

## SCHEDULE

### Armed Forces Code of Practice for Victims of Crime

## PART 3

### Victims' Entitlements – Entitlements for Adults

#### CHAPTER 1

##### Introduction

#### Introduction

**56.** This Chapter tells you about victims' entitlements if you are over 18 and are a victim entitled to receive services under this Code<sup>(1)</sup>.

#### Commencement Information

**II** Sch. para. 56 in force at 16.11.2015, see [reg. 1](#)

#### CHAPTER 2

### Service Police and Commanding Officers' Investigations

#### General

**57.** Service offences may be investigated either by a Commanding Officer or by the Service Police. Regardless of which of these investigates your complaint you have the following entitlements.

#### Commencement Information

**I2** Sch. para. 57 in force at 16.11.2015, see [reg. 1](#)

#### Information, referral to victim support services and needs assessments

**58.** You are entitled to receive<sup>(2)</sup> the following:

(1) a written acknowledgement that you have reported a crime including the basic details of the offence. The written acknowledgement could be in the form of a letter, an electronic notification such as an email or text, or it could be written by hand. You may request not to receive such acknowledgement. Where the Service Police or Commanding Officer consider there may be a risk of harm to you from sending the written acknowledgement (for example in domestic violence cases) they may agree with you not to send one;

(2) a clear explanation of what to expect from the Service Justice System when you report a crime;

(3) a timely assessment of your needs to help work out whether you want support, and, if so, what help or support you may need. This will help to identify whether you are in one of the three categories

(1) See paragraphs 15 to 21 of this Code.

(2) Information will be provided to your last known correspondence address or electronic contact details given by you to the service provider. In exceptional cases, for example due to the high number of victims involved in a case, information may be provided through the press, through an official website of the service provider or through a similar communication channel.

**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, PART 3. (See end of Document for details)

of victim who may need enhanced support<sup>(3)</sup>, and to determine whether and to what extent you may benefit from Special Investigations Measures and Special Measures;

(4) written information (in accordance with paragraphs 13 and 14 of the Introduction) on what to expect from the Service Justice System such as the victim and witness information leaflets without unnecessary delay from your first contact with the with the Service Police or Commanding officer exercising powers of investigation;

(5) to be notified, without unnecessary delay, of your entitlement to receive the following information:

- (a) any decision not to proceed with or to end an investigation or not to prosecute a suspect, including a brief summary or reasons for the decision where available;
- (b) the time and place of the trial or Summary Hearing, and the nature of the charges against the accused;
- (c) any final judgement in the trial or Summary Hearing, including a brief summary of reasons for the decision where available;
- (d) information enabling you to know about the state of the criminal proceedings on your request unless the proper handling of the case may be adversely affected by such notification;
- (e) where you are notified of a decision that qualifies for a review under the Service Police, Commanding Officers or Service Prosecuting Authority victims' right to review schemes, that you are entitled to receive sufficient information to enable you to decide whether to request a review;

(6) to be informed how often you will receive updates on the status of the case following discussion with the investigator;

(7) an explanation, without unreasonable delay, of a decision not to investigate a crime;

(8) to be advised, without unreasonable delay, when an investigation into the case has been concluded with no person being charged or referred, and to have the reasons explained to you.

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**Commencement Information**

**I3** Sch. para. 58 in force at 16.11.2015, see [reg. 1](#)

**59.** Victim support services are voluntary organisations which offer victims of crime help and support to help them cope and recover after a crime. You are entitled to have your details passed to victim support services after reporting the crime if you wish them to be<sup>(4)</sup>. The Service Police or Commanding Officer will ask if you want this to happen and will seek your explicit consent before sending your details to victim support services.

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**Commencement Information**

**I4** Sch. para. 59 in force at 16.11.2015, see [reg. 1](#)

**60.** You are entitled to receive information about victim support services including the contact details so that you can access their support at any time.

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(3) See also paragraph 39 of this Code.

(4) See, however, paragraphs 16 to 18 of this Code.

**Commencement Information**

**I5** Sch. para. 60 in force at 16.11.2015, see [reg. 1](#)

**61.** If you are making a witness statement the investigator should explain to you that this may result in you needing to give evidence in court or at Summary Hearing proceedings, if the case goes to trial or hearing.

**Commencement Information**

**I6** Sch. para. 61 in force at 16.11.2015, see [reg. 1](#)

**62.** You may request the investigator to inform you of:

- (1) a suspect being released from Service custody with no further action;
- (2) a suspect being released from Service custody and any Service custody release requirements which are imposed, changed or cancelled.

**Commencement Information**

**I7** Sch. para. 62 in force at 16.11.2015, see [reg. 1](#)

**63.** You are entitled to the information requested in paragraph 62 of this Code only where there is a danger or an identified risk of harm to you, in which case the information will be provided without unnecessary delay<sup>(5)</sup>.

**Commencement Information**

**I8** Sch. para. 63 in force at 16.11.2015, see [reg. 1](#)

**64.** You may discuss and agree with the investigator timings to receive the information and services in paragraphs 58 to 62 of this Code to suit your needs.

**Commencement Information**

**I9** Sch. para. 64 in force at 16.11.2015, see [reg. 1](#)

**65.** If you are being interviewed by the Service Police or as part of a Commanding Officer's investigation, you are entitled to:

- (1) be accompanied by a person of your choice, unless a reasoned decision has been made to the contrary;
- (2) have any interviews with you conducted without unjustified delay;
- (3) have the number of interviews limited to those that are strictly necessary for the purposes of their investigation;
- (4) have medical examinations kept to a minimum and carried out only where strictly necessary for the purposes of the criminal proceedings.

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(5) You are not, however, entitled to this information if there is an identified risk of harm to the suspect which would result from the notification.

**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, PART 3. (See end of Document for details)

**Commencement Information**

**I10** Sch. para. 65 in force at 16.11.2015, see [reg. 1](#)

**66.** In addition to the entitlements in paragraph 65 of this Code, if you are a victim of the most serious crime, persistently targeted or vulnerable or intimidated, you may also be entitled to receive Special Investigation Measures as set out in paragraphs 49 to 52 of this Code.

**Commencement Information**

**I11** Sch. para. 66 in force at 16.11.2015, see [reg. 1](#)

**67.** The Service Police will ensure, wherever possible, that you and your family members do not come into direct contact with the suspect while on Service police premises.

