

Lincolnshire Police

Policy Document



Victims' code of practice policy PD 247

Policy document information

Reference number:	PD 247
Policy sponsor:	ACC Nicola MAYO
Policy owner:	T/Det Chief Supt Liz Rogers
Author:	T/Det Chief Supt Liz Rogers
Publication date:	July 2024
Review date:	July 2026

Version history

Version	Date	Reason for issue
1	May 2020	New Policy
2	June 2022	Policy review – Change of policy owner to Chief Superintendent Jon McAdam, moving to Detective Superintendent Liz Rogers after July 2022 through change of force victim's lead.
3	July 2024	Bi-Annual Review.

Code of Ethics

All staff involved in carrying out functions under this policy and associated procedures and appendices will do so in accordance with the principles of the Code of Ethics. The aim of the Code of Ethics is to support each member of the policing profession to deliver the highest professional standards in their service to the public.

Legislative compliance

This document has been drafted to comply with the principles of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the staff and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with the Equality Act 2010 and meet our legal obligation in relation to the equality duty. In addition, Data Protection, Freedom of Information and Health and Safety Issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all relevant legislation and internal policies.

Other legislation/law which this policy has been drafted to comply with:

- [Human Rights Act 1998 \(in particular A.14 – Prohibition of discrimination\)](#)

- [Equality Act 2010](#)
- [Crime and Disorder Act 1998](#)
- [H&S legislation](#)
- [Data Protection Act 2018](#)
- [Freedom Of Information Act 2000](#)

Security classification

Policy to be published on Intranet: Yes

Policy to be published on Force Website: Yes

Authorised Professional Practice (APP)

This policy has been checked against APP and there is none in relation to the subject matter of this policy.

1. Policy aims (Purpose)

- 1.1 The aim of this policy is to have an effective and corporate process for ensuring compliance with the Victims' Code of Practice. Hereafter referred to as the 'code'.
- 1.2 This policy will ensure that all officers and staff have access to information that explains:
 - who is eligible to receive services;
 - what these services are, and;
 - what the police responsibilities are.

2. Policy statement (Key information)

2.1 General Principles

- 2.2 The code provides victims with advice on how investigations are conducted and places requirements on Criminal Justice Agencies to provide a defined level of service to victims of criminal conduct in England and Wales.

Statutory guidance on the code and victim's rights is available through the link below.

[The Code of Practice for Victims of Crime in England and Wales and supporting public information materials - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime-in-england-and-wales-and-supporting-public-information-materials)

- 2.3 Lincolnshire Police is committed to providing a quality service to all our victims of crime. We endeavor to comply with the code at every stage of an enquiry, offering support and assistance to all victims of crime throughout their journey with Lincolnshire Police.
- 2.4 All officers and staff will receive appropriate training in the application of the code and compliance will be supervised by line managers.
- 2.5 Failure to comply with the code has not previously made any person liable to legal proceedings. The Victims and Prisoners Act 2024 has now passed through parliament making compliance with the Victims Code of Practice a statutory requirement.

3. Persons entitled to receive services

- 3.1 For the purpose of this Code, the definition of a 'victim' is:

- a person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence
- a close relative (or a nominated family spokesperson) of a person whose death was directly caused by a criminal offence.

You can also receive Rights under this Code if you are:

- a parent or guardian of the victim if the victim is under 18 years of age or
- a nominated family spokesperson if the victim has a mental impairment or has been so badly injured because of a criminal offence that they are unable to communicate or lacks the capacity to do so.

All service providers must have the victim's best interests as their primary consideration and take the victim's age, maturity, views, needs and concerns fully into account.

- 3.2 Businesses are entitled to receive services under the code if a named contact is provided.

4. Level of Service

- 4.1 The following list of victim's rights (not exhaustive) indicates the main level of service police forces must deliver:

- Right 1 - To be able to understand and to be understood
- Right 2 - To have the details of the crime recorded without unjustified delay
- Right 3 - To be provided with information when reporting the crime
- Right 4 - To be referred to services that support victims and have services and support tailored to your needs
- Right 5 - To be provided with information about compensation
- Right 6 - To be provided with information about the investigation and prosecution
- Right 7 - To make a Victim Personal Statement
- Right 8 – To be given information about the trial, trial process and your role as a witness
- Right 9 – To be given information about the outcome of the case and any appeals
- Right 10 – To be paid expenses and have property returned

- Right 11 – To be given information about the offender following a conviction
- Right 12 - To make a complaint about your Rights not being met

5. Responsibility

- 5.1 It is the responsibility of any attending staff member to provide a victim of crime or Anti-Social Behaviour with information concerning the Victims Code of Practice and providing details of support services available to them, along with the incident number and the staff members details. This can be through handing the individual a Putting Victims First Leaflet or by signposting via a QR code to the force website. The leaflets are available in multiple languages and can be located via the following link:

[Refreshed Putting Victims First Leaflets and QR Code – Support for Victims - Intranet](#)

Officers in Charge of the investigation will be responsible for ensuring that the requirements of the code are complied with up to the point of charge or report for summons.

