

SCHEDULE

Armed Forces Code of Practice for Victims of Crime

PART 4

Victims' Entitlements – Entitlements for Children and Young People

CHAPTER 1

Introduction

General

144. This Part of the Code tells you what information, help and services you should receive from the service providers if you are under 18 and are a victim entitled to services under this Code(1). It should be read along with Parts 1 and 2 of this Code.

Commencement Information

I1 Sch. para. 144 in force at 16.11.2015, see [reg. 1](#)

145. Your parent or guardian may also receive help and support unless they are a suspect in connection with the crime or if it is considered not to be in your best interests. A suspect is someone who the Service Police or Commanding officer believes may be involved in the crime.

Commencement Information

I2 Sch. para. 145 in force at 16.11.2015, see [reg. 1](#)

Commencement Information

I1 Sch. para. 144 in force at 16.11.2015, see [reg. 1](#)

I2 Sch. para. 145 in force at 16.11.2015, see [reg. 1](#)

How should I read this Part of the Code?

146. You can use this Part of the Code to help you follow your journey through the Service justice system and find out what help you should get at each stage. It is written for you and shows you what information, help and services you should get. These are called your “entitlements”.

Commencement Information

I3 Sch. para. 146 in force at 16.11.2015, see [reg. 1](#)

147. You can also use the definitions contained in Part 6 of this Code which explain what certain words and phrases mean.

(1) See paragraphs 15 to 21 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 4. (See end of Document for details)

Commencement Information

I4 Sch. para. 147 in force at 16.11.2015, see [reg. 1](#)

148. A victim information leaflet is also available which also explains what you can expect during the Service justice process.

Commencement Information

I5 Sch. para. 148 in force at 16.11.2015, see [reg. 1](#)

Commencement Information

I3 Sch. para. 146 in force at 16.11.2015, see [reg. 1](#)

I4 Sch. para. 147 in force at 16.11.2015, see [reg. 1](#)

I5 Sch. para. 148 in force at 16.11.2015, see [reg. 1](#)

CHAPTER 2

Service Police and Commanding Officers' Investigations

General

149. Service offences may be investigated either by a Commanding officer or by the Service Police.

Commencement Information

I6 Sch. para. 149 in force at 16.11.2015, see [reg. 1](#)

Information provided to you when you report a crime

150. When you report a crime to the Service Police or the Commanding officer, you are entitled to:

(1) receive written confirmation 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 happens next;

(3) a leaflet with information for victims of crime to be provided without unnecessary delay from your first contact with the Service Police or Commanding officer. This will include information about people you can talk to if you are upset and need support and how you can get in touch with them;

(4) talk to the investigator to help you work out what support you need. This is called a “needs assessment”;

(5) have your contact details sent to organisations that help victims if you want this to be done. The investigator will ask if you want your details sent to them first. These organisations are called

“victim support services” in this Code. If you agree to have your details sent to victim support services then they will get in touch with you to let you know what support is available to you⁽²⁾.

(6) 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 allowing you to know about the state of the criminal proceedings on your request unless the proper handling of the case may be harmed;
- (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.

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Commencement Information

I7 Sch. para. 150 in force at 16.11.2015, see [reg. 1](#)

Investigation

151. A Service Police and Commanding Officer’s investigation is when the Service Police or Commanding Officer looks for suspects and evidence of the crime you told them about. If the Commanding officer or Service Police decide not to investigate they will let you know without unreasonable delay from the decision.

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Commencement Information

I8 Sch. para. 151 in force at 16.11.2015, see [reg. 1](#)

152. The Service Police or Commanding Officer’s investigator will talk to you as part of your Needs Assessment. As you are under 18, they will consider whether any Special Investigation Measures or Special Measures should be used in your case and, if so, what they should be. They will discuss these with you. The Special Investigation measures include video recording your witness statement. You can find a full list of Special Investigation Measures in paragraphs 49 to 52 of this Code. You can ask if you would like some to be used, and the investigator will take your views into account when making their decision.

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Commencement Information

I9 Sch. para. 152 in force at 16.11.2015, see [reg. 1](#)

153. After you have told the Service Police or Commanding Officer a crime has taken place, you may then be asked to tell them what happened. This is called a witness statement. When you give your witness statement you are entitled to:

(2) See paragraphs 16 to 18 of this Code if you are not present in the United Kingdom.