**Commencement Information**

**I12** Sch. para. 67 in force at 16.11.2015, see [reg. 1](#)

**68.** In addition to the entitlements outlined above, if you are a victim of the most serious crime, persistently targeted or vulnerable or intimidates, you are entitled to the following from the Service Police or Commanding Officer:

(1) to have information on Special Investigation Measures explained to you where appropriate (see paragraphs 49 to 52 of this Code);

(2) to have information on Special Measures explained to you, where appropriate (see paragraphs 53 and 54 of this Code);

(3) on being advised that a case has been concluded without referral or charge, to be asked if you wish to be informed if the investigation is to be reopened. The Service Police or Commanding Officer must consider your views if reopening of the case is formally considered.

**Commencement Information**

**I13** Sch. para. 68 in force at 16.11.2015, see [reg. 1](#)

**69.** In addition to the entitlements outlined above, if you are a bereaved close relative of a victim who died as a result of a criminal offence, you are entitled to:

(1) have a Service Police Family Liaison Officer assigned to you by the Service Police where the Senior Investigating Officer considers this to be appropriate;

(2) be offered accessible advice on bereavement and information on available victim support service by the Service Police<sup>(6)</sup>.

**Commencement Information**

**I14** Sch. para. 69 in force at 16.11.2015, see [reg. 1](#)

<sup>(6)</sup> See, however, paragraphs 16 to 18 of this Code.

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#### Commencement Information

- I3** Sch. para. 58 in force at 16.11.2015, see [reg. 1](#)
- I4** Sch. para. 59 in force at 16.11.2015, see [reg. 1](#)
- I5** Sch. para. 60 in force at 16.11.2015, see [reg. 1](#)
- I6** Sch. para. 61 in force at 16.11.2015, see [reg. 1](#)
- I7** Sch. para. 62 in force at 16.11.2015, see [reg. 1](#)
- I8** Sch. para. 63 in force at 16.11.2015, see [reg. 1](#)
- I9** Sch. para. 64 in force at 16.11.2015, see [reg. 1](#)
- I10** Sch. para. 65 in force at 16.11.2015, see [reg. 1](#)
- I11** Sch. para. 66 in force at 16.11.2015, see [reg. 1](#)
- I12** Sch. para. 67 in force at 16.11.2015, see [reg. 1](#)
- I13** Sch. para. 68 in force at 16.11.2015, see [reg. 1](#)
- I14** Sch. para. 69 in force at 16.11.2015, see [reg. 1](#)

#### Victim personal statement

**70.** A Victim Personal Statement (VPS) gives you an opportunity to explain in your own words how a crime has affected you, whether physically, emotionally, financially or in any other way. This is different from a witness statement about what happened at the time, such as what you saw or heard. The VPS gives you a voice in the Service Justice System. However, you may now express your opinion on the sentence or punishment the suspect should receive as this is for the court, or the Commanding Officer in a Summary Hearing to decide.

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#### Commencement Information

- I15** Sch. para. 70 in force at 16.11.2015, see [reg. 1](#)

**71.** You are entitled to make a VPS at the same time as giving a witness statement about what happened to the Service Police or commanding officer about a crime. When making your VPS, you are entitled to say whether or not you would like to have your VPS read aloud or played (where recorded), if the case is dealt with before a Service court and the suspect is found guilty. In such a case, you are also entitled to say whether you would like to read your VPS aloud yourself or to have it read aloud (usually by the Service Prosecuting Authority advocate).

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#### Commencement Information

- I16** Sch. para. 71 in force at 16.11.2015, see [reg. 1](#)

**72.** If you do not want to read your VPS aloud yourself or have it read aloud on your behalf, you do not have to choose this option. Your VPS will still be considered as part of the evidence before the Service court prior to sentencing if the accused is found guilty. If at first you choose to have your VPS read aloud but later decide you do not want this, you can change your mind.

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#### Commencement Information

- I17** Sch. para. 72 in force at 16.11.2015, see [reg. 1](#)

**73.** In Summary Hearing your VPS will be considered as part of the evidence before the Commanding Officer prior to sentencing if the case against the accused is found to be proved.

**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, PART 3. (See end of Document for details)

**Commencement Information**

**I18** Sch. para. 73 in force at 16.11.2015, see [reg. 1](#)

74. Although you are entitled to make a VPS, you do not have to do so. If you are initially unsure about making a VPS when you are giving a witness statement about what happened, you may choose to make a VPS at a later time – provided this is before the case comes to court or the accused is sentenced, or in the case of a Summary Hearing, before the case summary and written evidence are provided to the accused. You should be aware that if you choose not to make a VPS when initially offered, you only have a limited opportunity to make one later on. This is because the case may be dealt with by the Service courts or the Commanding Officer very quickly.

**Commencement Information**

**I19** Sch. para. 74 in force at 16.11.2015, see [reg. 1](#)

75. In addition to the entitlements outlined above, if you are a victim of the most serious crime (including bereaved close relatives), persistently targeted, or vulnerable or intimidated, you are entitled to make a VPS to the Service Police prior to sentence whether or not you make a witness statement about what happened(7). You should be aware that if you choose not to make a VPS when initially offered, you only have a limited opportunity to make one later on. This is because the case may be dealt with by the Service courts or the Commanding Officer very quickly.

**Commencement Information**

**I20** Sch. para. 75 in force at 16.11.2015, see [reg. 1](#)

76. If you are not giving a witness statement about what happened and you are not a victim in one of the three priority categories as outlined in paragraph 74 of this Code, the Service Police or Commanding Officer may make arrangements for you to make a VPS at their discretion.

**Commencement Information**

**I21** Sch. para. 76 in force at 16.11.2015, see [reg. 1](#)

77. Once the statement is completed and signed, a VPS (like any other formal statement) cannot be changed or withdrawn if you have second thoughts about what you have said. However, you may submit a further VPS to the Service Police or Commanding Officer to add or clarify your original VPS.

**Commencement Information**

**I22** Sch. para. 77 in force at 16.11.2015, see [reg. 1](#)

**Commencement Information**

**I15** Sch. para. 70 in force at 16.11.2015, see [reg. 1](#)

(7) In the case of a Summary Hearing, this may be done prior to the case summary and written evidence being provided to the accused.

- I16** Sch. para. 71 in force at 16.11.2015, see [reg. 1](#)
- I17** Sch. para. 72 in force at 16.11.2015, see [reg. 1](#)
- I18** Sch. para. 73 in force at 16.11.2015, see [reg. 1](#)
- I19** Sch. para. 74 in force at 16.11.2015, see [reg. 1](#)
- I20** Sch. para. 75 in force at 16.11.2015, see [reg. 1](#)
- I21** Sch. para. 76 in force at 16.11.2015, see [reg. 1](#)
- I22** Sch. para. 77 in force at 16.11.2015, see [reg. 1](#)

## Victim personal statement and the Service courts and Summary Hearings

**78.** A VPS will always be shared with the Service Prosecuting Authority if a case is referred to the Service Prosecuting Authority. If the case reaches a Service court, then the VPS will be served on the court and the defence if it is included as evidence in the trial, so that accused will usually be able to see it. In Summary Hearing proceedings, the VPS will form part of the evidence before the Commanding Officer and will be provided to the accused.