- 5.3 Officers in Charge of Criminal Justice Units will be responsible for ensuring that the requirements of the code are complied with for each case, following report for summons up to the point where summons is issued.
- 5.4 Officers in Charge of Witness Care Units Criminal Justice Units will be responsible for ensuring that the requirements of the code are complied with for each case, following charge or the issue of a summons, to final disposal.
- 5.5 Delivery of the code is detailed in the Victims and Witness Strategy 2023-2025 and Delivery Plan.

[Victim and Witness Strategy 2023 -2025 - Intranet](#)

- 5.6. Compliance with the code will be subject to internal audit and review and may also feature in HMICFRS and external audits. The force will comply with mandatory reporting requirements.

6. Complaints

- 6.1 If the victim feels that we have not met our obligations under the code, then they are entitled to make a complaint. Any complaints received in relation to a breach of the code will be handled within the current force guidance in dealing with a complaint from a member of the public.

7. Other related documents and appendices

- 7.1. Please list any relevant documentation here, such as other policies that are linked to this one, guidance documentation and the appendices.

- [Victim and witness services - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- [Victims & Witnesses - Intranet](#)
- [Young victims of crime - Victim Support](#)
- [Crime Screening and Allocation Policy – PD 58](#)
- [Investigation Policy – PD 126](#)
- [Initial Crime Attendance Policy – PD 59](#)
- [Professional Standards: Public Complaints & Misconduct Policy – PD 21](#)

8. Monitoring and review

- 8.1 This policy is monitored by the Putting Victims First Board.

9. Who to contact about this policy

- 9.1. This policy is owned by T/Detective Chief Superintendent Rogers. Any enquires about this policy should be directed to T/Detective Chief Superintendent Rogers.

Pro-forma for the equality initial assessment

This screening document is the first stage in a two-stage process to take a systematic approach to assessing the impact of an activity on equality. An activity may mean a:

- policy or policy review
- a business case
- a business plan
- a project initiation
- a decision to implement a service
- a decision to decommission a service.

This screening should be completed by the lead person for the activity with assistance from any of the following departments:

- Human Resources (where appropriate)
- Equality and Diversity

Department:	Crime and Investigative Quality	Section:		Person responsible for initial assessment:	T/Det Chief Supt Liz Rogers
Policy being assessed:	Victims' Code of Practice	Date of assessment:	Reviewed 15/07/2024	Is this a new or existing policy?	Existing

Question	Answer
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1. Briefly describe the aims, objectives and purpose of the policy.	To have an effective and corporate process for ensuring compliance with the Victims' Code of Practice.
2. Are there any associated objectives of the policy? Please explain.	None.
3. Who is intended to benefit from the policy and in what way?	The primary beneficiary will be victims of crime as the policy will state our commitment to deliver the best possible service to victims. Officers PCSOs, Police Staff, and G4S Staff will benefit from a greater awareness and clarification of our processes and expectations around application of the code.
4. What outcomes are wanted from this policy?	A greater focus on delivering a quality of service to the public and meeting their expectations – a strategic priority for the force. This policy will assist in making sure we are victim focused.
5. What factors/forces could contribute/detract from the outcomes?	Ineffective communication of expectations, supervision and compliance monitoring may detract from the outcomes.
6. Who are the main stakeholders in relation to the Policy?	Victims of Crime, FCR call takers, Response Officers, Investigative Officers, CRJ Officers & staff, Victim Lincs, Witness Protection Units, COG, OPCC
7. Who implements the policy and who is responsible for the activity?	This policy will be implemented by Crime department and all operational officers and staff will be responsible for implementation of the activity and standards specified within the policy documents.
8. Is there any likelihood the policy could have a differential impact on racial groups? (Including Gypsies and Travellers)	Yes This policy is applicable to all individuals regardless of their racial group. It is designed to be fair and transparent. There are however accessibility concerns

