
STATUTORY INSTRUMENTS

2015 No. 1811

**CRIMINAL JUSTICE
DEFENCE**

**The Criminal Justice (Armed Forces Code of
Practice for Victims of Crime) Regulations 2015**

Made - - - - 21st October 2015

Laid before Parliament 23rd October 2015

Coming into force 16th November 2015

**THE CRIMINAL JUSTICE (ARMED FORCES CODE OF
PRACTICE FOR VICTIMS OF CRIME) REGULATIONS 2015**

1. Citation and commencement
2. Armed Forces Code of Practice for Victims of Crime
3. Effect of non-compliance
Signature

SCHEDULE — Armed Forces Code of Practice for Victims of Crime
PART 1 — Introduction

CHAPTER 1

General

1. General
2. This Code sets out the services to be provided by...
3. This Code sets a standard for these services. Service providers...
4. For the purposes of this Code, a “victim” is:
5. Enhanced entitlements are provided to victims of the most serious...
6. In addition to this Introduction which is important to read,...

CHAPTER 2

Which organisations have to provide services under this Code?

7. Service Providers
8. The persons and organisations that provide services under this Code...
9. This Code does not require anything to be done by...
10. Where required to share information under this Code, Service providers...

CHAPTER 3

What kind of support can I expect as a victim of crime?

11. Support
12. If, due to the impact of the crime, you need...
13. Written Information
14. The extent or detail of the information in paragraph 13...

CHAPTER 4

Who is entitled to receive services under this Code?

15. Victims of crime where an allegation has been made
16. You are only entitled to receive the services set out...
17. Subject to paragraph 18 below, you are entitled to access...
18. Where a victim is not present in the United Kingdom...
19. Bereaved close relatives of a victim of crime
20. The family spokesperson for families bereaved by crime
21. The family spokesperson for victims of crime who have a disability or for victims who have been so badly injured as a result of a criminal offence that they are unable to communicate
22. The parent or guardian of a victim who is under 18 years of age

CHAPTER 5

Additional information for all those entitled to receive services under this Code

23. General
24. If, following an investigation, it is decided that you are...
25. Information provided under this Code
26. Where there is a high number of victims involved in...
27. Nothing in this Code requires a service provider to provide...
28. Interpretation and translation
29. If you do not understand or speak English, you are...
30. An oral translation or summary of the information in paragraph...
31. If you are unhappy with a decision not to provide...
32. What if my case is transferred to a civilian jurisdiction?
33. What if I do not want to receive the services that I am entitled to under the Code?
34. You may choose to opt back into receiving services under...
35. What happens if I don't receive the services that I am entitled to under this Code?

CHAPTER 1

Victims entitled to receive enhanced entitlements

36. General
37. How do I know if I am in one of the three groups who are entitled to receive enhanced entitlements?
38. The final decision on whether you fall into one or...
39. Victims of a criminal offence entitled to receive services under...
40. As your needs may change while the criminal offence is...
41. Once a service provider has identified that you are eligible...
42. If you do not fall into the three categories outlined...
43. If a victim meets the requirements of paragraph 37 of...
44. Victims of the most serious crime
45. Persistently targeted victims
46. Vulnerable or intimidated victims
47. You are eligible for enhanced entitlements under this Code as...
48. When assessing whether a victim is intimidated, the service provider...

CHAPTER 2

Special Investigation Measures

49. Special Investigation Measures
50. If you are under 18 years of age, the additional...
51. If you are considered to be a vulnerable victim (in...
52. A Special Investigation Measure shall not be made available if...

CHAPTER 3

Special Measures

53. Special Measures
 54. If you are considered to be a vulnerable victim (in...
 55. Registered Intermediaries
- PART 3 — Victims' Entitlements – Entitlements for Adults

CHAPTER 1

Introduction

56. Introduction

CHAPTER 2

Service Police and Commanding Officers' Investigations

57. General
58. Information, referral to victim support services and needs assessments
59. Victim support services are voluntary organisations which offer victims of...
60. You are entitled to receive information about victim support services...
61. If you are making a witness statement the investigator should...
62. You may request the investigator to inform you of:

Changes to legislation: There are currently no known outstanding effects for the *The Criminal Justice (Armed Forces Code of Practice for Victims of Crime) Regulations 2015*. (See end of Document for details)

63. You are entitled to the information requested in paragraph 62...
64. You may discuss and agree with the investigator timings to...
65. If you are being interviewed by the Service Police or...
66. In addition to the entitlements in paragraph 65 of this...
67. The Service Police will ensure, wherever possible, that you and...
68. In addition to the entitlements outlined above, if you are...
69. In addition to the entitlements outlined above, if you are...
70. Victim personal statement
71. You are entitled to make a VPS at the same...
72. If you do not want to read your VPS aloud...
73. In Summary Hearing your VPS will be considered as part...
74. Although you are entitled to make a VPS, you do...
75. In addition to the entitlements outlined above, if you are...
76. If you are not giving a witness statement about what...
77. Once the statement is completed and signed, a VPS (like...
78. Victim personal statement and the Service courts and Summary Hearings
79. If the accused is found guilty before a Service court,...
80. If you do request that your VPS is read aloud...
81. The Service court (or Commanding Officer in a Summary Hearing)...