### Commencement Information

- I23** Sch. para. 78 in force at 16.11.2015, see [reg. 1](#)

**79.** If the accused is found guilty before a Service court, you are entitled to say whether you would like to have your VPS read aloud or played (where recorded) in a Service court. You are also entitled to say whether you would like to read your VPS aloud yourself or to have it read aloud (usually by the Service Prosecuting Authority advocate). Before deciding whether you wish to have your VPS read aloud or played in court, you will be advised about the possible consequences, including that your VPS could be reported on in the media. You could also be asked questions about your VPS in court by the defence.

### Commencement Information

- I24** Sch. para. 79 in force at 16.11.2015, see [reg. 1](#)

**80.** If you do request that your VPS is read aloud or played in court, it is for the court to decide whether and what sections of the VPS should be read aloud or played, and who will read it, taking into account your interests. In most cases some or all of your VPS will be read out (either by you or the Service Prosecuting Authority advocate) or played, unless the court decides there are good reasons not to do so. You will be told of the court's decision.

### Commencement Information

- I25** Sch. para. 80 in force at 16.11.2015, see [reg. 1](#)

**81.** The Service court (or Commanding Officer in a Summary Hearing) will pass what it judges to be the appropriate sentence, having regard to all the circumstances of the offence and of the offender. This will include taking into account, so far as the court (or Commanding Officer) considers it appropriate, the impact of the offence on you as set out in your VPS. Your VPS will be considered in exactly the same way whether or not it is read or played in court.

### Commencement Information

- I26** Sch. para. 81 in force at 16.11.2015, see [reg. 1](#)

**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, PART 3. (See end of Document for details)

**Commencement Information**

- I23** Sch. para. 78 in force at 16.11.2015, see [reg. 1](#)
- I24** Sch. para. 79 in force at 16.11.2015, see [reg. 1](#)
- I25** Sch. para. 80 in force at 16.11.2015, see [reg. 1](#)
- I26** Sch. para. 81 in force at 16.11.2015, see [reg. 1](#)

CHAPTER 3

Pre-Trial – Charge and Service Custody

**Charge and Service Custody**

**82.** You are entitled to be informed of a decision:

- (1) to refer the case to the Commanding Officer or the Director of Service Prosecutions;
- (2) not to refer the case to the Commanding Officer or the Director of Service Prosecutions;
- (3) to charge the suspect;
- (4) not to charge the suspect.

**Commencement Information**

- I27** Sch. para. 82 in force at 16.11.2015, see [reg. 1](#)

**83.** Following:

- (1) a Service Police decision not to refer a case in which a suspect has been identified and interviewed after caution, to the Commanding Officer or the Director of Service Prosecutions,
- (2) a Commanding Officer’s or Service Prosecuting Authority decision<sup>(8)</sup> not to bring or direct a charge, or
- (3) a Commanding Officer’s decision not to refer the case to the Director of Service Prosecutions, where the Commanding Officer does not have power to charge without first referring the case to the Director of Service Prosecutions,

you are entitled to be notified of the reasons why this decision was made, how you can access further information about the decision and how you can seek a review of the decision and how you can seek a review of the decision if you are dissatisfied with it, in accordance with their victims’ right to review scheme.

**Commencement Information**

- I28** Sch. para. 83 in force at 16.11.2015, see [reg. 1](#)

**84.** Where a suspect is arrested, taken into custody or charged by a person of that suspect’s unit in respect of a criminal offence, a Victim Liaison Officer is to be allocated to your case no later than 3 working days after the day of the event, and within 1 working day where you are a victim of the most serious crime, persistently targeted or vulnerable or intimidated. Upon allocation, the CO must inform the Victim Liaison Officer of the event.

<sup>(8)</sup> This refers to the powers to charge or direct charge exercisable by the Director of Service Prosecutions under Part 5 of the Armed Forces Act 2006.



**Commencement Information**

**I29** Sch. para. 84 in force at 16.11.2015, see [reg. 1](#)

**85.** You are entitled to be informed by the Victim Liaison Officer or the Service Prosecuting Authority of the date, time and location of any court hearings in your case.

**Commencement Information**

**I30** Sch. para. 85 in force at 16.11.2015, see [reg. 1](#)

**86.** You are entitled to receive the information at paragraphs 82, 83 and 85 of this Code without unreasonable delay.

**Commencement Information**

**I31** Sch. para. 86 in force at 16.11.2015, see [reg. 1](#)

**87.** You may request the Victim Liaison Officer or the Service Prosecuting Authority to inform you of:

- (1) a suspect being released from Service Custody with no further action;
- (2) a suspect being released from Service Custody and any Service custody release requirements which are imposed, changed or cancelled.

**Commencement Information**

**I32** Sch. para. 87 in force at 16.11.2015, see [reg. 1](#)

**88.** You are entitled to the information requested in paragraph 87 of this Code only where there is a danger or an identified risk of harm to you, in which case the information will be provided without unnecessary delay<sup>(9)</sup>.

**Commencement Information**

**I33** Sch. para. 88 in force at 16.11.2015, see [reg. 1](#)

**89.** If you are dissatisfied with any of the decisions set out at paragraph 83 of this Code, you are entitled to seek a review of that decision in accordance with the Service Police, Commanding Officers, or Service Prosecuting Authority victims' right to review schemes as appropriate. The schemes give victims of criminal offences a right to request a review of those decisions.

**Commencement Information**

**I34** Sch. para. 89 in force at 16.11.2015, see [reg. 1](#)

<sup>(9)</sup> You are not, however, entitled to this information if there is an identified risk of harm to the suspect which would result from the notification.

**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, PART 3. (See end of Document for details)

**90.** Where you are notified of a decision that qualifies for a review in accordance with paragraph 89 of this Code, you are entitled to receive sufficient information in the notification to enable you to decide whether or not you wish a review to take place.