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 4. (See end of Document for details)

(1) have someone with you unless the Service Police or investigator decides this is not allowed and tell you why. This could be a parent or family friend but normally they should be over 18 years old;

(2) ask for someone to help you understand the questions you are being asked;

(3) be told about Special Measures if you might have to go to court. Special Measures are things ordered by a court to make it easier for you to give evidence in court. These can include giving evidence from a different room by video link or judges removing their wigs and gowns. You can find a full list of Special Measures in paragraphs 53 and 54 of this Code.

Commencement Information

I10 Sch. para. 153 in force at 16.11.2015, see [reg. 1](#)

154. You may also be entitled to receive Special Investigation Measures as set out in paragraph 153 of this Code.

Commencement Information

I11 Sch. para. 154 in force at 16.11.2015, see [reg. 1](#)

155. You are also entitled to make a Victim Personal Statement. The Victim Personal Statement lets you explain in your own words how you feel the crime has affected you. This is not the same as a witness statement about what you saw and heard. Both your witness statement and Victim Personal Statement can be video recorded where appropriate. You do not have to make a Victim Personal Statement if you do not want to. If you decide not to make a Victim Personal Statement at first, you can do it later, but only if this is before sentencing. Sentencing is when the court or Commanding Officer orders the punishment that the offender will receive. The information you give in a Victim Personal Statement will be shared with the defence (who represent the person who has been accused of the crime) or the accused if it is used in court or Summary hearing. The accused or their defence might ask you questions about your Victim Personal Statement on rare occasions.

Commencement Information

I12 Sch. para. 155 in force at 16.11.2015, see [reg. 1](#)

156. If the accused is found guilty in a Service court, you are entitled to say if you would like to have your VPS read aloud or played (if recorded) in court before the accused is sentenced. When the Service Police are taking your Victim Personal Statement, you are entitled to say, if the case is to end up in a Service court, whether you would like to read your Victim Personal Statement aloud, have it read aloud by someone else or played in court and what this means. If your case ends up being dealt with by a Commanding officer in a Summary hearing, you may read out your Victim Personal Statement if you are called to give evidence. If you are not called to give evidence in a Summary hearing, your Victim Personal Statement will still be considered by the Commanding Officer as written evidence.

Commencement Information

I13 Sch. para. 156 in force at 16.11.2015, see [reg. 1](#)

157. When the Service Police or Commanding Officer are investigating your case you are entitled to:

(1) receive information about what is happening and discuss with the investigator how often they will contact you;

(2) be told if no one is found to be a suspect, or if the case is closed and be told without unreasonable delay from the decision being made;

(3) ask the investigator to inform you of a suspect being released from Service custody and any Service custody release requirements which are made by the court, or if those release requirements change;

(4) receive the information requested in paragraph 157(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⁽³⁾;

(5) say if you want to be told if a closed case has been reopened, so the Service Police or Commanding Officer can consider your wishes.

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Commencement Information

I14 Sch. para. 157 in force at 16.11.2015, see [reg. 1](#)

158. 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.

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Commencement Information

I15 Sch. para. 158 in force at 16.11.2015, see [reg. 1](#)

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Commencement Information

I8 Sch. para. 151 in force at 16.11.2015, see [reg. 1](#)

I9 Sch. para. 152 in force at 16.11.2015, see [reg. 1](#)

I10 Sch. para. 153 in force at 16.11.2015, see [reg. 1](#)

I11 Sch. para. 154 in force at 16.11.2015, see [reg. 1](#)

I12 Sch. para. 155 in force at 16.11.2015, see [reg. 1](#)

I13 Sch. para. 156 in force at 16.11.2015, see [reg. 1](#)

I14 Sch. para. 157 in force at 16.11.2015, see [reg. 1](#)

I15 Sch. para. 158 in force at 16.11.2015, see [reg. 1](#)

CHAPTER 3

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

Charge and Service custody

159. This Chapter tells you what happens when the suspect is charged with committing the crime. Being charged is when there is enough evidence (or proof) and it is in the public interest to formally accuse the suspect of the offence.

