorities. This puts into place a number of standards of service that the public may expect from police forces they come into contact with, and builds on the basic standards within The Code. It is anticipated that this Commitment will be published within England and Wales in November 2006, and the Home Office expects Forces to be compliant with it by that date.

## **GUIDANCE AND PROCEDURES**

### **General Principles**

- Officers and staff who have initial contact with a victim whether in person or by telephone,

will make an initial assessment as to whether the victim may be vulnerable and or intimidated, and initiate the relevant referral or response.

- The BTP Crime Screening Policy will be applied at the earliest opportunity, once there is sufficient information to make an assessment as to the solvability of the crime in accordance with the policy. This will normally be carried out by the CRC at Cardiff or the attending or reporting officer. The Victim must be advised of this decision at the time.
- Officers in Charge of Investigations will be responsible for ensuring the requirements of the codes are complied with up to the point of charge or report for summons. Victim Managers will be appointed to each area with the necessary IT to manage and support this requirement.
- Officers in Charge of Area Justice Units (AJUs) will be responsible for ensuring the requirements of the codes are complied with for each case, following report for summons up to the point where a summons is issued.
- Officers in Charge of Witness Care Units will be responsible for ensuring the requirements of the codes are complied with, for each case following charge or the issue of a summons, to final disposal.

## The Process

Stage	Key Actions
Initial report made to Control Room	<ul style="list-style-type: none"> <li>• Assess response required including an initial assessment as to vulnerability of victim.</li> <li>• Deploy officer or transfer to CRC.</li> </ul>
Attending officer	<ul style="list-style-type: none"> <li>• Pursue all relevant lines of enquiry</li> <li>• Assessment as to vulnerability of victim</li> <li>• Consider solvability factors as per <b>Crime Screening Policy</b> (PNLD Ref.).</li> <li>• If case to be screened out inform victim at the time.</li> <li>• Report to CRC and advise 'screened in' or 'screened out'.</li> </ul>
CRC Cardiff	<ul style="list-style-type: none"> <li>• Assess vulnerability of victim, and if necessary refer back to Control room for deployment.</li> <li>• Consider immediate referral to VSS.</li> <li>• Consider solvability factors as per <b>Crime Screening Policy</b> (PNLD Ref.D50017) and inform victim at the time.</li> <li>• Raise crime report on PINS with appropriate victim markers.</li> <li>• Send initial Victim letters.</li> </ul>
CMU at Area	<ul style="list-style-type: none"> <li>• Review Crimes 'screened out' by CRC.</li> <li>• Allocate Crimes requiring mandatory investigation and those 'screened in'.</li> <li>• Manage investigative process and ensure police activity is recorded on PINS.</li> <li>• Ensure compliance with the <b>Minimum Standards of Investigation</b> (PNLD Ref.D55270).</li> </ul>

Investigating Officer	<ul style="list-style-type: none"> <li>• Pursue all relevant lines of enquiry</li> <li>• Notify the victim of progress in accordance with the Code, up to the point of charge or report for summons.</li> <li>• Record this action on PINS</li> </ul>
Victim Manager	<ul style="list-style-type: none"> <li>• Monitor Victim contact and notifications using the Victim Management Console within PINS</li> <li>• Provide support and advice to Investigating Officers to ensure the codes are complied with</li> <li>• Provide relevant management information in relation to compliance with the Code</li> </ul>
AJU	<ul style="list-style-type: none"> <li>• Ensure effective case progression</li> <li>• Notify the victim of progress in accordance with the Code up to the point of a summons being issued</li> <li>• Record this action on JAS</li> </ul>
Witness Care Unit	<ul style="list-style-type: none"> <li>• Notify the victim of progress in accordance with the Code, from Charge/Issue of Summons to the final disposal at Court</li> <li>• Record this action on JAS/WMS</li> </ul>

This approach provides the simplest and most effective means of providing timely and accurate information to victims. It also ensures ownership rests with the investigating officer who has possession of the most accurate information in respect of each case. Placing the Crime Screening function at the CRC Cardiff (with victims being informed of the process at the time), will remove the need for CMUs to undertake thousands of calls to victims simply to tell them of the screening decision. This will place greater demands on the CRC in terms of staff training and application of knowledge, but ensures efficiency in the contact required with

the victim to ensure compliance with the codes.

It is noted that there will be a phased migration of Area CMC functions to the CRC at Cardiff, and therefore the new process will be delivered within current Area structures until the migration is complete.

### **Performance Management**

The new Victim Console within PINS will provide Area Victim Managers with the necessary overview and controls to track compliance with the codes.

Performance Management information will also be available at force level through the PMU, and may be subject to report in the monthly FMI data.

Compliance with the Codes will be subject to internal audit and review and may also feature in HMIC's baseline assessment process.

The BTP 'Crime Management and Detection Steering Group', will review performance in relation to the Codes and make any recommendations in relation to changes in process or systems that may be required in the future.



**BRITISH  
TRANSPORT  
POLICE**

PROTECTIVE MARKING: NOT PROTECTIVELY MARKED  
**BRITISH TRANSPORT POLICE**

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## **OWNERSHIP**

Assistant Chief Constable (Crime)

## **CONTACT DETAILS FOR FURTHER INFORMATION**

Detective Chief Superintendent Smith

0048883

## **START DATE**

21 March 2006

## **REVIEW DATE**

21 December 2006