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**Commencement Information**

**I35** Sch. para. 90 in force at 16.11.2015, see [reg. 1](#)

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**Commencement Information**

**I27** Sch. para. 82 in force at 16.11.2015, see [reg. 1](#)

**I28** Sch. para. 83 in force at 16.11.2015, see [reg. 1](#)

**I29** Sch. para. 84 in force at 16.11.2015, see [reg. 1](#)

**I30** Sch. para. 85 in force at 16.11.2015, see [reg. 1](#)

**I31** Sch. para. 86 in force at 16.11.2015, see [reg. 1](#)

**I32** Sch. para. 87 in force at 16.11.2015, see [reg. 1](#)

**I33** Sch. para. 88 in force at 16.11.2015, see [reg. 1](#)

**I34** Sch. para. 89 in force at 16.11.2015, see [reg. 1](#)

**I35** Sch. para. 90 in force at 16.11.2015, see [reg. 1](#)

**Post-Charge**

**91.** You are entitled to be informed by the Service Prosecuting Authority of a decision made by the Service Prosecuting Authority to:

- (1) substitute for the charge another charge against the accused;
- (2) substantially alter a charge;
- (3) bring an additional charge against the accused;
- (4) discontinue proceedings on the charge;
- (5) offer no evidence in all proceedings;
- (6) refer the charge to the accused's Commanding Officer;
- (7) make a direction barring further proceedings.

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**Commencement Information**

**I36** Sch. para. 91 in force at 16.11.2015, see [reg. 1](#)

**92.** You are entitled to be informed by the Victim Liaison Officer of any decision made by the Commanding Officer to:

- (1) substitute for the charge another charge against the accused;
- (2) substantially alter a charge;
- (3) bring an additional charge against the accused;
- (4) discontinue proceedings on the on the charge;
- (5) refer the charge to the Director of Service Prosecutions.

**Commencement Information**

**I37** Sch. para. 92 in force at 16.11.2015, see [reg. 1](#)

**93.** In addition, where the Service Prosecuting Authority, or the Commanding Officer, discontinues, or the Service Prosecuting Authority offers no evidence in all proceedings or makes a direction barring further proceedings, you are also entitled to be informed by the Service Prosecuting Authority or Victim Liaison Officer as appropriate of how you can access further information about the decision and to seek a review of the decision if you are dissatisfied with it, in accordance with the Service Prosecuting Authority or the Commanding Officer's victims' right to review schemes as set out in paragraphs 89 and 90 of this Code. Where you are notified of a decision that qualifies for a review you are entitled to receive sufficient information in the notification to enable you to decide whether or not you wish a review to take place.

**Commencement Information**

**I38** Sch. para. 93 in force at 16.11.2015, see [reg. 1](#)

**94.** You are entitled to receive the information in paragraphs 91, 92 and 93 of this Code without unreasonable delay.

**Commencement Information**

**I39** Sch. para. 94 in force at 16.11.2015, see [reg. 1](#)

**Commencement Information**

**I36** Sch. para. 91 in force at 16.11.2015, see [reg. 1](#)

**I37** Sch. para. 92 in force at 16.11.2015, see [reg. 1](#)

**I38** Sch. para. 93 in force at 16.11.2015, see [reg. 1](#)

**I39** Sch. para. 94 in force at 16.11.2015, see [reg. 1](#)

**Pre-Trial**

**95.** In this section, where your Victim Liaison Officer is required to provide you with some of the services listed below the Service police may provide some or all of those services instead. You will be told by the Service police if this is the case.

**Commencement Information**

**I40** Sch. para. 95 in force at 16.11.2015, see [reg. 1](#)

**96.** You are entitled to:

- (1) request the investigator to inform you of:
  - (a) a suspect being released from Service Custody with no further action;
  - (b) a suspect being released from Service Custody and any Service custody release requirements which are imposed, changed or cancelled;

**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, PART 3. (See end of Document for details)

(2) receive the information requested in paragraph 96(1) of this Code only where there is a danger or an identified risk of harm to you, in which case the information will be provided without unnecessary delay(10);

(3) be informed, without unreasonable delay, of the date, location and outcome of any court or Summary hearings in the case by your Victim Liaison Officer;

(4) in cases where the accused pleads not guilty in a Service court, or where you may be required to give evidence in a Summary hearing, discuss any needs you may have with the Victim Liaison Officer and be referred to relevant victim support services(11) where appropriate;

(5) be informed, without unreasonable delay, by your Victim Liaison Officer if you are required to give evidence. You are also entitled to be told about what to expect, including how to access the Military Court Service “Witness Information” leaflet;

(6) view your statement to help refresh your memory – if you made a written statement, it will be available for you at court or Summary hearing on the day; if you made a video recorded statement, arrangements will be made for you to view this separately before the trial;

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**Commencement Information**

**I41** Sch. para. 96 in force at 16.11.2015, see [reg. 1](#)

**97.** If you are required to give evidence, you are entitled to be offered a full needs assessment by the Service police, the Commanding Officer or Service Prosecuting Authority as appropriate to make sure you are supported in giving your best evidence. This may include consideration of the use of Special Measures (see paragraphs 53 and 54 of this Code) and whether a Summary Hearing is appropriate. If you are to give evidence in the court, you are also entitled to visit the court before the trial to familiarise yourself with the building and the court room.

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**Commencement Information**

**I42** Sch. para. 97 in force at 16.11.2015, see [reg. 1](#)

**98.** In addition to the entitlements outlined above you are also entitled to be informed of the outcome of any Special Measures application.

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**Commencement Information**

**I43** Sch. para. 98 in force at 16.11.2015, see [reg. 1](#)

**99.** If the suspect pleads not guilty in Service court or if you are required to give evidence in the Summary Hearing, you are entitled to talk to the Military Court Service (if your case is being heard in a Service Court) or your Victim Liaison Officer (if your case is being heard in a Summary Hearing) about what support you may need. You can ask for your contact details to be sent to victims’ services so they can get in touch with you to talk about any extra support they could offer you.

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**Commencement Information**

**I44** Sch. para. 99 in force at 16.11.2015, see [reg. 1](#)

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(10) You are not, however, entitled to this information if there is an identified risk of harm to the suspect which would result from the notification.

(11) See paragraphs 16 to 18 of the introduction.

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#### Commencement Information

- I40** Sch. para. 95 in force at 16.11.2015, see [reg. 1](#)
- I41** Sch. para. 96 in force at 16.11.2015, see [reg. 1](#)
- I42** Sch. para. 97 in force at 16.11.2015, see [reg. 1](#)
- I43** Sch. para. 98 in force at 16.11.2015, see [reg. 1](#)
- I44** Sch. para. 99 in force at 16.11.2015, see [reg. 1](#)

### Measures for victim's protection in case of escape

**100.** In the event of a suspect escaping from service custody, if there is a danger of an identified risk of harm to you, the Service Police, once aware of the escape or notified of it by the Military Corrective Training Centre, will notify you wherever possible of the escape and any measures taken for your protection if it is assessed that the suspect poses a significant risk of harm to you.

