

The Domestic Abuse Commissioner's response to 'A New Victims' Code'

About the Domestic Abuse Commissioner

The Domestic Abuse Commissioner is the independent voice for all victims and survivors of domestic abuse across England and Wales. Engaging at the highest levels of government, the Commissioner presses for survivors to be heard so they get the right help, at the right time.

Through research, campaigning and collaboration, the Commissioner highlights the changes needed to tackle and prevent domestic abuse – so perpetrators are held to account, and survivors get the specialist support to rebuild and thrive.

Overarching position

The Commissioner welcomes the proposals set out in the Victims Code, including the introduction of a framework for children and young people. Such systemic changes have the potential to reform how children, young people and adults experience the criminal justice system, yet the Commissioner hopes to see further strengthening of proposals and a commitment to invest in training and resources to enable tangible improvements in practice, and better outcomes for victims and survivors of domestic abuse.

The Victims Code in isolation will not enable victims and survivors' rights to be met. Specialist support services, including 'by and for' services, are critical in meeting victim need. In the current context of wider public reforms, there is a substantial risk that local partnerships and commissioning frameworks will fragment, destabilising partnerships and conterminous boundaries across commissioning bodies meaning independent and specialist service provision will be diluted, or at worst, lost all together. Victims and survivors cannot be left without access to the vital support that is crucial in upholding their rights under the code.

Summary of recommendations

Assessing victims' needs effectively

- A range of available communication methods should be clearly documented so victims and survivors can make informed decisions about how they engage with justice agencies. Chosen methods of communication, including accessible resources, independent interpretation and translation support must be provided with adequate resource.
- Guidance and training in relation to the Victims Code of Practice should mandate that needs assessments, and services are responsive to victims and survivors' changing needs, communication is open and flexible to individuals to capture any additional needs that may arise during the duration of a victim/survivor's engagement with the justice system
- The needs assessment should take a holistic approach in considering what specialist support is available for victims and survivors of domestic abuse, ensuring robust referral pathways are in place so all victims and survivors have equitable access to specialist support.
- **Recommendation:** Ambitiously, strategically, and sustainably invest in the independent specialist domestic abuse sector – which is critical to the criminal justice response to domestic abuse – and resource statutory agencies across the criminal justice system to build capacity in response to growing demand for domestic abuse support.
- Include a further needs assessment, that builds on previous iterations at the point the criminal case concludes. At this stage, a range of recovery support services should be made available, including specialist support services if the victim/survivor is not already engaged with community-based services to assure ongoing needs are met, and ongoing risk is mitigated.

- Routine and timely information sharing should occur to provide an accurate understanding of the individual need, circumstance and risk of adult and child victim and survivors.
- Quality, trauma and abuse informed needs assessments must be flexible to individual need and embed accessibility and intersectional awareness as a core principle.
- The code should include guiding principles and a minimum training requirement for professionals to conduct needs assessments with adults, children and young people.

Engaging with child victims

- Introduce a national framework for pre-interview preparation and needs assessment of all children and vulnerable witnesses, with regular training, monitoring and quality assurance to ensure that children can be supported to have a voice in their own cases
- Age categories can be a useful guide to support agencies communicating with children and young people, but these should be flexible, recognising that each child's development and individual circumstances will be different, requiring an individual response.
- Fund the development and delivery of specialist training for every frontline professional working with babies, children and young people who might be at risk of domestic abuse
- Ensure that professionals across the criminal justice system – including police, prosecutors, the judiciary, and probation officers – are comprehensively, consistently, and regularly trained in identifying and responding to all forms of domestic abuse.
- Separate resources for children and young people, parents, and adult victims of crime would be useful.
- Parents or guardians should be able to relay the impact of crime upon their child, however there should be a level of flexibility that enables the child to engage in the process, independently of their parents, if they choose to.

Quality and timeliness of providing case information

- Accessibility must be embedded as standard, with multiple formats and translation options to support victims with diverse needs as described in detail above.
- Personal communication must be trauma-informed, accessible, and supported by interpreters or advocates where required.
- People with lived experience of domestic abuse and those with intersecting needs and risks must be central to design, ensuring that all survivors can safely access, understand, and act upon information.
- Court preparation must be inclusive, addressing accessibility and inclusivity needs to increase survivor confidence and safety.
- Quality, trauma and abuse informed communication must embed accessibility and intersectional awareness as a core principle, rather than an afterthought.
- The Code should ensure that all survivors, including those with intersectional needs, experience consistent, safe, and domestic abuse and trauma informed communication.
- Delegation should always enhance, not complicate, the survivor's experience by ensuring support is tailored, accessible, and domestic abuse and trauma informed.

