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Policy and Victims in the UK

Since its inception, the criminal justice system (CJS) has mainly been focused on dealing with offending and offenders, with much criticism being levied at the fact that victims constituted little more than an afterthought. With the establishment of voluntary organisations such as Victim Support representing victims in the otherwise imbalanced CJS, a raft of policies relating to victims' needs, wants and expectations finally emerged late in the 20th century.

In 1984, the publication of two key documents: *A New Deal for Victims* and *Compensation and Support for Victims of Crime* indicates the first of a series of changes whereby the government sought to inform, support and assist victims of crime, especially those who may be required to attend court. Further investigation by victims' advocates into the needs of victims and witnesses attending court lead to the establishment of the Home Office funded Crown Court Witness service, a policy outlined by the government in 1990 their first *Victims' Charter*. The Charter was later replaced by several *Codes of Practice* (1996; 2013). Each edition outlined the procedural and service rights which victims could expect from the CJS. However, the development of policies aimed at making the criminal justice process easier to negotiate has consistently fallen short of codifying victims' rights comparable to the substantive rights afforded to an accused person. Even the recent *Victims' Right to Review*, which provides the opportunity to review Crown Prosecution Service decisions to discontinue cases, is still more reflective of a procedural rather than substantive right.

A growing political concern with – and for – particular victims of crime as being *symbolic* in socio-political contexts has become more evident in government policies. The contemporary co-opting of certain groups of victims by ministers seeking to further enhance their party's punitive crime policies has been illustrated through the establishment of specific spokespeople. In addition to policy, the establishment of several victims' figureheads indicated the increasing visibility being afforded to victims of crime. This began with Sara Payne being appointed *Victims' Champion* in 2009. Payne's five-year-old daughter Sarah had been murdered by paedophile Roy Whiting in 2000, prompting her to successfully campaign for public access to information on sex offenders in the community, which later became the Sex Offender Disclosure Scheme ('Sarah's Law'). The high-profile campaign resulted in Payne becoming seen as an unofficial spokesperson for victims and their families. In 2010, Louise Casey was appointed *Victims' Commissioner*, a role occupied by Baroness Helen Newlove since 2012. The remit of these various figureheads has thus far been to consult with victims in order to review and report on the operationalising of various victims' policies.

The above roles have been complemented by a succession of *Victims' Ministers*, each of which has had the responsibility for victims added on to an existing portfolio. As victims' interests have not yet comprised of a singular ministerial remit, and there has been little evidence to suggest a co-ordinated approach between figureheads and ministers, victim policy remains fragmented and lower down the law and order hierarchy. However, in the lead up to the 2015 General Election, the two main political parties – the Conservatives and Labour – both indicated their intentions to develop a 'victims' law', which involved the statutory enforcement of the existing Code alongside several new provisions. The renewed focus on victims was predicated

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on a desire to enhance the protection of victims in the CJS whilst also providing new and improved victim services. This was in addition to the first hearing of a proposed Victims' Bill of Rights, instigated by Plaid Cymru to enshrine existing measures set out in various Codes and Charters.

Victim policy currently occupies a high political status which is unprecedented in the UK. It is notable how ministerial rhetoric capitalising on popular social issues has traditionally proven to be a successful tactic for governments in fighting – and winning – elections on the basis of law and order. It remains to be seen whether this strategy, which is now being applied to victims, is as beneficial for the public as politicians.

Readings

Hall, M. (2010) *Victims and Policy Making*. Abingdon: Willan.

Spalek, B. (2006) *Crime Victims: Theory, Policy, Practice*. Basingstoke: Palgrave Macmillan.