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#### Commencement Information

- I45** Sch. para. 100 in force at 16.11.2015, see [reg. 1](#)

## CHAPTER 4

### Trial

#### Attending Court as a Witness

**101.** If you are attending court as a witness, you are entitled to:

(1) ask the Military Court Service staff if you and any family members who are also attending court can enter and leave the court building through a separate entrance from the accused and their family and friends;

(2) where circumstances permit, meet the Service Prosecuting Authority advocate or representative to ask him or her questions about the court process. They will indicate where possible how long you may have to wait before giving evidence;

(3) wherever possible, receive an explanation from the Service Prosecuting Authority advocate or representative if there is a delay in proceedings on the day and how long the wait is likely to be;

(4) wait and be seated in an area separate from the accused and their family and friends. The Military Court Service staff will ensure this is done wherever possible. If you have family members who may attend court they will also be seated in a separate area from the accused and their family and friends wherever possible;

(5) have any Special Measures set up for you where these have been ordered by the court;

(6) be given a Military Court Service contact to point at the court so you can find out what is happening in the case whilst it is being heard.

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#### Commencement Information

- I46** Sch. para. 101 in force at 16.11.2015, see [reg. 1](#)

**102.** If you need to leave the court building at any time, you should give your contact details to Military Court Service staff so they can contact you if necessary.

**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, PART 3. (See end of Document for details)

**Commencement Information**

**I47** Sch. para. 102 in force at 16.11.2015, see [reg. 1](#)

**103.** Part of the court process involves the cross-examination of witnesses to test their evidence. It is up to the court to make sure the trial is conducted in a fair and just manner, taking into account representations from the defence advocate and the Service Prosecuting Authority advocate representing the Crown. The Service Prosecuting Authority will treat victims who are witnesses in court respectfully and, where appropriate, will seek the court’s intervention where cross-examination is considered by the prosecutor to be inappropriate or too aggressive.

**Commencement Information**

**I48** Sch. para. 103 in force at 16.11.2015, see [reg. 1](#)

**104.** If you are not a witness in the case you are generally entitled to observe court proceedings from the public gallery.

**Commencement Information**

**I49** Sch. para. 104 in force at 16.11.2015, see [reg. 1](#)

**Commencement Information**

- I46** Sch. para. 101 in force at 16.11.2015, see [reg. 1](#)
- I47** Sch. para. 102 in force at 16.11.2015, see [reg. 1](#)
- I48** Sch. para. 103 in force at 16.11.2015, see [reg. 1](#)
- I49** Sch. para. 104 in force at 16.11.2015, see [reg. 1](#)

**Attending a Summary Hearing as a Witness**

**105.** If you are attending a Summary Hearing as a witness you are entitled to:

- (1) ask the Commanding Officer’s discipline staff if you and any family members who have permission to accompany you can enter and leave the place of the hearing through a separate entrance from the accused and their family and friends where possible;
- (2) where circumstances permit, meet a member of the Commanding Officer’s discipline staff to ask him or her questions about the Summary Hearing process. They will indicate where possible how long you may have to wait before giving evidence;
- (3) wherever possible, receive an explanation from the Commanding Officer’s discipline staff if there is a delay in proceedings on the day and how long the wait is likely to be;
- (4) wait and be seated in an area separate from the accused. The Commanding Officer’s discipline staff will ensure this is done for you and any family members who have permission to accompany you wherever possible.

**Commencement Information**

**I50** Sch. para. 105 in force at 16.11.2015, see [reg. 1](#)

**106.** If you need to leave the building at any time, you should give your contact details to Commanding Officer's discipline staff so they can contact you if necessary.

.....  
**Commencement Information**

**I51** Sch. para. 106 in force at 16.11.2015, see [reg. 1](#)

**107.** Part of the Summary Hearing process involves the questioning of witnesses to test their evidence. It is up to the Commanding Officer to make sure the hearing is conducted in a fair and just manner. The Commanding Officer will treat victims who are witnesses respectfully and, where appropriate, will intervene where questioning is considered inappropriate or too aggressive.

.....  
**Commencement Information**

**I52** Sch. para. 107 in force at 16.11.2015, see [reg. 1](#)

.....  
**Commencement Information**

**I50** Sch. para. 105 in force at 16.11.2015, see [reg. 1](#)

**I51** Sch. para. 106 in force at 16.11.2015, see [reg. 1](#)

**I52** Sch. para. 107 in force at 16.11.2015, see [reg. 1](#)

### After the trial/Summary Hearing

**108.** Following the trial/Summary Hearing, where your Victim Liaison Officer is required to provide you with some of the services listed below, the Service Police may provide some or all of those services instead. You will be told by the Service Police if this is the case.

.....  
**Commencement Information**

**I53** Sch. para. 108 in force at 16.11.2015, see [reg. 1](#)

**109.** Following the trial or Summary Hearing, you are entitled to:

(1) be paid within a reasonable time any expenses the Military Court Service or Commanding Officer have decided are due to you if you have attended court or a Summary Hearing to give evidence and have submitted a correctly completed claim form;

(2) be informed by the Victim Liaison Officer about the outcome of the trial or Summary Hearing including, where available, a brief summary of reasons for the decision. This information will be provided without unreasonable delay;

(3) be directed by the Victim Liaison Officer to victim support services where appropriate and where they are available(12).

.....  
**Commencement Information**

**I54** Sch. para. 109 in force at 16.11.2015, see [reg. 1](#)

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(12) See paragraphs 16 to 18 of this Code.

**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, PART 3. (See end of Document for details)

**Commencement Information**

- I53** Sch. para. 108 in force at 16.11.2015, see [reg. 1](#)
- I54** Sch. para. 109 in force at 16.11.2015, see [reg. 1](#)

CHAPTER 5

Sentencing Information

**General**

**110.** In this Chapter, where your Victim Liaison Officer is required to provide you with some of the services listed below, in some cases, the Service Police may provide some or all of those services instead. You will be told by the Service Police if this is the case.

**Commencement Information**

- I55** Sch. para. 110 in force at 16.11.2015, see [reg. 1](#)

**Information to be provided**

**111.** You are entitled to be informed by the Victim Liaison Officer of the sentence given to the accused (if convicted) without unreasonable delay. This includes a short explanation about the meaning and effect of the sentence.

**Commencement Information**

- I56** Sch. para. 111 in force at 16.11.2015, see [reg. 1](#)

**112.** Where the sentence follows a trial at a Service court, you are entitled to be referred to the Service Prosecuting Authority who will respond to any questions you may have about the sentence which the Victim Liaison Officer is not able to answer.