(3) 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 4. (See end of Document for details)

Commencement Information

I16 Sch. para. 159 in force at 16.11.2015, see [reg. 1](#)

160. You are entitled to be told, without unreasonable delay, of the following events happening:

(1) if the case is referred by the Service police to the Commanding Officer or the Director of Service Prosecutions or a decision is made not to refer the case and be told why if not. You can ask for a review of a decision not to refer the case if you are not happy with it and you should be given enough information to help you decide whether or not you want to do that;

(2) a Commanding Officer’s decision to charge the suspect or to refer the case to the Director of Service Prosecutions, or a decision not to do these things. If the Commanding officer decides not to charge or does not refer the case (where they do not have the power to charge without first referring the case to the Director of Service Prosecutions), you are entitled to be told why not. You can ask for a review of a decision not to refer the case or not to charge if you are not happy with it and you should be given enough information to help you decide whether or not you want to do that;

(3) a Service Prosecuting Authority decision to prosecute (take to court) or not to prosecute the suspect. You are entitled to be told how you can get more information about the decision if the Service Prosecuting Authority decides not to prosecute the suspect. You can ask for a review of the decision if you are not happy with it and you should be given enough information to help you decide whether you want to do that. The Service Prosecuting Authority prosecutes (takes to court) service offences.

(4) the date of any hearing being set and the outcome of the hearings;

(5) where there is a danger or an identified risk of harm to you, on request, the investigator will inform you, without unnecessary delay, of a suspect being released from Service custody and any Service custody release requirements which are made by the court, or if those release requirements change(4).

Commencement Information

I17 Sch. para. 160 in force at 16.11.2015, see [reg. 1](#)

Commencement Information

I16 Sch. para. 159 in force at 16.11.2015, see [reg. 1](#)

I17 Sch. para. 160 in force at 16.11.2015, see [reg. 1](#)

Preparation for the trial

161. Where a suspect is charged with committing a crime, you are entitled to be informed without unreasonable delay of a Service Prosecuting Authority or Commanding officer’s decision to make big changes to the charges against the suspect, to stop the case, to charge the suspect with another crime or a Service Prosecuting Authority decision to offer no evidence to the court (i.e. end the case).

Commencement Information

I18 Sch. para. 161 in force at 16.11.2015, see [reg. 1](#)

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

162. Where the Service Prosecuting Authority or the Commanding Officer decides to stop the case by discontinuing proceedings or the Service Prosecuting Authority decides to offer no evidence, you are entitled to be told how you can get more information about the decision and how you can ask for a review of the decision if you are not happy with it. You are entitled to receive enough information to help you decide whether or not you want to ask for a review.

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Commencement Information

I19 Sch. para. 162 in force at 16.11.2015, see [reg. 1](#)

163. Paragraphs 165 to 168 of this Code give you information about services you are entitled to get from the Victim Liaison Officer. Sometimes the Service Police might provide you with this information and support instead if they are your main point of contact. The Service Police will tell you if they are your main point of contact.

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Commencement Information

I20 Sch. para. 163 in force at 16.11.2015, see [reg. 1](#)

164. You are entitled to be told about the date, time and place of any court hearings or Summary Hearing, the court or Commanding Officer's decision and what should happen next. You will be given this information by the Victim Liaison Officer without unreasonable delay. You will also be told what this means for you and what you need to do.

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Commencement Information

I21 Sch. para. 164 in force at 16.11.2015, see [reg. 1](#)

165.—(1) You may ask the Victim Liaison Officer to inform you of a suspect being released from Service custody and any Service custody release requirements which are made by the court, or if those release requirements change;

(2) You are entitled to the information requested in paragraph 165(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(5).

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Commencement Information

I22 Sch. para. 165 in force at 16.11.2015, see [reg. 1](#)

166. If the accused pleads not guilty in a 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 victim support services so that they can get in touch with you to talk about any extra support they could offer you(6).

(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.

(6) 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 4. (See end of Document for details)

Commencement Information

I23 Sch. para. 166 in force at 16.11.2015, see [reg. 1](#)

167. You are entitled to be told by your Victim Liaison Officer, without unreasonable delay, if you have to give evidence.