Improving how opportunities to participate are offered to victims

- Victims and survivors should have the opportunity to provide and update a VPS throughout the criminal justice process. Government should actively collect data on the uptake of VPS to effectively monitor their usage in compliance of the Code.
- All communication should be available in multiple accessible formats.
- Victims and survivors should be told about sentencing hearings and offender attendance at the earliest practicable opportunity.
- Victims should be informed of their right to have an advocate / domestic abuse specialist attend the hearing with them.

- The Ministry of Justice expand eligibility for the Victim Contact Scheme to all victims and survivors of domestic abuse, regardless of sentence length or whether their perpetrator's conviction is specifically for a domestic abuse-related crime.
- Victims and survivors should be provided with materials that simplify language, explain real-world impacts of the sentence, clarify judicial reasoning both before and post sentence with the option for interactive follow-up.
- All victims and survivors of domestic abuse should be updated in cases where there is an escalation of risk, even if they have previously declined contact with agencies.
- Victims and survivors of domestic abuse should be able to express their views about an offender's release in a range of formats (recognising that it cannot have an impact upon the release decision). A detailed explanation of the parole boards decision should be provided.

Helping victims understand their rights under the Code

- Victims and survivors, and the general public should be made aware of the Victims Code. Victims should be made aware of their rights when they report a crime, and at the point of needs assessment / re-assessment.
- Physical and digital products are useful when safe for victims and survivors to receive but cannot replace verbal communication or engagement with specialist d, including by and for services.
- Children and young people should have access to a range of materials in addition, not in replacement of face to face and telephone support, including short explainer videos, to help them engage with the Code and understand each stage of the criminal justice system.
- Any materials should be developed in collaboration with children and young people with experience of the justice system to better understand where the information should be held and what digital tools could help increase accessibility.

Additional Information

- Include basic awareness raising resources on domestic abuse alongside materials informing victims and survivors, children and young people of their VCOP rights.
- Clear mechanisms for quality assurance, ongoing monitoring and feedback should be embedded from the outset.
- Co-production and collaboration with adult and child victims and survivors should be delivered in a supportive and structured environment, preferably facilitated by a specialist domestic abuse organisation and reflective of principles of best practice.

Full Response

Chapter 1 – Assessing victims' needs effectively

Questions Question 1A: Does the new information, in the blue box in Right 1 entitled 'When and how your needs will be assessed' help victims to understand how their needs will be assessed?' [Yes/No] Please explain your answer.

Recommendation: A range of available communication methods should be clearly documented so victims and survivors can make informed decisions about how they engage with justice agencies. Chosen methods of communication, including accessible resources, independent interpretation and translation support must be provided with adequate resource.

Victims and survivors must receive an empathetic, trauma-informed, needs-led response, meaning victims and survivors should have a choice in how to engage with justice agencies. The information

should clearly set out what communication methods are available, and service provision must meet the reality of need identified.

Survivors have told the Domestic Abuse Commissioner that their current rights under the Victims Code Section 1 are not being met¹. For example, one survivor clearly documented that they wanted to engage with police exclusively by face-to-face interaction at the station, due to their experiences of abuse and the triggering nature of phone calls because of this. This was disregarded and they were contacted by phone, making them feel in more danger. Where a communication preference is stated, it is important this is upheld.

These issues are amplified for victims and survivors facing communication barriers. The VAWG sector Communication Barriers Working Group also found that the Victims' Code Right 1 – 'to be able to understand and to be understood' – is routinely not upheld. For survivors who do not speak English, a lack of interpreters or inappropriate use of interpreters – for example, asking a family member to interpret – meant that they could not trust that their story was being accurately communicated to police at an incredibly critical point². As highlighted in the Domestic Abuse statutory guidance, "professionals working with minority communities should actively seek to ensure the right support is made available to overcome them, including appropriate interpretation and translation support where this may be needed"³.