CHAPTER 3

Pre-Trial – Charge and Service Custody

82. Charge and Service Custody
83. Following: (1) a Service Police decision not to refer a...
84. Where a suspect is arrested, taken into custody or charged...
85. You are entitled to be informed by the Victim Liaison...
86. You are entitled to receive the information at paragraphs 82,...
87. You may request the Victim Liaison Officer or the Service...
88. You are entitled to the information requested in paragraph 87...
89. If you are dissatisfied with any of the decisions set...
90. Where you are notified of a decision that qualifies for...
91. Post-Charge
92. You are entitled to be informed by the Victim Liaison...
93. In addition, where the Service Prosecuting Authority, or the Commanding...
94. You are entitled to receive the information in paragraphs 91,...
95. Pre-Trial
96. You are entitled to: (1) request the investigator to inform...
97. If you are required to give evidence, you are entitled...
98. In addition to the entitlements outlined above you are also...
99. If the suspect pleads not guilty in Service court or...
100. Measures for victim's protection in case of escape

CHAPTER 4

Trial

101. Attending Court as a Witness
102. If you need to leave the court building at any...
103. Part of the court process involves the cross-examination of witnesses...
104. If you are not a witness in the case you...
105. Attending a Summary Hearing as a Witness

106. If you need to leave the building at any time,...
107. Part of the Summary Hearing process involves the questioning of...
108. After the trial/Summary Hearing
109. Following the trial or Summary Hearing, you are entitled to:...

CHAPTER 5

Sentencing Information

110. General
111. Information to be provided
112. Where the sentence follows a trial at a Service court,...

CHAPTER 6

Appeals

113. General
114. If an application is made to the Summary Appeal Court to appeal against a conviction or sentence in the Summary Hearing
115. You are also entitled to: (1) ask the Military Court...
116. An appeal to the Summary Appeal Court involves a rehearing...
117. If an application is made to the Summary Appeal Court to have a case stated for the opinion of the High Court
118. If you or your family members attend the High Court...
119. If an appeal is made to the Court Martial against a conviction or sentence in the Service Civilian Court
120. You are also entitled to: (1) ask the Military Court...
121. Where an appeal is made, the case will be dealt...
122. If an application is made to appeal against a conviction or sentence to the Court Martial Appeal Court, or an application or appeal is made to the UK Supreme Court in a criminal case on a point of law
123. The Court Martial Appeal Court and Victim Personal Statements
124. It is normally necessary for a further VPS to be...

CHAPTER 7

Post-Trial

125. Criminal Cases Review Commission
126. You are entitled to be notified by the Commission if...
127. If the Commission decides that is appropriate to contact you...
128. If the Commission decides that it is not appropriate to...
129. Unwanted contact from offenders
130. Prisoners are not allowed mobile phones and are allowed access...
131. If you receive unwanted contact from an offender who is...
132. Armed Forces Victim Contact Scheme
133. If you wish to utilise this scheme you should notify...
134. If you are eligible, and choose to take part in...
135. If you are a bereaved close relative of the victim...
136. If you are the parent, guardian or carer of a...
137. In the event of a suspect escaping from custody, if...
138. Civilian Victim Contact Scheme

CHAPTER 8

How to make a complaint

- 139. Complaints
- 140. In the first instance, if you feel your entitlements have...
- 141. If you remain dissatisfied, or if you do not feel...
- 142. You are entitled to: (1) receive information from the service...

CHAPTER 9

Transfer to Civilian Jurisdiction

- 143. General
 - PART 4 — Victims' Entitlements – Entitlements for Children and Young People

CHAPTER 1

Introduction

- 144. General
- 145. Your parent or guardian may also receive help and support...
- 146. How should I read this Part of the Code?
- 147. You can also use the definitions contained in Part 6...
- 148. A victim information leaflet is also available which also explains...

CHAPTER 2

Service Police and Commanding Officers' Investigations

- 149. General
- 150. Information provided to you when you report a crime
- 151. Investigation
- 152. The Service Police or Commanding Officer's investigator will talk to...
- 153. After you have told the Service Police or Commanding Officer...
- 154. You may also be entitled to receive Special Investigation Measures...
- 155. You are also entitled to make a Victim Personal Statement....
- 156. If the accused is found guilty in a Service court,...
- 157. When the Service Police or Commanding Officer are investigating your...
- 158. The Service Police will ensure, wherever possible, that you and...