**Commencement Information**

- I57** Sch. para. 112 in force at 16.11.2015, see [reg. 1](#)

**Commencement Information**

- I56** Sch. para. 111 in force at 16.11.2015, see [reg. 1](#)
- I57** Sch. para. 112 in force at 16.11.2015, see [reg. 1](#)

CHAPTER 6

Appeals

**General**

**113.** Where your Victim Liaison Officer is required to provide you with services in this section, the Service Police may provide some or all of those services instead. You will be told by the Service Police if this is the case.



**Commencement Information**

**I58** Sch. para. 113 in force at 16.11.2015, see [reg. 1](#)

**If an application is made to the Summary Appeal Court to appeal against a conviction or sentence in the Summary Hearing**

**114.** You are **entitled** to be informed without unreasonable delay of the following information by your Victim Liaison Officer:

- (1) any notice of appeal that has been made;
- (2) the date, time and location of any hearing;
- (3) the outcome of that appeal, including any changes to the original sentence.

**Commencement Information**

**I59** Sch. para. 114 in force at 16.11.2015, see [reg. 1](#)

**115.** You are also entitled to:

(1) ask the Military Court Service staff if you and any family members who are attending court can enter and leave the court building through a separate entrance from the accused and their family and friends;

(2) wait and be seated in court in an area separate from the appellant and their family and friends. The court will ensure this is done wherever possible. If you have family members who may attend court they will also be seated in court in a separate area from the accused and their family and friends wherever possible;

- (3) be provided with a Military Court Service contract point at the Summary Appeal Court;
- (4) receive information about victim support services where appropriate and available<sup>(13)</sup>.

**Commencement Information**

**I60** Sch. para. 115 in force at 16.11.2015, see [reg. 1](#)

**116.** An appeal to the Summary Appeal Court involves a rehearing of the charge and/or the punishment. In such a case the relevant entitlements relating to Victim Personal Statements set out in Section 1 of this Part of the Code will apply. The relevant entitlements set out in Chapters 2, 3 and 4 of this Part of the Code will also apply.

**Commencement Information**

**I61** Sch. para. 116 in force at 16.11.2015, see [reg. 1](#)

**Commencement Information**

**I59** Sch. para. 114 in force at 16.11.2015, see [reg. 1](#)

**I60** Sch. para. 115 in force at 16.11.2015, see [reg. 1](#)

<sup>(13)</sup> See paragraphs 16 to 18 of the Introduction.

**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, PART 3. (See end of Document for details)

**I61** Sch. para. 116 in force at 16.11.2015, see [reg. 1](#)

**If an application is made to the Summary Appeal Court to have a case stated for the opinion of the High Court**

**117.** You are entitled to be informed, without unreasonable delay, of the following information by your Victim Liaison Officer:

- (1) an application to the Summary Appeal Court to have a case stated for the opinion of the High Court has been made;
- (2) the judge advocate’s decision as to whether or not they have decided to state a case;
- (3) the date, time and location of any hearing before the High Court;
- (4) the outcome of that stated case.

.....

**Commencement Information**

**I62** Sch. para. 117 in force at 16.11.2015, see [reg. 1](#)

**118.** If you or your family members attend the High Court you are also entitled to:

- (1) ask the High Court if you and any family members who are attending court can enter and leave the court building through a separate entrance from the accused and their family and friends;
- (2) wait and be seated in court in an area separate from the appellant and their family and friends. The court will ensure this is done wherever possible. If you have family members who may attend court they will also be seated in court in a separate area from the accused and their family and friends wherever possible.
- (3) be provided with a High Court staff contact point at the High Court;
- (4) receive information about victim support services where appropriate and available(14).

.....

**Commencement Information**

**I63** Sch. para. 118 in force at 16.11.2015, see [reg. 1](#)

.....

**Commencement Information**

**I62** Sch. para. 117 in force at 16.11.2015, see [reg. 1](#)

**I63** Sch. para. 118 in force at 16.11.2015, see [reg. 1](#)

**If an appeal is made to the Court Martial against a conviction or sentence in the Service Civilian Court**

**119.** You are entitled to be informed, without unnecessary delay, of the following information by your Victim Liaison Officer:

- (1) any notice of appeal that has been made;
- (2) the date, time and location of any hearing;
- (3) the outcome of that appeal, including any changes to the original sentence.

(14) See paragraphs 16 to 18 of the Introduction.

**Commencement Information**

**I64** Sch. para. 119 in force at 16.11.2015, see [reg. 1](#)

**120.** You are also entitled to:

(1) ask the Military Court Service staff if you and any family members who are attending court can enter and leave the court building through a separate entrance from the accused and their family and friends;

(2) wait and be seated in court in an area separate from the appellant and their family and friends. The court will ensure this is done wherever possible. If you have family members who may attend court they will also be seated in court in a separate area from the accused and their family and friends wherever possible;

(3) be provided with a contact point at the Military Court Service;

(4) receive information about victim support services where appropriate and available(15).

**Commencement Information**

**I65** Sch. para. 120 in force at 16.11.2015, see [reg. 1](#)

**121.** Where an appeal is made, the case will be dealt with by a rehearing of the charge and/or sentence before the Court Martial. In such a case the relevant entitlements relating to Victim Personal Statements set out in Chapter 2 of this Part of the Code will apply. The relevant entitlements set out in Chapters 2, 3 and 4 of this Part of the Code will also apply.

**Commencement Information**

**I66** Sch. para. 121 in force at 16.11.2015, see [reg. 1](#)

**Commencement Information**

**I64** Sch. para. 119 in force at 16.11.2015, see [reg. 1](#)

**I65** Sch. para. 120 in force at 16.11.2015, see [reg. 1](#)

**I66** Sch. para. 121 in force at 16.11.2015, see [reg. 1](#)

**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**

**122.** You are entitled to:

(1) be told by the Victim Liaison Officer, without unreasonable delay, that the appellant has been given leave to appeal;

(2) receive information from the Victim Liaison Officer , without unreasonable delay, about the date, time and location of any hearing;

(3) request the Victim Liaison Officer to inform you if the appellant is to be released on bail pre-appeal or if the bail conditions have varied or if bail has been revoked;

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(15) See paragraphs 16 to 18 of the Introduction.

