



Information for victims of crime



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Foreword

**A message from Julia Mulligan,
Police, Fire and Crime
Commissioner for North Yorkshire**



**A message from Lisa Winward,
Chief Constable of
North Yorkshire Police**



Supporting Victims is a bespoke North Yorkshire service designed to help you cope and recover from the impact of crime by giving you access to a range of specialist support services.

The service is available to all victims, whether or not the crime has been reported to the police. It is entirely up to you to decide whether or not you wish to take up support. The services have also developed with the help of victims, to ensure you get the support you need, when you need it.

This booklet explains what's available and what you can expect from the police and others whose job it is to help you. Please visit www.supportingvictims.org to see the full range of services on offer, and ring them on 01609 643100 to find out how they can be tailored to your particular needs. Remember that you can also talk to the police officer dealing with your case.

I am always looking to improve the services that we provide, and the way in which the police and those helping you provide their support. If you have any feedback, or would like to contact me directly, please email info@northyorks-pfcc.gov.uk or call 01423 569562.

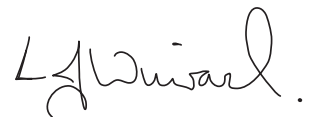
I hope you find the booklet useful and that, with our support, you can get your life back as close to normal, as quickly as possible.



It is extremely important to me that we do everything we can to support you through your experience and that we can help you feel reassured that you don't have to face this situation on your own.

We understand that the impact of crime differs from person to person and I want you to feel confident that North Yorkshire Police will make sure that both your emotional and practical needs are met.

Officers and staff will work hard in partnership with Criminal Justice colleagues to deliver the best possible service and help you every step of the way.



What are your rights under the Victims' Code?

- If you are a victim of crime in England or Wales you are entitled to support from the criminal justice agencies under the Code of Practice for Victims of Crime, even if you don't report the incident to the police. You are also entitled to support if you are a close relative of somebody who has been killed as a result of a crime

The rights for victims are:

Right 1 – To be able to understand and be understood.

You have the Right to be given information in a way that is easy to understand and to be provided with help to be understood including, where necessary, access to interpretation and translation services.

Right 2 – To have the details of the crime recorded without unjustified delay.

You have the Right to have details of the crime recorded by the police as soon as possible after the incident. If you are required to provide a witness statement or be interviewed, you have the Right to be provided with additional support to assist you through the process.

Right 3 – To be provided with information when reporting a crime.

You have the Right to receive written confirmation when reporting a crime, to be provided with information about the criminal justice process and to be told about programmes or services for victims. This might include services where you can meet with the suspect of offender, which is known as Restorative justice.

Right 4 – To be referred to services that support victims and have services and support tailored to your needs.

You have the Right to be referred to services that support victims, which includes the Right to contact them directly, and to have your needs assessed so services and support can be tailored to meet your needs. If eligible, you have the Right to be offered a referral to specialist support services and to be told about additional support available at court, for example special measures.

Right 5 – To be provided with information about compensation.

Where eligible, you have the Right to be told about how to claim compensation for any loss, damage or injury caused as a result of crime.

Right 6 – To be provided with information about the investigation and prosecution.

You have the Right to be provided with updates on your case and to be told when important decisions are taken. You also have the Right, at certain stages of the justice process, to ask for decisions to be looked at again by the relevant service provider.

Right 7 – To make a Victim Personal Statement.

You have the Right to make a Victim Personal Statement, which tells the court how the crime has affected you and is considered when sentencing the offender. You will be given information about the process.

Right 8 – To be given information about the trial, trial process and your role as a witness.

If our case goes to court, you have the Right to be told the time, date and location of any hearing and the outcome of those hearings in a timely way. If you are required to give evidence, you have the Right to be offered appropriate help before the trial and, where possible, if the court allows, to meet the prosecutor before giving evidence.

Right 9 – To be given information about the outcome of the case and any appeals.

You have the Right to be told the outcome of the case and, if the defendant is convicted, to be given an explanation of the sentence. If the offender appeals against their conviction or sentence, you have the Right to be told about the appeal and its outcome.

Right 10 – To be paid expenses and have property returned.