CHAPTER 3

Before the trial - charge, Service custody and information about the trial

- 159. Charge and Service custody
- 160. You are entitled to be told, without unreasonable delay, of...
- 161. Preparation for the trial
- 162. Where the Service Prosecuting Authority or the Commanding Officer decides...
- 163. Paragraphs 165 to 168 of this Code give you information...
- 164. You are entitled to be told about the date, time...
- 165. (1) You may ask the Victim Liaison Officer to inform...

- 166. If the accused pleads not guilty in a Service court...
- 167. You are entitled to be told by your Victim Liaison...
- 168. If you are asked to give evidence at the trial...
- 169. If you are required to give evidence at the Summary...
- 170. In the event of a suspect the event of a...

CHAPTER 4

Trial or Summary Hearing

- 171. Trial at Service court
- 172. At a trial by a Service court, part of the...
- 173. Summary Hearing
- 174. If you need to leave the building at any time,...
- 175. Part of the Summary hearing process involves the questioning of...

CHAPTER 5

After the trial

- 176. Expenses
- 177. General
- 178. The sentence
- 179. Victim Support Services

CHAPTER 6

Appeals

- 180. Appeals
- 181. If the appeal is to the Court Martial Appeal Court,...
- 182. If there is going to be an appeal hearing, you...
- 183. In some appeals the case may be re-heard. Where an...

CHAPTER 7

After the Sentence

- 184. Unwanted contact from offenders
- 185. Prisoners are not allowed mobile phones and are only allowed...
- 186. If you receive unwanted contact from an offender who is...
- 187. Armed Forces Victim Contact Scheme
- 188. If you wish to use this scheme you should notify...
- 189. If you are eligible, and choose to take part in...
- 190. If you are eligible, your parent or guardian or carer...
- 191. In the event of a suspect escaping from custody, if...
- 192. Civilian Victim Contact Scheme

CHAPTER 8

How to make a Complaint

- 193. Complaints

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- 194. If you feel comfortable doing so, you should first talk...
- 195. If this does not help to answer your complaint, you...
- 196. You are entitled to: (1) receive information from the organisation...

CHAPTER 9

Transfer to Civilian Jurisdiction

- 197. General
 - PART 5 — Duties on Service Providers

CHAPTER 1

Introduction

- 198. General
- 199. Victims under the age of 18
- 200. For the avoidance of doubt the relevant service providers must...
- 201. At all times the child's best interests must be a...
- 202. Where the age of a victim is uncertain and there...

CHAPTER 2

Service Police Investigation

- 203. Information, referral to victim support services and needs assessments
- 204. The Service Police must advise the victim that they may...
- 205. The victim is entitled to the information requested pursuant to...
- 206. The Service police may discuss and agree with the victim...
- 207. If the Service Police need to interview a victim, they...
- 208. When recording a child victim's evidence, the Service Police must...
- 209. If the Service Police require a child to be interviewed...
- 210. The Service Police must: (1) conduct the interview without unjustified...
- 211. Where the victim is a victim of the most serious...
- 212. Victim Personal Statement
- 213. In addition the Service Police may offer the opportunity for...
- 214. The Service Police may arrange for a Victim Personal Statement...
- 215. A Victim Personal Statement can be video recorded, but the...
- 216. When taking a Victim Personal Statement, the Service Police or...
- 217. When taking the Victim Personal Statement, the Service Police or...
- 218. The Service Police or other service provider taking the statement...
- 219. If the case proceeds to a Service Court, the Service...
- 220. If the case proceeds to a Summary Hearing, the Commanding...
- 221. The Service Prosecuting Authority must ensure wherever possible that the...
- 222. The Victim Liaison Officer (or Service Police if they are...
- 223. Referral
- 224. In a Service police investigation, the Service Police must inform...
- 225. Appointment of a Victim Liaison Officer

CHAPTER 3

Commanding Officer's Investigation

226. Information, referral to victim support services and needs assessments
227. The Victim Liaison Officer must advise the victim that they...
228. The victim is entitled to the information requested pursuant to...
229. If the Commanding officer's investigation needs to interview a victim,...
230. The Commanding Officer must: (1) ensure that the interview is...
231. Where the victim is a victim of the most serious...
232. Victim Personal Statement
233. In addition the Commanding Officer may offer the opportunity for...
234. When the Victim Personal Statement is being taken, the Commanding...
235. When the Victim Personal Statement is being taken the Commanding...
236. The Commanding Officer must ensure that any Victim Personal Statement...
237. If the case proceeds to a Service Court, the Service...
238. If the case proceeds to a Summary Hearing, the Commanding...
239. The Service Prosecuting Authority must ensure wherever possible that the...
240. The Victim Liaison Officer must, wherever possible, notify the victim...
241. Appointment of a Victim Liaison Officer

