



Information for victims

About the CPS

The Crown Prosecution Service (CPS) is responsible for prosecuting criminal cases investigated by the police and other investigators in England and Wales. More information about the CPS can be found on the CPS website: www.cps.gov.uk

How the CPS makes decisions – The Code for Crown Prosecutors

We decide whether to prosecute by applying the Code for Crown Prosecutors as well as any policies that are relevant to the facts or nature of any particular case. The Code is available on our website at this address: <https://www.cps.gov.uk/publication/code-crown-prosecutors>.

The Code sets out the **two-stage test** that has to be applied to every case to ensure that our decisions are both fair and consistent.

1. The evidential stage

- We review all the evidence and decide if there is enough to ‘provide a realistic prospect of conviction’. In other words, it is more likely than not that a jury or judge will convict the suspect.
- We do not make judgements on whether witnesses are telling the truth or whether someone is innocent or guilty. Instead we must make our decisions based on an objective view of all of the evidence.
- The case must pass this stage. If there is not sufficient evidence, then the case cannot be charged no matter how serious the offence.

2. The public interest stage

- For a prosecution to take place we must be satisfied that a prosecution is in the public interest.
- A prosecution may not be in the public interest where there is a better option for dealing with the suspect. This could include an ‘out of court disposal’ or where the defendant is already serving a long sentence for a previous crime and prosecuting the new offence will not make a significant difference to their sentence.
- Other important considerations could be the seriousness of the allegation, the personal circumstances of the suspect and the extent of their involvement in the offence.

Who are ‘victims’ and what can they expect from the CPS?

The Code of Practice for Victims of Crime, (the **Victims’ Code**) can be found at the following address: <https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime>.

The Victims’ Code sets out minimum standards of service that victims can expect from the CPS and other criminal justice agencies.

The Victims’ Code defines a victim as:



- 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.

The following persons can also receive rights under the Victims' Code if they 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.

There are **12 Rights** for victims in the Victims' Code:

The 12 Rights in the Victims' Code	
1	To be able to understand and be understood
2	To have the details of the crime recorded without unjustified delay
3	To be provided with information when reporting the crime
4	To be referred to services that support victims and have services and support tailored to your needs
5	To be provided with information about compensation
6	To be provided with information about the investigation and prosecution
7	To make a Victim Personal Statement
8	To be given information about the trial, trial process and your role as a witness
9	To be given information about the outcome of the case and any appeals
10	To be paid expenses and have property returned
11	To be given information about the offender following a conviction
12	To make a Complaint about your Rights not being met

How do we keep victims informed about our decisions?

Victim Liaison Units (VLUs) are responsible for informing victims of decisions to stop a case or a significant change to the charges. They are a dedicated point of contact for victims who want further information about our decisions or to have a meeting arranged with the lawyer to discuss the decision in their case. The VLU can also advise victims on how they can seek a review, make a complaint, or provide feedback.

Contact details for local VLU teams can be found at the bottom of the CPS decision letter.

How to request a meeting with the lawyer to discuss the decision?

The victims of the following crimes are entitled to ask for a meeting:

- child abuse
- sexual offences
- offences which are aggravated by hostility based on disability
- offences which are aggravated by hostility based on race or religion
- cases involving homophobia, transphobia or hostility based on sexual orientation



- offences motivated by hostility based on age

In cases involving a death the bereaved family are also entitled to ask for a meeting.

During any meeting we will answer as many questions as they can. But where we cannot, we will explain the reasons why we cannot provide an answer. For example, the answer may contain confidential information that we are not allowed to share.

The Victim Liaison Unit can be contacted, using the details at the bottom of the letter, to arrange a meeting or to ask for more information.

Victims' Right to Review Scheme

Victims in some types of cases are entitled to have the decision looked at again. This is called the Victims' Right to Review (VRR) scheme. A victim can explain why they are unhappy with the decision when asking for the VRR and we will take that into consideration.

We offer this scheme because it's important to us that people feel that they can trust our decisions and understand why they have been made.

A review can be requested by email or letter within 10 days from the date of this letter or at the very latest within 3 months. Any request after this date may not be considered. A request can include the reasons why a victim would like the review but it is not compulsory.

For more information, including eligibility for the scheme, please read the Victims' Right to Review leaflet also enclosed or available online here:

https://www.cps.gov.uk/sites/default/files/documents/publications/VRR_leaflet.pdf

How can victims provide feedback or complain?

Victims can provide feedback or make a complaint about any aspect of our service. Further information on how to do so is available on the CPS website at www.cps.gov.uk. Alternatively, the VLU can explain this process.

Translations

Please let us know if you would like the letter and the leaflet translated
Rhowch wybod i ni os hoffech i'r llythyr a'r daflen gael ei chyfieithu