Commencement Information

I24 Sch. para. 167 in force at 16.11.2015, see [reg. 1](#)

168. If you are asked to give evidence at the trial you are entitled to:

(1) see your video recorded or written statement shortly before the trial to help you remember what you said when you told the Service police what happened to you. The Service Police will arrange this for you;

(2) if you made a written statement, it will be available for you on the day. If you made a video recorded statement, arrangements will be made for you to view this separately before the trial;

(3) be informed by the Military Court Service staff about what will happen on the day. The Service Prosecuting Authority advocate will explain the Special Measures available to help you (see paragraphs 53 and 54 of this Code);

(4) be told by the Military court Service how you can get leaflets that help you understand what will happen when you give evidence to a court;

(5) if you are due to attend court as a witness, visit the court before the trial to see what it looks like. You should see the court room and practice using Special Measures equipment like video links or screens around the witness box depending on what the court has ordered. Where possible, you will get to meet the staff who will help you on the day.

Commencement Information

I25 Sch. para. 168 in force at 16.11.2015, see [reg. 1](#)

169. If you are required to give evidence at the Summary Hearing, you are entitled to:

(1) view your statement to help refresh your memory, a copy will be made available to you on the day of the hearing;

(2) be informed by the Victim Liaison Officer about what will happen at the Summary Hearing.

Commencement Information

I26 Sch. para. 169 in force at 16.11.2015, see [reg. 1](#)

170. In the event of a suspect 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.

Commencement Information

I27 Sch. para. 170 in force at 16.11.2015, see [reg. 1](#)

Commencement Information

I18 Sch. para. 161 in force at 16.11.2015, see [reg. 1](#)

I19 Sch. para. 162 in force at 16.11.2015, see [reg. 1](#)

I20 Sch. para. 163 in force at 16.11.2015, see [reg. 1](#)

I21 Sch. para. 164 in force at 16.11.2015, see [reg. 1](#)

I22 Sch. para. 165 in force at 16.11.2015, see [reg. 1](#)

I23 Sch. para. 166 in force at 16.11.2015, see [reg. 1](#)

I24 Sch. para. 167 in force at 16.11.2015, see [reg. 1](#)

I25 Sch. para. 168 in force at 16.11.2015, see [reg. 1](#)

I26 Sch. para. 169 in force at 16.11.2015, see [reg. 1](#)

I27 Sch. para. 170 in force at 16.11.2015, see [reg. 1](#)

CHAPTER 4

Trial or Summary Hearing

Trial at Service court

171. If you do go to court to give evidence at the trial, you are entitled to:

(1) wherever possible, meet the Service Prosecuting Authority advocate (the lawyer who presents the case against the accused) or representative to ask him or her questions about what will happen in court, how long you may have to wait before giving evidence and be told of any delay;

(2) ask court staff if you and any family members who are also attending court can use a different entrance and exit from the accused and their family and friends. This means that when you go to court you do not need to see the accused or their family and friends;

(3) wait and be seated in an area separate from the accused and their family and friends. 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;

(4) be given a contact point at the court where you can find out what is happening while you are waiting to give your evidence;

(5) have any Special Measures arranged for you by the court staff when the court has ordered them. For example, if you have pre-recorded your witness statement, the court may, as a Special Measure, allow this to be played to the court so that you do not have to give this evidence again. You would then be asked questions about your evidence. This is called cross-examination. Another Special Measure is for you to provide your evidence from a different room using a video link;

(6) give your contact details to court staff so they can call you back quickly if you have left the court building for a short while;

(7) watch the trial in the public gallery if you have finished or are not giving evidence as a witness.

Commencement Information

I28 Sch. para. 171 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 4. (See end of Document for details)

172. At a trial by a Service court, 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 way, taking into account what is said by the defence lawyer and the Service Prosecuting Authority advocate. 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

I29 Sch. para. 172 in force at 16.11.2015, see [reg. 1](#)

Commencement Information

I28 Sch. para. 171 in force at 16.11.2015, see [reg. 1](#)

I29 Sch. para. 172 in force at 16.11.2015, see [reg. 1](#)

Summary Hearing

173. If you do attend a Summary hearing to give evidence 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 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

I30 Sch. para. 173 in force at 16.11.2015, see [reg. 1](#)

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

Commencement Information

I31 Sch. para. 174 in force at 16.11.2015, see [reg. 1](#)

175. 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 by the accused is considered inappropriate or too aggressive.