Research undertaken by the Ann Craft Trust in partnership with Coventry University as part of their 'We Matter Too!' project to address the needs of disabled young people facing domestic abuse found a distinct need for accessible resources for people with physical and sensory impairments and learning needs; such as braille, sign language interpretations, plain English, audio and symbols-based materials⁴.

Question 1B: Do you think needs assessments occur at the right stages of the criminal justice process (those stages are when a victim first engages with the police, during the investigation of the crime, and before giving evidence)? [Yes/No] Please explain your answer.

Recommendation: Guidance and training in relation to the Victims Code of Practice should mandate that needs assessments, and services are responsive to victims and survivors' changing needs, communication is open and flexible to individuals to capture any additional needs that may arise during the duration of a victim/survivor's engagement with the justice system

A well conducted needs assessment is the cornerstone of effective engagement with victims and survivors. It is often the first meaningful point of contact, setting the tone for everything that follows. When done properly, it signals that victims and survivors are being listened to, taken seriously, and treated with dignity, laying the foundation for trust and rapport. The needs assessment must not be an administrative task. A relational, trauma-informed assessment helps identify victims and survivors immediate and longer-term needs, while demonstrating empathy and respect. In doing so, it can reduce anxiety, build confidence in the system, and encourage ongoing engagement.

Conversely, if the assessment fails to capture individual need, it can undermine trust at the outset. Victims and survivors may disengage, feel re-traumatised, or conclude that the system cannot support them effectively. In this sense, getting the needs assessment right is the foundation upon which all subsequent support, participation and outcomes depend. As such, the needs assessment should not be a standalone activity but an iterative process as victims and survivors' risk and need and circumstance change over time.

¹ [dac_cjs-report_main_FINAL-DIGITAL.pdf](#)

² [Listen to us!](#)

³ [Domestic Abuse: statutory guidance \(accessible version\) - GOV.UK](#)

⁴ [We-Matter-Too-Executive-Summary-Dec-9-2019.pdf](#)

The specialist domestic abuse sector⁵ has consistently identified the need for improved communication with victims within the criminal justice system, both in terms of timeliness and quality⁶. This is echoed by survivors in their engagement with the Domestic Abuse Commissioner.

“Follow up communication was not good. Occasionally I had a call from an officer saying I’ll let you know an outcome next week – that was months ago. Still haven’t heard anything. Don’t make promises you can’t keep. Keep us informed. Don’t let us think we’ve been forgotten or [are] unimportant”⁷

For some victims, poor communication and delays in response significantly impact their mental health and put their safety at risk. This is particularly acute when they know deadlines, such as the expiration of bail conditions or statutory limitations, are approaching. A lack of information around next steps leaves them fearful for their safety and impedes the ability of support workers to safety plan with them and inform them of their rights.

The Commissioner’s ‘Shifting the Scales’ report⁸ evidences that once cases were referred to the CPS, survivors and specialist services found communications grew even more sparse. They told us that a lack of access to prosecutors and no clear routes of communication into the CPS not only impacted trust in the system but also made it difficult for services to provide updates and support to victims and survivors⁹. The Commissioner strongly welcomes the recent CPS announcement of £5m funding to improve communications with high-risk victims of domestic abuse¹⁰, enabling victims to meet with prosecutors ahead of Crown Court trials however the vast majority of domestic abuse survivors assessed as standard or medium risk will not have equity of access to this service.

This is further evidenced in HMCPSI’s 2023 inspection, which noted that ‘the failure to attend efficiently to important witness care communications may mean that opportunities to put in place supportive measures or to review the strength of the case and take appropriate action are missed, to the detriment of victims, witnesses, defendants, and the courts’ valuable time.¹¹ HMCPSI also found that over half of letters to victims did not meet the CPS’ standard on timelines and 1 in 5 did not meet the standard on quality¹².

Anecdotally, a lack of and / or poor communication has contributed to victims and survivors withdrawing from prosecutions. This is supported by research evidencing victim-survivor disengagement remains the most common reason for police to close domestic abuse cases, with victims stressing the vital importance of prompt and respectful responses and good communication¹³.

