

Victims Consultation  
Victim and Witness Policy Team  
Ministry of Justice  
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SW1H 9AJ



26 March 2020

By email only: [victims.consultation@justice.gov.uk](mailto:victims.consultation@justice.gov.uk)

Dear Sirs

### **Consultation on improving the Victims' Code**

APIL welcomes the opportunity to respond to the Ministry of Justice's consultation on the revised Victims' Code. We note that the Code is now more concise than previously, although we have concerns about the information contained in the Code, in relation to the Criminal Injuries Compensation Scheme.

We welcome that our comments from the previous consultation have been taken into account, and that the Code now makes clearer that the police should let victims of crime know that they can make a claim through the CICS. We also welcome that at the start of the new code, there is detail on enhanced rights and vulnerable and intimidated victims – with a specific mention that those who have been trafficked will be considered to be intimidated and therefore receive additional support. We also asked that the right to practical and emotional support should also be made clearer for those who do not report to the police, or withdraw their case after reporting to the police, and we are pleased that this has been incorporated in Right 4 – paragraph 4.4.

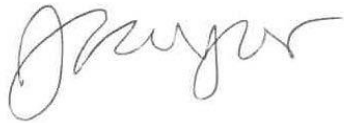
We are concerned however, that in light of the Code being redrafted to be a clear set of rights that are more easily understood by victims of crime, the remaining information within the code on the Criminal Injuries Compensation Scheme at "Right 5 – to be provided with information about compensation" may actually be misleading and confusing. We appreciate that in light of the redraft it is not appropriate to include all of the information that an applicant would need to pursue a claim via the scheme. We suggest that rather than piecemeal bits of information being included, that the Code should simply provide general guidance about the existence of the Scheme, and that the victim has the right to be informed about the scheme, and then provide appropriate signposting to further information. The eligibility rules and process for making a claim under the scheme can be complex, and it is misleading for the Code to set out pared down instructions on how to make a claim. Under the heading "Criminal Injuries Compensation Scheme" we suggest that paragraphs 5.2, 5.3 and 5.8 remain, but the rest of the paragraphs are deleted.

We are also concerned that the current signposting to legal advice/assistance, and further information on eligibility for legal aid, is ineffective. It would be helpful for the signposting to include information on how to find a solicitor who can provide information on eligibility for legal aid. It is unlikely that the information available on Gov.uk will be sufficiently tailored to

inform the applicant whether they are eligible, and it is not possible to find a solicitor who carries out legal aid work via the Law Society's "Find a Solicitor" function.

We hope that our comments prove useful. If you have any queries about our response, please contact Alice Taylor, [alice.taylor@apil.org.uk](mailto:alice.taylor@apil.org.uk) in the first instance.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Alice Taylor', written in a cursive style.

Alice Taylor

Legal Policy Officer