**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, PART 3. (See end of Document for details)

(4) receive the information requested in paragraph 122(3) of this Code only where there is a danger or an identified risk of harm to you, in which case the information will be provided without unnecessary delay(16);

(5) receive an update from the Victim Liaison Officer, without unreasonable delay, on any changes to hearing dates;

(6) be provided, by your Victim Liaison Officer , with a contact point for the Court staff;

(7) be told, without unreasonable delay, about the result of the appeal. This includes any changes to the original sentence;

(8) wait and be seated in court in an area separate from the appellant and their family and friends. The court staff will ensure this is done wherever possible. This will also be done for members of our family who attend court wherever possible. It is rare for the appellant to attend hearings in the Supreme Court. Special arrangements will be made for you if the appellant is present and you do not wish to sit in the courtroom;

(9) request a copy from the Court Martial Appeal Court or UK Supreme Court staff of the court's judgment in the case once it has been published.

.....  
**Commencement Information**

**I67** Sch. para. 122 in force at 16.11.2015, see [reg. 1](#)

### **The Court Martial Appeal Court and Victim Personal Statements**

**123.** In determining an appeal against sentence, the court will always take into account any Victim Personal Statement (VPS) that is presented to it which was provided to the sentencing court.

.....  
**Commencement Information**

**I68** Sch. para. 123 in force at 16.11.2015, see [reg. 1](#)

**124.** It is normally necessary for a further VPS to be provided to the Court Martial Appeal Court. However, if there is information the court should know about the continuing impact the crime has had on you, a new or further VPS may be sent to the court through the Service Police or Service Prosecuting Authority. In very rare cases, you may be asked questions about your VPS in court. If the VPS is used in evidence, it will be disclosed to the defence and should not contain any comments about the sentence given or whether the appeal should succeed or not.

.....  
**Commencement Information**

**I69** Sch. para. 124 in force at 16.11.2015, see [reg. 1](#)

.....  
**Commencement Information**

**I68** Sch. para. 123 in force at 16.11.2015, see [reg. 1](#)

**I69** Sch. para. 124 in force at 16.11.2015, see [reg. 1](#)

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(16) You are not, however, entitled to this information if there is an identified risk of harm to the suspect which would result from the notification.

## CHAPTER 7

### Post-Trial

#### **Criminal Cases Review Commission**

**125.** On receiving an application from an offender, the Criminal Cases Review Commission undertakes reviews of convictions and sentences imposed as a result of the offender's criminal offending. The Commission may refer a conviction or sentence for a fresh appeal if there is some new information or new argument which might mean the conviction is unsafe or the sentence too long. When reviewing a case, the Commission will assess the potential impact on you and decide if you should be notified. The Commission will record the reasons for its decisions as to the form of contact with you and in appropriate cases will notify the Service police if their assistance in contacting you is required.

.....  
**Commencement Information**

**I70** Sch. para. 125 in force at 16.11.2015, see [reg. 1](#)

**126.** You are entitled to be notified by the Commission if it deems there is a reasonable prospect of a review coming to your attention.

.....  
**Commencement Information**

**I71** Sch. para. 126 in force at 16.11.2015, see [reg. 1](#)

**127.** If the Commission decides that is appropriate to contact you during the course of the review, the Commission will notify you that an application has been received and that the case is under review. Following the review, the Commission will decide if the conviction or sentence should be referred to the courts, and will notify you of its decision unless you have expressly asked not to be informed.

.....  
**Commencement Information**

**I72** Sch. para. 127 in force at 16.11.2015, see [reg. 1](#)

**128.** If the Commission decides that it is not appropriate to contact you during the review, but subsequently decides to refer the conviction or sentence to the courts, the presumption is that the Commission will inform you of the referral.

.....  
**Commencement Information**

**I73** Sch. para. 128 in force at 16.11.2015, see [reg. 1](#)

.....  
**Commencement Information**

**I70** Sch. para. 125 in force at 16.11.2015, see [reg. 1](#)

**I71** Sch. para. 126 in force at 16.11.2015, see [reg. 1](#)

**I72** Sch. para. 127 in force at 16.11.2015, see [reg. 1](#)

**I73** Sch. para. 128 in force at 16.11.2015, see [reg. 1](#)

**Unwanted contact from offenders**

**129.** Persons subject to sentences of Service detention have limited access to telephone and internet facilities. If you receive unwanted contact from such a person in any form, you can report this by calling the Military Corrective Training Centre.

**Commencement Information**

**I74** Sch. para. 129 in force at 16.11.2015, see [reg. 1](#)

**130.** Prisoners are not allowed mobile phones and are allowed access to the internet only for educational purposes, employment and resettlement activities. They are not permitted to use social networking sites. If you receive unwanted contact from a prisoner in any form, you can report this by calling the National Offender Management Service Victim Helpline.

**Commencement Information**

**I75** Sch. para. 130 in force at 16.11.2015, see [reg. 1](#)

**131.** If you receive unwanted contact from an offender who is on licence (see ‘licence conditions’ in Definitions) in the community, you can contact the National Probation Service, or the police. If the offender is under 18 and being supervised by a Youth Offending Team, you can contact that Youth Offending Team to report any unwanted contact.

**Commencement Information**

**I76** Sch. para. 131 in force at 16.11.2015, see [reg. 1](#)

**Commencement Information**

**I74** Sch. para. 129 in force at 16.11.2015, see [reg. 1](#)

**I75** Sch. para. 130 in force at 16.11.2015, see [reg. 1](#)

**I76** Sch. para. 131 in force at 16.11.2015, see [reg. 1](#)

**Armed Forces Victim Contact Scheme**

**132.** The Armed Forces Victim Contact Scheme is offered to victims of offences including bereaved close relatives in cases where the offender:

- (1) receives a sentence of Service detention;
- (2) receives a sentence of imprisonment or youth custody of 12 months or more; or
- (3) has been detained in a hospital for treatment because he, or she, has a mental disorder.

**Commencement Information**

**I77** Sch. para. 132 in force at 16.11.2015, see [reg. 1](#)

**133.** If you wish to utilise this scheme you should notify the Military Corrective Training Centre. The purpose of the Armed Forces Victim Contact Scheme is to provide victims who are concerned for their safety with information keeping them informed of the key stages of the offender’s sentence, such as periods of unsupervised release including Short Term Temporary Release, Re-Integration

Leave, Compassionate Leave, Community Work placements, transfer to open conditions as well as release. The detail of the information provided is subject to the discretion of the Commandant of the Military Corrective Training Centre and information will not be provided in cases where there is an identified risk of harm to the offender which would result from the notification.