Alongside the key development stages of the justice system, the needs of victims and survivors may well change over time and according to circumstance. An interview from the Domestic Abuse Commissioner’s

⁵ Specialist domestic abuse services provide lifesaving support to victims and survivors of domestic abuse, including counselling, safety planning, advocacy, and refuge spaces. These services often work in partnership to improve the response of public agencies like the police or health services and, crucially, offer an independent and specialist service with the needs of victims and survivors at their heart

⁶ Advance (2024). Her Story Her Justice: Making criminal justice work for women and girl survivors of domestic abuse.; Victim Support (2018). How victims and survivors of domestic abuse experience the criminal justice system.; Rape Crisis England & Wales (2023). Breaking Point: the re-traumatisation of rape and sexual abuse survivors in the Crown Courts backlog.; End Violence Against Women (2023). Listen to us! Communication barriers: how statutory bodies are failing black, minoritised, migrant, deaf and disabled women and girls victims/survivors of VAWG

⁷ Survivor testimony submitted in the Commissioner’s Call for Practice Evidence (2024).

⁸ [dac_cjs-report_main_FINAL-DIGITAL.pdf](#)

⁹ [dac_cjs-report_main_FINAL-DIGITAL.pdf](#)

¹⁰ [Domestic abuse victims to get better court support in £5 million funding boost by the Government | ITV News Granada](#)

¹¹ HMCPSI (2003) <https://www.justiceinspectores.gov.uk/hmcpsi/wp-content/uploads/sites/3/2023/04/2023-03-27-Domestic-abuse.pdf>

¹² HMCPSI (2003) <https://www.justiceinspectores.gov.uk/hmcpsi/wp-content/uploads/sites/3/2023/04/2023-03-27-Domestic-abuse.pdf>

¹³ [Victim Disengagement Final Research Report and Recommendations 30012025.pdf](#)

Patchwork of Provision report highlights this, with one domestic abuse support worker saying, “once you understand more about what’s happening, you might feel differently about what support you need”¹⁴.

Question 1C: Do you think they cover the right information to inform necessary adjustments to the services provided to victims? [Yes/No] Please explain your answer.

Recommendation: The needs assessment should take a holistic approach in considering what specialist support is available for victims and survivors of domestic abuse, ensuring robust referral pathways are in place so all victims and survivors have equitable access to specialist support. The onus should not be upon victims and survivors to self-refer to support.

Recommendation: Ambitiously, strategically, and sustainably invest in the independent specialist domestic abuse sector – which is critical to the criminal justice response to domestic abuse – and resource statutory agencies across the criminal justice system to build capacity in response to growing demand for domestic abuse support.

Victim and survivors of domestic abuse are likely to have a broad range of needs (e.g. mental health, physical health, alcohol and/or drugs and offending), often those needs are multiple, complex and will span beyond the criminal justice system.¹⁵ The specialist domestic abuse and VAWG sector, including by and for services¹⁶, are best equipped to meet those needs and create safety and support plans for survivors and their child/ren¹⁷.

The value of specialist support to survivors is clear; the Commissioner’s mapping work found that 67% of victims and survivors who accessed support felt safer compared with 45% of survivors who had not. However, sustainability and resourcing of specialist support cannot match the need and demand. Data from Safe Lives¹⁸ tells us the average length of time victims and survivors receive IDVA support is 15 weeks in the context of a failing criminal justice system where cases can take years to reach trial and sentencing, this falls far short of the support that victims and survivors deserve.

We know that victims and survivors often want a combination of support that would help them to recover from domestic abuse, and provide what they need, including practical advice¹⁹. We also know that criminal investigations are more likely to proceed to prosecution where victims and survivors have timely access to support services²⁰. To ensure that independent specialist domestic abuse services, including ‘by and for’ services, can meet existing need and demand, and any future increases, they must be sustainably resourced to do so. The independence of services remains critical, to promote engagement and enable equitable access to support, removing the barriers that victims and survivors face in accessing statutory or in-house services. This is particularly relevant in the context of wider public reform, such as local government devolution, the restructuring of Integrated Care Boards and police reform which will have a significant impact on the commissioning of support services which are integral to the implementation of the Victims Code. If not thoroughly considered, these wider public reforms could de-stabilise partnerships and coterminous boundaries across commissioning bodies; creating a substantial risk that service provision will be diluted or lost, leaving survivors without vital access to support which is crucial in upholding their rights under the Code.