If you are required to attend court and give evidence, you have the Right to claim certain expenses. If any of your property was taken as evidence, you have the Right to get it back as soon as possible.

Right 11 – To be given information about the offender following a conviction.

Where eligible, you have the Right to be automatically referred to the Victim Contact Scheme, which will provide you with information about the offender and their progress in prison, and if/when they become eligible for consideration of parole or release. Where applicable, you also have the Right to make a new Victim Personal Statement, in which you can say how the crime continues to affect you.

Right 12 – To make a complaint about your rights not being met.

If you believe that you have not received your Rights, you have the Right to make a complaint to the relevant service provider. If you remain unhappy, you can contact the Parliamentary and Health Service Ombudsman.

A more comprehensive list of entitlements can be found within the Code of Practice for Victims of Crime, which can be located on www.gov.uk

Rights 1, 4, and 12, apply to all victims even if the crime isn't reported to the police.

If you are vulnerable, intimidated, persistently targeted or the victim of the most serious crimes you are entitled to 'enhanced' rights under the codes. This means that you are entitled to be updated within 24 hours of a significant milestone in the investigation.

North Yorkshire Police work closely with other agencies to offer advice and support to victims.

North Yorkshire Police are permitted to share your information without your consent in order to perform certain official duties which has been given to them. In this instance, North Yorkshire Police will share your information with the Police, Fire and Crime Commissioner's Supporting Victims Team so they can discuss with you whether or not you wish to be referred to victim support services. (Domestic Violence, Crime and Victims Act 2004 and associated Code of Practice for Victims of Crime) . When the Supporting Victims team discuss the options with you, they will ensure that they obtain your explicit consent before sharing your information with any other agency or service, unless the Safeguarding of Adults and Children thresholds are triggered or where it is believed there is a threat to life.

Additionally North Yorkshire Police may also share your information with relevant agencies without your consent if it is believed it is necessary for the prevention or detection of crime (Crime and Disorder Act 1998).

For further information on how we use your data, how it's stored and how long we keep your data, please see the privacy notice section on the North Yorkshire Police website <https://northyorkshire.police.uk/access-to-information/privacy-notice/>

Message to you from Supporting Victims

Being a victim of crime can be a traumatic and sometimes life changing event. That's why in North Yorkshire we want you, as a victim of crime, to have the confidence to access the services you need from

both North Yorkshire Police and our dedicated local support service, **Supporting Victims**. Because **Supporting Victims** works with North Yorkshire Police we may get in touch with you directly to offer you support after crime. There is no need to worry about your information as this is held on a secure database and will not be shared with any other agency without your consent unless the Safeguarding of Adults and Children thresholds are triggered or where it is believed there is a threat to life.



Supporting Victims has two services:

- **Support** for all victims of crime
- The ability to **report** and receive **support** for victims of hate crime

How to report a hate crime

To report a hate crime in North Yorkshire:

- Call Supporting Victims on 01609 643100
- Call North Yorkshire Police on 101
- Go to [Hate Crime or Incident Reporting \(1.1\) \(victoriaforms.com\)](https://victoriaforms.com)
- If you are in immediate danger, always call 999
- You can also report online via the Supporting Victims website Available 24/7

For more information about Hate Crime please visit: www.supportingvictims.org/types-of-crime/personal-abuse-and-hate-crime



What kind of support can I get?

Everyone deals with the impact of crime differently and has their own way of coping, which varies enormously depending on the support you have around you and your personal circumstances. Supporting Victims staff are trained and experienced in being able to help you understand what has happened and support you to cope and recover from the experience of crime. They are trained to listen to you and give you advice and guidance on how to get your life back on track. They can offer you;

- Immediate, over the telephone emotional and practical support
- Referral with consent to specialist victim services such as:
 - **Independent Victim Advisers:** face to face support in the community for all victims of crime, providing a single point of contact for practical and emotional support from the point of crime, throughout the criminal justice process and beyond to enable victims to cope and recover
 - **Independent Domestic Violence Adviser (IDVA) and Independent Sexual Violence Adviser (ISVA) service:** face to face support in the community for victims of Domestic and Sexual Abuse; providing a single point of contact for emotional and practical support for victims of domestic and sexual abuse from the point of crime throughout the criminal justice process and beyond to enable victims to cope and recover. Find out more at:
<http://www.supportingvictims.org/types-of-crime/domestic-abuse/> and
<http://www.supportingvictims.org/types-of-crime/sexual-offences/>
 - **Counselling/Talking Therapy Service** for victims where Counselling is deemed appropriate to support victims of crime to enable their recovery journey
 - **Restorative Justice Service** for victims interested in meeting the offender in a safe and controlled way (see more at page 11)
 - Signposting to other support to organisations as appropriate