	with how the information can be obtained should computer access be a problem or victims are not able to read.
What existing evidence (either presumed or otherwise) do you have for this?	Understanding of diverse needs, coupled with understanding of how minority groups can feel marginalised by advances in technology. Government and 3rd party agencies have many studies identifying these concerns.
9. Is there any likelihood the policy could have a differential impact due to gender?	No This policy is applicable to all individuals regardless of their gender. It is designed to be fair and transparent.
What existing evidence (either presumed or otherwise) do you have for this?	
10. Is there any likelihood the policy could have a differential impact on due disability?	Yes This policy is applicable to all individuals regardless of disability. It is designed to be fair and transparent. As identified for those of different nationalities. Those unable to read or are visually impaired will be potentially disadvantaged.
What existing evidence (either presumed or otherwise) do you have for this?	Understanding of diverse needs, coupled with understanding of how minority groups can feel marginalised by advances in technology. Government and 3rd party agencies have many studies identifying these concerns.
11. Is there any likelihood the policy could have a differential impact on people due to sexual orientation?	No This policy is applicable to all individuals regardless of sexual orientation. It is designed to be fair and transparent.

What existing evidence (either presumed or otherwise) do you have for this?	
12. Is there any likelihood the policy could have a differential impact on people due to their age?	No This policy is applicable to all individuals regardless of age. It is designed to be fair and transparent.
12a. Is there any likelihood the policy could have a differential impact on Young People and Children?	No This policy is applicable to all individuals regardless of age. Special provisions are included within the policy to protect young people & children. It is designed to be fair and transparent.
What existing evidence (either presumed or otherwise) do you have for this?	
12b. Is there any likelihood the policy could have a differential impact on Older People?	Yes This policy is applicable to all individuals regardless of age. It is designed to be fair and transparent. As many older people may be judged to be vulnerable they may eligible to receive an enhanced level of service. There are however accessibility issues given a large proportion of information is on the internet and due to age there may be accessibility issues with use of computers.
What existing evidence (either presumed or otherwise) do you have for this?	Understanding of diverse needs, coupled with understanding of how minority groups can feel marginalised by advances in technology. Government and 3rd party agencies have many studies identifying these concerns.

13. Is there any likelihood the policy could have a differential impact on people due to their religious belief?	No This policy is applicable to all individuals regardless religious belief. It is designed to be fair and transparent.
What existing evidence (either presumed or otherwise) do you have for this?	
14. Is there any likelihood the policy could have a differential impact on people due to them having dependants/caring responsibilities?	No This policy is applicable to all individuals regardless of having dependents/caring responsibilities. It is designed to be fair and transparent.
What existing evidence (either presumed or otherwise) do you have for this?	
15. Is there any likelihood the activity could have a differential impact on people due to Marriage or Civil partnership?	No This policy is applicable to all individuals regardless marital or civil partnership status. It is designed to be fair and transparent.
What existing evidence (either presumed or otherwise) do you have for this?	
16. Is there any likelihood the policy could have a differential impact on people due to them being Transgender or Transsexual?	No This policy is applicable to all individuals regardless of their 'Trans' status. It is designed to be fair and transparent.

What existing evidence (either presumed or otherwise) do you have for this?	
17. If a differential impact has been identified in 8-16, will this amount to there being the potential for an adverse impact in this policy?	Yes It is necessary for us to be accessible to all victims, those who are not able to access the information through the platforms we use will have an adverse impact. There is also the impact of us not always being able to meet the requirements of the code due to language difficulties and/or impairments.
18. Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?	No
19. If Yes, is there enough evidence to proceed to a full EIA?	No
20. Date on which Full impact assessment to be completed by.	

Signed (completing officer): T/Detective Chief Supt Liz Rogers

Signed (Lead officer):

Groups affected

Please identify the anticipated impact this activity will have on the following population groups.

- Tick the appropriate box and give explanation if so required,
- Please note that there are both likely benefits and adverse impact within the same group
- Any groups highlighted as likely to be adversely affected should be consulted in the second stage Full Impact Assessment if one has been identified as being needed.

	Likely to Benefit	No Impact	Adverse Impact
Disability: Physical, Sensory, Learning Disability, Mental Health, Carers	☐	☐	☒
Gender: Male, Female	☐	☒	☐
Transgender	☐	☒	☐
Race: Traveller and Gypsy etc	☐	☐	☒
Sexual Orientation: Lesbian, Gay, Bisexual	☐	☒	☐
Religion and Belief	☐	☒	☐
Age: Young and Old	☐	☐	☒
Marriage and Civil Partnerships	☐	☒	☐