CHAPTER 4

Charge and Pre-trial/Summary Hearing

242. General
243. Commanding Officer's consideration of charge and Summary Hearing
244. The Victim Liaison Officer must inform victims, without unreasonable delay,...
245. The Victim Liaison Officer must advise the victim that they...
246. The victim is entitled to the information requested pursuant to...
247. The Victim Liaison Officer must inform victims of decision to:...
248. Where the Commanding Officer discontinues proceedings on the charge the...
249. Victims must be provided with the information at paragraphs 247...
250. Director of Service Prosecutions' consideration of a charge
251. The Military Court Service must inform victims and the Victim...
252. In cases where there is a danger or an identified...
253. The Victim Liaison Officer must advise the victim that they...
254. The victim is entitled to the information requested pursuant to...
255. The Service Prosecuting Authority must provide information on Service Prosecuting...
256. The Service Prosecuting Authority must inform victims of decisions to:...
257. Where the Service Prosecuting Authority discontinues or offers no evidence...
258. Victims must be provided with the information at paragraphs 257...
259. Pre-Summary Hearing
260. The Commanding Officer must offer a full needs assessment to...
261. The Commanding Officer must arrange for victims to be shown...
262. Pre-trial
263. Military Court Service court staff must ensure wherever possible that...
264. Military Court Service court staff must also offer, in a...

265. The Service Prosecuting Authority must: (1) offer a full needs...

CHAPTER 5

Trial/Summary Hearing

266. General
267. Summary Hearing
268. The Commanding Officer must ensure that there are procedures in...
269. Part of the Summary Hearing process involves the questioning of...
270. After the Summary Hearing
271. The unit must pay, without unreasonable delay, any expenses the...
272. Service court trial
273. The Service Prosecuting Authority will treat victims who are witnesses...
274. Military Court Service staff must ensure that:
275. Military Court Service staff must also ensure wherever possible that...
276. After the trial
277. The Military Court Service must pay any expenses, without unreasonable...

CHAPTER 6

Sentencing information following Summary Hearing or trial

278. General
279. Sentence
280. If the Victim Liaison Officer cannot answer the questions asked...
281. Where a suspect is convicted the Service Prosecuting Authority must...

CHAPTER 7

Appeals

282. General
283. If an application is made to the Summary Appeal Court to appeal against a conviction or sentence in the Summary Hearing
284. Where an appeal is made the Military Court Service must...
285. As an appeal to the Summary Appeal Court involves a...
286. If an application is made to the Summary Appeal Court to have a case stated for the opinion of the High Court
287. Where an application is made the High Court staff must...
288. If an appeal is made to the Court Martial against a conviction or sentence in the Service Civilian Court
289. Where an appeal is made the Military Court Service must...
290. As an appeal to the Court Martial from the Service...
291. If an application is made to appeal against a conviction or sentence to the Court Martial Appeal Court, or an application or appeal is made to the UK Supreme Court in a criminal case on a point of law
292. Her Majesty's Courts and Tribunal Service staff in the Court...
293. Her Majesty's Courts and Tribunal Service staff in the Court...
294. After receiving information from the Court Martial Appeal Court staff...
295. On receiving the relevant information from Her Majesty's Courts and...
296. On receiving information from Her Majesty's Courts and Tribunal Service...

- 297. Her Majesty's Courts and Tribunal Service staff in the Court...
- 298. The Victim Liaison Officer must provide the Service Prosecuting Authority,...
- 299. The Service Prosecuting Authority must inform the Victim Liaison Officer...

CHAPTER 8

Post-trial

- 300. General
- 301. Criminal Cases Review Commission
- 302. The Commission is obliged to notify the victim if it...
- 303. If the Commission decides that it is appropriate to contact...
- 304. If the Commission decides that it is not appropriate to...
- 305. Unwanted contact from offenders
- 306. If unwanted contact from an offender is reported to the...
- 307. The Armed Forces Victim Contact Scheme
- 308. The Victim Liaison Officer is to explain that the purposes...
- 309. If an eligible victim chooses to take part in the...
- 310. The Commandant of the Military Corrective Training Centre will usually...
- 311. In the event of a suspect escaping from Service custody...
- 312. Civilian victim contact scheme - Scotland

CHAPTER 9

Complaints

- 313. Complaints
- 314. All service providers must have a clearly identified complaints process...
- 315. Service providers must provide either an acknowledgement or response to...
- 316. Where a service provider (the initial provider) receives a complaint...
- 317. The service provider must provide a full and timely response...

CHAPTER 10

Transfer to civilian jurisdiction

- 318. General
 - PART 6 — Definitions
- 319. Definitions

Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Justice (Armed Forces Code of Practice for Victims of Crime) Regulations 2015.