We understand that the impact of a crime often isn't just emotional, it can be practical too, such as broken windows, locks or cleaning up after a crime has taken place. You can speak to Supporting Victims about these needs too, and we will advise you on how you can get support to help you with these problems.

All those affected by crime, regardless of whether or not they choose to report this to the police, are able to access independent advice and emotional and practical support through the Supporting Victims service.

Contact us on:

- **01609 643100** or by dialling **101** selecting Option 2, and asking for 'Supporting Victims' between 8am and 5pm Monday to Friday.
- If you need help outside of these hours or you reside outside North Yorkshire, you can call the national Victims Information Service on 0808 16 89 293 website:
<https://www.victimsinformation.service.org.uk/>
- Alternatively, you can email us at help@supportingvictims.org or speak to a police officer who can get in touch with us on your behalf.

Find out more about our services on our website: www.supportingvictims.org. If you don't need anything now, but things change for you later, just contact us when you're ready



Young victims

If you are a young victim under the age of 18, you and usually your parent or guardian, will be automatically entitled to receive an enhanced service under the Code of Practice for Victims of Crime.

As a young victim you will be entitled to the same entitlements as an adult victim, as detailed on page 5 of this booklet. Your parent or guardian may be updated with the progress of the case, if that is your preferred method.

Added to these entitlements, as a young victim, you would be able to have your statement video recorded to make it easier for you to tell the police what happened. Making a video recorded statement may also mean that you do not have to repeat this evidence in court. However, you can choose to give live evidence at court if you would prefer not to make a video statement.

Young people and consent

Supporting Victims believes that the best way to work with young people in most cases is in partnership with their parents or guardians and by having their consent in relation to the services and support the young person can be provided with.

Generally, we will only ever work with young people under the age of 16 years with the consent of their parents/guardians. However, in a minority of cases we recognise that young people aged 16/17 years would benefit from support and that consent from parents or guardians may not be possible to gain.

If this is the case, a young person's competence and maturity to make decisions will be assessed by **Supporting Victims** over the phone. They will check whether the young person understands the support they can be offered and how it could help them and where appropriate, support will be offered to the young person.

Making a Victim Personal Statement



A Victim Personal Statement (VPS) is a voluntary written account that you can give to the police if you have been a victim of a crime. It is your way of telling people about the crime you have suffered and the impact it has had on you, whether physically, emotionally, psychologically, financially or in any other way.

Before deciding to make a VPS, you will be advised by the police that if the case reaches court, it will be seen by the defence and you may be asked questions about it during the trial.

What you can include in your Victim Personal Statement:

- Any physical or psychological injury you may have suffered
- If you no longer feel safe
- The impact on your family
- How your quality of life has changed on a day-to-day basis
- If you are worried about the alleged offender being given bail
- If you feel the crime was racially motivated or that your faith, sexuality or disability played a part in the crime
- If you need or are receiving additional support as a result of the crime
- If you intend to claim compensation from the alleged offender for any injury, loss or damage

You can make a Victim Personal Statement at any point during the process, provided that it is made before the case goes to court or before the offender is sentenced. If you are not ready to make a VPS today, you can complete the enclosed Victim Personal Statement and contact the police officer dealing with your case who will arrange to collect this from you.

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OFFICIAL – Sensitive

Going to court - the role of the Witness Care Officer

If your case goes to court, you may be a witness in the trial. If your case does not go to court, you should be told the reason for this decision.

If the case goes to trial, you will be assigned a Witness Care Officer. You can ask them questions about attending court and they will keep you up-to-date about what is happening.