Commencement Information

I32 Sch. para. 175 in force at 16.11.2015, see [reg. 1](#)

Commencement Information

I30 Sch. para. 173 in force at 16.11.2015, see [reg. 1](#)

I31 Sch. para. 174 in force at 16.11.2015, see [reg. 1](#)

I32 Sch. para. 175 in force at 16.11.2015, see [reg. 1](#)

CHAPTER 5

After the trial

Expenses

176. Following the trial or Summary hearing you are entitled to be paid any expenses without unreasonable delay which the Military Court Service or Commanding Officer has 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.

Commencement Information

I33 Sch. para. 176 in force at 16.11.2015, see [reg. 1](#)

General

177. Paragraphs 178 and 179 of this Code tell you about the services you are entitled to get from the Victim liaison Officer. Sometimes the Service Police might provide you with this information and support instead if they are your main point of contact. The Service Police will tell you if this is the case. You are entitled to receive this information without unreasonable delay.

Commencement Information

I34 Sch. para. 177 in force at 16.11.2015, see [reg. 1](#)

The sentence

178. You are entitled to be informed about the decision of the court or Commanding Officer and, where available, receive a brief summary of reasons for the decision. If the accused has been found guilty or the case has been proved in a Summary hearing, you are entitled to be told the sentence he or she has been given. The sentence is the punishment ordered by the court or Commanding Officer. This will include a short explanation about what the sentence is and what it means. If the Victim Liaison Officer is not able to answer your questions about the sentence, they will pass you to the Service prosecuting Authority or Commanding officer. They will help to answer your questions.

Commencement Information

I35 Sch. para. 178 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 4. (See end of Document for details)

Victim Support Services

179. You are entitled to be put in touch with victim support services by the Victim Liaison Officer where available and appropriate(7).

Commencement Information

I36 Sch. para. 179 in force at 16.11.2015, see [reg. 1](#)

CHAPTER 6

Appeals

Appeals

180. Sometimes the offender asks the court to look at the case or the sentence again. This is called an appeal. If the offender does appeal, you are entitled to the following without unreasonable delay:

- (1) to be told whether the court will let the appeal go ahead;
- (2) to ask 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;
- (3) to receive the information requested in paragraph 180(2) 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(8).
- (4) to be given dates, times and locations of any further hearing dates and any changes to the dates if the appellant is allowed to appeal;
- (5) to be told the outcome of the appeal or if there are any changes to the sentence originally given by the court;
- (6) to receive information about victim support services that can help you, where available(9).

Commencement Information

I37 Sch. para. 180 in force at 16.11.2015, see [reg. 1](#)

181. If the appeal is to the Court Martial Appeal Court, the High Court or is a United Kingdom Supreme Court case you can ask for a copy of the decision from the relevant court (which is called a judgment) once it has been published.

Commencement Information

I38 Sch. para. 181 in force at 16.11.2015, see [reg. 1](#)

182. If there is going to be an appeal hearing, you may be able to make a new or further Victim Personal Statement (see paragraph 155 of this code). This lets you tell the court about the longer term effects that the crime has had on you. Your Victim Liaison Officer will let you know if it is possible to make such a Victim Personal Statement.

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

(8) 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.

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

Commencement Information

I39 Sch. para. 182 in force at 16.11.2015, see [reg. 1](#)

183. In some appeals the case may be re-heard. Where an appeal has a re-hearing of the charge or the sentence, your relevant entitlements set out earlier in this part of the Code will apply.

