

# **DOMESTIC VIOLENCE, CRIME AND VICTIMS ACT 2004**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 3: Victims Etc**

##### ***Section 32: Codes of practice for victims***

111. *Section 32* places a requirement on the Secretary of State in consultation (under *section 33*) with the Attorney General and the Lord Chancellor (the Cabinet Ministers who share responsibility for the criminal justice system) to issue a Code of Practice in respect of the services provided to victims of crime by persons who have functions relating to victims or the criminal justice system as a whole.
112. *Subsections (2)-(4)* allow the code, among other things, to:
  - differentiate between different types of victims, so that particularly vulnerable victims, for example, might receive a faster service or a service tailored to their needs;
  - benefit persons other than the victim, such as the relatives of deceased victims or parents of juveniles;
  - allow for regional variations in the way that services are provided to victims so that the code can reflect local practices.
113. *Subsection (5)* provides that the code may not require anything to be done by a person acting in a judicial capacity or by a member of the Crown Prosecution Service when exercising a discretion.
114. *Subsection (6)* provides that a person can be a victim of criminal conduct for the purposes of this Section, irrespective of whether or not an offender is charged or convicted. This ensures that the provisions of the code can be broad enough to require the provision of services to victims at all stages of the criminal justice system and to victims of offences in respect of which no criminal proceedings are eventually brought or where criminal proceedings result in a not-guilty verdict.