Your Witness Care Officer will explain what to expect when going to court and will:

- Contact you if you are needed to give evidence in court
- Keep you updated about dates and locations of court hearings
- Conduct a needs assessment and highlight any medical issues to the court
- Explain the benefits of using Special Measures and the Victim Personal Statement in court
- Arrange a court familiarisation visit with the Witness Service
- Arrange interpreters, travel, accommodation and child care if necessary

If you have any problems or concerns about going to court, you must let the person who asked you to go to court know as soon as possible. This will enable any issues raised to be resolved as quickly as possible.

How can I contact the North Yorkshire Witness Care Unit?

Phone 01609 643101 or dial 101, press option 2 and ask for Witness Care

The unit is open:

Monday – Thursday

8:00am to 17:00pm and

on a Friday 8:00am to 16:30pm

Help in court - special measures

Special measures are arrangements put in place to help you, if you are a vulnerable or intimidated victim, to give your best evidence in court.

Speak with the officer in your case or your Witness Care Officer if you would like more information on how they may help you. The police and Crown Prosecution Service will apply for any special measures on your behalf but the court will make the final decision about whether the special measures that have been requested can be used.

The special measures available are:

1 Screens -

available to screen you from the defendant in the court room so that you cannot be seen by the defendant whilst giving evidence.

2 Live link -

you can give evidence during the trial from a room outside the court room or a suitable location outside the court house, via live TV link. Screens can also be applied for, to block the defendant's view of television monitors in court.

3 Evidence given in private -

members of the public are excluded from the court room whilst you give evidence.

4 Removal of wigs and gowns -

used at Crown Court. Judge and lawyers remove their wigs and gowns to create a less formal environment. This is predominantly used for young witnesses.

5 Video recorded interview -

in certain circumstances the police will obtain your account by video interview rather than a written statement. The prosecution can apply for this video interview to be used in place of you physically giving evidence in court.

6 Having someone (an intermediary) -

to help you understand questions when being interviewed or giving evidence. Intermediaries explain questions and answers without changing the substance of the evidence.

7 Aids to communication -

these may be permitted to help a witness to give evidence. This could include using an interpreter or someone to communicate for you or it could cover the use of a communications aid or technique. Whatever aids are allowed they must be independently verified and understood by the court.

Footnote:

1 - 5 are special measures available for vulnerable and intimidated witnesses

6 - 7 are special measures available for vulnerable witnesses only

Alternatives to going to court

Pre-Court Diversion

From May 2021, North Yorkshire Police can refer adult females and young adult males (18-25) who have committed a low level offence to a new pre-court diversion scheme, which is aimed at stopping offenders committing more offences and improving individual's lives. The pre-court diversion scheme will attempt to tackle the root causes of offending at an early stage, via an offer of support across a range of needs, in an attempt to prevent the individual from becoming a prolific offender and to reduce the number of victims in North Yorkshire. The offer of support will be conditional, if the offender does not engage with the scheme then they will be referred back to the criminal justice process and may face prosecution. Victims will be notified by the police if the pre-court diversion disposal option has been utilised, and updates can be provided throughout the process.

Dealing with a crime out-of-court allows the police to deal proportionately with certain crimes. Out-of-court disposals are not suitable for more serious cases and for those where the offender does not admit their responsibility. They would also not normally be considered for those offenders who repeatedly commit crimes.

North Yorkshire Police, the Crown Prosecution Service or Youth Offending Team may consider an alternative to going to court is a more appropriate method of dealing with your case. You will be asked for your views, which will be taken into account before any decision is made.

There are a number of out-of-court disposals available for the police to consider:

- Community Remedy and Restorative Justice
- Simple Adult Cautions or Youth Cautions (for under 18's)
- Adult Conditional Cautions or Youth Conditional Cautions (for under 18's)
- Penalty Notices for Disorder or Cannabis Warnings.

Community Remedy

A Community Remedy covers the out-of-court options available to deal with anti-social behaviour and low level crime in the community if considered suitable.

Anti-social behaviour is a term that covers a wide range of issues that can cause misery in communities.

The objectives for Community Remedy are;

1. Avoiding criminalising individuals for first time and/or low level offences
2. Allowing flexibility in the way in which anti-social behaviour and low level crimes can be dealt with in a face-to-face manner
3. Ensuring resources used for preparing cases for court are used proportionately

North Yorkshire Police engaged in a consultation exercise with members of the public to identify options available to be used as part of Community Remedy.