Commencement Information

I40 Sch. para. 183 in force at 16.11.2015, see [reg. 1](#)

Commencement Information

I37 Sch. para. 180 in force at 16.11.2015, see [reg. 1](#)

I38 Sch. para. 181 in force at 16.11.2015, see [reg. 1](#)

I39 Sch. para. 182 in force at 16.11.2015, see [reg. 1](#)

I40 Sch. para. 183 in force at 16.11.2015, see [reg. 1](#)

CHAPTER 7

After the Sentence

Unwanted contact from offenders

184. 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

I41 Sch. para. 184 in force at 16.11.2015, see [reg. 1](#)

185. Prisoners are not allowed mobile phones and are only allowed access to the internet for certain purposes. They are not allowed 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

I42 Sch. para. 185 in force at 16.11.2015, see [reg. 1](#)

186. 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

I43 Sch. para. 186 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 4. (See end of Document for details)

Commencement Information

- I41** Sch. para. 184 in force at 16.11.2015, see [reg. 1](#)
- I42** Sch. para. 185 in force at 16.11.2015, see [reg. 1](#)
- I43** Sch. para. 186 in force at 16.11.2015, see [reg. 1](#)

Armed Forces Victim Contact Scheme

187. 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

- I44** Sch. para. 187 in force at 16.11.2015, see [reg. 1](#)

188. If you wish to use 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

- I45** Sch. para. 188 in force at 16.11.2015, see [reg. 1](#)

189. 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⁽¹⁰⁾:

- (1) decide whether you want to receive information about key stages of the offender's sentence;
- (2) be given the details of a person who will be your point of contact for the scheme;
- (3) be told when the offender is released from the Military Corrective Training Centre, prison or hospital and any conditions put on them which relate to you;
- (4) be told about any other important information which the Commandant of the Military Corrective Training Centre thinks you should be told.

Commencement Information

- I46** Sch. para. 189 in force at 16.11.2015, see [reg. 1](#)

⁽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.

190. If you are eligible, your parent or guardian or carer will usually be offered participation on your behalf. However, this participation may not be offered if it is considered not to be in your best interests.

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Commencement Information

I47 Sch. para. 190 in force at 16.11.2015, see [reg. 1](#)

191. 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.

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Commencement Information

I48 Sch. para. 191 in force at 16.11.2015, see [reg. 1](#)

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Commencement Information

I44 Sch. para. 187 in force at 16.11.2015, see [reg. 1](#)

I45 Sch. para. 188 in force at 16.11.2015, see [reg. 1](#)

I46 Sch. para. 189 in force at 16.11.2015, see [reg. 1](#)

I47 Sch. para. 190 in force at 16.11.2015, see [reg. 1](#)

I48 Sch. para. 191 in force at 16.11.2015, see [reg. 1](#)

Civilian Victim Contact Scheme

192. 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.

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Commencement Information

I49 Sch. para. 192 in force at 16.11.2015, see [reg. 1](#)

CHAPTER 8

How to make a Complaint

Complaints

193. You are entitled to be treated by service providers in a respectful, sensitive and professional manner without discrimination of any kind. If you do not think that you have received the services and support that you are entitled to in this Code, you can make a complaint.

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Commencement Information

I50 Sch. para. 193 in force at 16.11.2015, see [reg. 1](#)

194. If you feel comfortable doing so, you should first talk about your complaint with the person you have been dealing with at that organisation.

Commencement Information

I51 Sch. para. 194 in force at 16.11.2015, see [reg. 1](#)

195. If this does not help to answer your complaint, you can make a complaint through the organisation's official complaints system. 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

I52 Sch. para. 195 in force at 16.11.2015, see [reg. 1](#)

196. You are entitled to:

(1) receive information from the organisation on how to make a complaint, including contact details and the process for dealing with a complaint;

(2) receive:

(a) an acknowledgement saying that the organisation has got your complaint and is dealing with it, or

(b) a full response to your complaint,

within 10 working days;

(3) if you receive an acknowledgement, information about how the organisation deals with complaints including how long it may take to get a full response where appropriate;

(4) receive confirmation from the organisation you complain to that says they have got your complaint and when to expect an answer;

(5) receive a full response from the organisation within the timeframe they set out.

Commencement Information

I53 Sch. para. 196 in force at 16.11.2015, see [reg. 1](#)

Commencement Information

I50 Sch. para. 193 in force at 16.11.2015, see [reg. 1](#)

I51 Sch. para. 194 in force at 16.11.2015, see [reg. 1](#)

I52 Sch. para. 195 in force at 16.11.2015, see [reg. 1](#)

I53 Sch. para. 196 in force at 16.11.2015, see [reg. 1](#)

CHAPTER 9

Transfer to Civilian Jurisdiction

General

197. 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.

Commencement Information

I54 Sch. para. 197 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 4.