**Commencement Information**

**178** Sch. para. 133 in force at 16.11.2015, see [reg. 1](#)

**134.** If you are eligible, and choose to take part in the Armed Forces Victim Contact Scheme you are entitled to the information set out in this paragraph only where there is a danger or an identified risk of harm to you, in which case the information will be provided without unnecessary delay<sup>(17)</sup>:

(1) decide whether you want to receive information about key stages of the offender's sentence. In the case of an offender detained in a hospital for treatment because he or she has a mental disorder, some of the decisions about their management will be related directly to their medical treatment, and as such, will be confidential medical information;

(2) be assigned a Military Corrective Training Centre Liaison Officer who will act as your point of contact for the scheme;

(3) receive information from the Military Corrective Training Centre without unnecessary delay about the offender's Short Term Temporary Release, Re-Integration Leave, Compassionate Leave, transfer to open conditions, release on licence, or Community Work placements, or final release;

(4) be informed by the Commandant of the Military Corrective Training Centre without unnecessary delay about any orders or conditions which an offender is subject to on unsupervised release which relate to you or your family. For example, this could include an order to prevent the offender from contacting you or your family;

(5) be informed about any other information which the Commandant of the Military Corrective Training Centre considers to be appropriate in the circumstances of the case, including about key stages of the offender's sentence, or treatment in the case of a mental health patient.

**Commencement Information**

**179** Sch. para. 134 in force at 16.11.2015, see [reg. 1](#)

**135.** If you are a bereaved close relative of the victim of an offender sentence to service detention, or to imprisonment of 12 months in prison or more for a violent or sexual offence or detained in a secure hospital for treatment, you will also be offered participation in the Armed Forces Victim Contact Scheme if there is a danger or an identified risk of harm to you.

**Commencement Information**

**180** Sch. para. 135 in force at 16.11.2015, see [reg. 1](#)

**136.** If you are the parent, guardian or carer of a victim who is under 18, a vulnerable adult, or is otherwise unable to fully participate in the Armed Forces Victim Contact Scheme, then you will usually be offered participation on their behalf. However, this participation may not be offered to a parent, guardian or carer if it is considered not to be in the best interests of the victim.

<sup>(17)</sup> You are not, however, entitled to this information if there is an identified risk of harm to the suspect which would result from the notification.

**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, PART 3. (See end of Document for details)

**Commencement Information**

**I81** Sch. para. 136 in force at 16.11.2015, see [reg. 1](#)

**137.** In the event of a suspect escaping from custody, if there is a danger or an identified risk of harm to you, the Service Police or police, once aware of the escape or notified of it by the Military Corrective Training Centre, the prison, Youth Offending Team, hospital or immigration detention centre, will notify you wherever possible of the escape and any measures taken for your protection if it is assessed that the suspect poses a significant risk of harm to you.

**Commencement Information**

**I82** Sch. para. 137 in force at 16.11.2015, see [reg. 1](#)

**Commencement Information**

**I77** Sch. para. 132 in force at 16.11.2015, see [reg. 1](#)

**I78** Sch. para. 133 in force at 16.11.2015, see [reg. 1](#)

**I79** Sch. para. 134 in force at 16.11.2015, see [reg. 1](#)

**I80** Sch. para. 135 in force at 16.11.2015, see [reg. 1](#)

**I81** Sch. para. 136 in force at 16.11.2015, see [reg. 1](#)

**I82** Sch. para. 137 in force at 16.11.2015, see [reg. 1](#)

**Civilian Victim Contact Scheme**

**138.** If you are the victim of a criminal offence where the offender serves a sentence of imprisonment, youth custody, or detention in hospital in Scotland, the Armed Forces Victim Contact Scheme does not apply, but the Scottish civilian procedures will apply. The contact details for that system can be obtained from the Military Corrective Training Centre.

**Commencement Information**

**I83** Sch. para. 138 in force at 16.11.2015, see [reg. 1](#)

CHAPTER 8

How to make a complaint

**Complaints**

**139.** You are entitled to be treated by service providers in a respectful, sensitive and professional manner without discrimination of any kind. Where they fail to do so, or fail to provide the services required under this Code, you are entitled to make a complaint and for that complaint to be swiftly and fully addressed. A complaint made pursuant to this Section of the Code is not a Service Complaint made under the Armed Forces Act 2006.

**Commencement Information**

**I84** Sch. para. 139 in force at 16.11.2015, see [reg. 1](#)



**140.** In the first instance, if you feel your entitlements have not been met or that any service provider has not delivered their duties under the Code, and you feel comfortable doing so, you should discuss your complaint with the person you have been dealing with at that service provider.

.....  
**Commencement Information**

**I85** Sch. para. 140 in force at 16.11.2015, see [reg. 1](#)

**141.** If you remain dissatisfied, or if you do not feel comfortable discussing the complaint with the person you have been dealing with in the relevant service provider, you can make a complaint through the internal complaints procedure of that service provider, If you send your complaint to the wrong service provider, that provider will use its best endeavours to redirect your complaint to the relevant service provider and inform you that they have done this. Complaints wrongly directed to Her Majesty’s Courts and tribunal Service or the UK Supreme Court will be forwarded to the Victim Liaison Officer for them to identify the relevant service provider and they will inform you they have done this.

.....  
**Commencement Information**

**I86** Sch. para. 141 in force at 16.11.2015, see [reg. 1](#)

**142.** You are entitled to:

- (1) receive information from the service provider on how to make a complaint, including contact details and the process for dealing with a complaint;
- (2) make a complaint if you feel that your entitlements set out under the Code have not been met by service providers;
- (3) receive either an acknowledgement of your complaint or full response to your complaint within 10 working days of receipt of the complaint;
- (4) if you receive an acknowledgement of your complaint, be given information on the internal complaints process of the service provider to whom you are complaining, including a timeframe for receiving a substantive response where appropriate;
- (5) receive a full response from the relevant service provider within a set timeframe, provided in an accessible language and format.

.....  
**Commencement Information**

**I87** Sch. para. 142 in force at 16.11.2015, see [reg. 1](#)

.....  
**Commencement Information**

- I84** Sch. para. 139 in force at 16.11.2015, see [reg. 1](#)
- I85** Sch. para. 140 in force at 16.11.2015, see [reg. 1](#)
- I86** Sch. para. 141 in force at 16.11.2015, see [reg. 1](#)
- I87** Sch. para. 142 in force at 16.11.2015, see [reg. 1](#)

**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, PART 3. (See end of Document for details)

## CHAPTER 9

### Transfer to Civilian Jurisdiction

#### General

**143.** If at any time during proceedings, the matter is turned over to the civilian authorities, Service responsibility will cease, and you should be directed to consult the applicable civilian procedures by the Victim Liaison Officer.

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#### Commencement Information

**I88** Sch. para. 143 in force at 16.11.2015, see [reg. 1](#)

**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, PART 3.