Community Remedy gives victims a much greater say in dealing with offenders who commit low level crime and anti-social behaviour. Some of the options available include:

- The offender paying for the damage they have caused
- The offender being referred to an alcohol abuse programme, to help tackle their drinking problem
- The offender entering into a contract which spells out acceptable and unacceptable behaviour. If the offender breaks this contract, this can be used as evidence for further action

The suitability of the options depends on the nature of the offence, the age of the offender and the particular circumstances. A police officer will discuss the situation with you, to help you to come to the best solution. They will do their best to take all of your views into account before deciding the final course of action.

In some cases, a police officer may be able to suggest additional options that are available in your local area.

Restorative Justice

What is Restorative Justice (RJ)?

'Providing victims with the opportunity to communicate with their offenders.'

Restorative Justice (RJ) brings those harmed by crime and those responsible for the harm into communication with each other. This enables everyone affected by the incident to play a part in repairing the damage and finding a positive way forward. Research shows that Restorative Justice reduces reoffending and helps to reduce harm in our communities. The service is focused on the delivery of victim-led, face to face victim offender conferencing and indirect restorative justice where appropriate, giving any victim of crime in North Yorkshire the opportunity to meet with their offender, with the support of a restorative justice professional to enable cope and recovery after crime.

For more information contact Supporting Victims or Restorative Solutions details below;

help@supportingvictims.org

01609 643100

RJNorthYorkshire@restorativesolutions.org.uk

01423 546175



Your journey through the Criminal Justice System

You report a crime to

Staff in the force control room will consider your needs based on the incident you are reporting. They will inform you of how it will be dealt with and advise whether officer attendance is required or not.



If officer attendance is required they will;

- If necessary, take a Witness Statement
- Complete the Victim Contact Agreement
- Give you a Crime Reference Number
- If necessary, explain Special Measures
- Ask if you would like to make a Victim Personal Statement (VPS)
- Provide you with relevant literature

The crime will be investigated and you will be informed if a suspect is arrested and charged. You will also be advised if no progress is made and the case gets closed.



The offender will be found guilty or not guilty at court.

North York

- Contact
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- Explain
- Arrang
- Arrang

If found not guilty the process ends. The Witness Care Unit will notify you of the decision.



If found guilty the offender is sentenced from a range of disposals in line with the National Sentencing Guidelines. The Witness Care Unit will provide a written update advising you of the final result and the sentence the offender has received.





From the start of the process you can access a range of services from Supporting Victims (see page 5).

Supporting Victims
in North Yorkshire

North Yorkshire Police submit the case to the Crown Prosecution Service (CPS).

CPS will advise the officer whether the case can progress to court or not. If your case is going to court you will be assigned a Witness Care Officer.



North Yorkshire Witness Care Unit will:

- contact you if you are needed to give evidence in court
- keep you updated about dates and locations of court hearings
- conduct a needs assessment and highlight any medical issues to the court
- explain the benefits of using Special Measures and the VPS in court
- provide a court familiarisation visit with the Witness Service
- provide interpreters, travel, accommodation and child care if necessary



No progress and the case is closed



Community Sentence

Custodial Sentence

Key

- North Yorkshire Police
- Crown Prosecution Service
- Court proceedings

WCU Witness Care Unit
North Yorkshire

Criminal injuries claims

If you are an innocent victim of a violent crime, you may be entitled to claim compensation from the Criminal Injuries Compensation Authority (CICA).

You can apply for compensation if you, or someone you know, has been hurt in a violent crime, but you must apply within two years of when the attack happened.

If you need help with your claim or have any questions, you can contact **Supporting Victims on 01609 643100** or the **CICA Customer Service Centre advisors on 0300 003 3601**.

You can also get guidance from your local Citizens Advice Bureau, a law centre or a welfare rights organisation. If you belong to a trade union, it may be able to help too.

The Hardship Fund

If your injuries do not qualify you for criminal injuries compensation, the government has a Hardship Fund.

This provides short-term help with financial hardship to very low paid workers who are temporarily unable to work because they have been a victim of a violent crime.

The fund only applies to injuries received in England and Wales. For more information, please contact the **National Victim Support line on 0300 303 1971**



How to make a complaint

North Yorkshire Police is committed to giving you the best possible service. Where this is not the case you can contact the North Yorkshire Police, Fire and Crime Commissioner's independent Complaints and Recognition Team. On receipt of your complaint/dissatisfaction the team will assess it and if you feel your complaint is justified, but minor, you may be satisfied with an explanation or an apology. Where this is appropriate, the Complaints and Recognition Team may be able to resolve your complaint in a less formal but nevertheless thorough way, by means of a local resolution. This can be flexible and is often the quickest and most effective way to resolve a complaint.

For more serious complaints, the Complaints and Recognition Team may ask North Yorkshire Police's Professional Standards Department to carry out a formal investigation. Depending upon the seriousness of the complaint a decision may be made to refer the complaint to the Independent Office for Police Conduct (IOPC).

There are a number of ways you can make a complaint:

Online at:

<https://www.northyorkshire-pfcc.gov.uk>

Email:

customerservice@northyorkshire-pfcc.gov.uk

Write to:

Complaints and Recognition Team,
Office of the North Yorkshire Police, Fire and
Crime Commissioner
12 Granby Road
Harrogate
North Yorkshire
HG1 4ST

Telephone:

01609 643 339

between 8.30am to 5pm Monday to Thursday,
8.30am to 4.30pm on Friday

101

By phoning 101, the operator will record your complaint and pass it on to the Complaints and Recognition Team

Victims' Right to Review

The Victim's Right to Review scheme gives victims the right to request a review of a police decision not to prosecute a suspect. Only cases where the decision to take no further action was made after 1 April 2015 qualify for the scheme.

In order to qualify for the scheme the case must be one in which:

- You have been the victim of crime
- A suspect has been identified and interviewed under caution, either following an arrest or by voluntary arrangement.

Your right to request a review arises where the police:

- Make a decision not to bring proceedings in cases where the police have authority to charge; or
- Make a decision that the case does not meet the test for referral to the CPS for a charging decision and you are the victim of that crime

Victims will be notified by police of the decision not to bring proceedings.

If the victim wishes to exercise their right to review they should contact the Victims Right to Review Officer as detailed below. The request for review can be made up to three months following the decision to take no further action being made.



The Victims' Right to Review Officer can be contacted:

By phoning **101**, selecting option 2 and asking to speak to the Victims' Right to Review Officer.

By emailing **victimsrighttoreview@northyorkshire.pnn.police.uk**

By writing to

The Victims' Right to Review Officer, Athena House, Kettlestring Lane, York, YO30 4XF

For further information about the scheme, please visit the Victims' Right to Review section on the North Yorkshire Police website **www.northyorkshire.police.uk**

Contact details

North Yorkshire Police

If you are in immediate danger, always call **999**

To report a crime or incident, please call North Yorkshire Police on the non-emergency number **101**.

- Visit: **www.northyorkshire.police.uk**
- Twitter: **@NYorksPolice**
- Facebook: **www.facebook.com/NorthYorkshirePolice**

You can also pass information anonymously to Crimestoppers on **0800 555 111**.

Supporting Victims

Supporting Victims helps people living in North Yorkshire to cope and recover after crime, and get their lives back to normal as soon as possible.

- Phone: **01609 643100** Monday - Friday 8am - 7pm
- Email: **help@supportingvictims.org**
- Visit: **www.supportingvictims.org**
- Twitter: **@Support4Victims**
- Facebook: **www.facebook.com/SupportingVictims**

If you need help outside of these hours, you can call the National Victim Information Line on **0808 16 89 293**.

North Yorkshire Witness Care Unit

Phone **01609 643101**, alternatively you can phone **101**, press option 2 and ask for Witness Care.

Police, Fire and Crime Commissioner for North Yorkshire

- Phone: **01423 569562**
- Email: **info@northyorkshire-pfcc.gov.uk**
- Visit: **www.northyorkshire-pfcc.gov.uk**
- Twitter: **@northyorkspfcc**

Translation into another language

This booklet is available on the North Yorkshire Police website as a PDF document. You can download the booklet and convert the PDF into a word document and then translate through Google's translator.



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