¹⁴ HMCPSI (2003) <https://www.justiceinspectorates.gov.uk/hmcpsi/wp-content/uploads/sites/3/2023/04/2023-03-27-Domestic-abuse.pdf>

¹⁵ [Annual-Audit-2024.pdf](#)

¹⁶ Organisations that are designed and delivered ‘by and for’ people who are minoritised (including race, disability, sexual orientation, transgender identity, religion or age). These services will be rooted in the communities that they serve, and may include wrap-around holistic recovery and support that addresses a victim/ survivor’s full range of needs, beyond purely domestic abuse support.

¹⁷ [DAC Mapping-Abuse-Survivors Long-Policy-Report Nov2022 FA.pdf](#)

¹⁸ [Idva-Annual-Dataset-2025.pdf](#)

¹⁹ [DAC Mapping-Abuse-Survivors Long-Policy-Report Nov2022 FA.pdf](#)

²⁰ McGuire, J., Evans, E. and Kane, E. (2021). Victim and Witness Retraction and Disengagement: A Systematic Review of Contributing Factors. Evidence-Based Policing and Community Crime Prevention.

The Duty to Collaborate, introduced under the Victims and Prisoners Act 2024²¹ will be key in identifying and commissioning for gaps in community support services for victims and survivors of domestic abuse and ensuring the sustainable provision of support.

As previously recommended by the Commissioner, ‘by and for’ services must also receive dedicated funding to build capacity within a depleting sector. By and for services meet need in a way that general support services cannot, and it’s critical that all victims and survivors have equitable access to the right support for them. The Commissioner’s mapping shone a light on the concerning difference in outcomes for marginalised survivors who had not been able to access support²².

Right 4 of the Code states first the right for victims and survivors to be able to self-refer, before the right to be referred to services that support victims. We know from the Commissioners mapping work of commissioned services, that victims and survivors face barriers in accessing the support that they want and need²³, therefore the onus should be on justice agencies to make a full referral with the victims’ consent, rather than on victims to complete the task of finding a suitable service and making a self-referral.

Question 1D: Do you think there could be a further needs assessment at the end of a case? [Yes/No] If yes, what information could this cover and how could that information be used?

Recommendation: Include a further needs assessment, that builds on previous iterations at the point the criminal case concludes. At this stage, a range of recovery support services should be made available, including specialist support services if the victim/survivor is not already engaged with community-based services to assure ongoing needs are met, and ongoing risk is mitigated.

Victims and survivors of domestic abuse have explicitly told the Domestic Abuse Commissioner that often the only services they could find were crisis focused²⁴. Given the current average of case conclusion in the Crown Court is 255 days, and 423 days for rape cases²⁵, specialist services are under increasing pressure to meet demand as they keep cases open for longer.

Advance, a leading charity supporting women through the criminal justice system found that a lack of communication and missed opportunities to seek long-term safety measures mean that victim/survivors are being left unsupported and unsafe²⁶. When a criminal case is concluded, victims and survivors are often navigating multiple services to increase their safety and support their recovery as the risk posed by the perpetrator can change dramatically, it is a crucial time to access specialist support and advocacy services.

Question 1E: What could agencies do to make sure that needs assessments are undertaken in a quality and trauma-informed way?

Recommendation: Routine and timely information sharing should occur to provide an accurate understanding of the individual need, circumstance and risk of adult and child victim and survivors.

Recommendation: Quality, trauma and abuse informed needs assessments must be flexible to individual need and embed accessibility and intersectional awareness as a core principle.

Survivors highlight a fundamental lack of understanding from professionals of the dynamics and impacts of domestic abuse which has shaped their interaction with the justice system. This is particularly acute for victims and survivors of coercive and controlling behaviour, which is one of the most harmful forms of

²¹ [Victims and Prisoners Act 2024](#)

²² [DAC Mapping-Abuse-Survivors Long-Policy-Report Nov2022 FA.pdf](#)

²³ [DAC Mapping-Abuse-Survivors Long-Policy-Report Nov2022 FA.pdf](#)

²⁴ [DAC Mapping-Abuse-Survivors Long-Policy-Report Nov2022 FA.pdf](#)

²⁵ [Modernising Justice: Criminal Courts Reform | Ministry of Justice](#)

²⁶ [Her-Story-Her-Justice-1.pdf](#)

domestic abuse, presenting the greatest risk of serious injury and homicide²⁷. An inability to identify and understand domestic abuse can lead to failure to fully recognise both the risks and needs of victims and survivors, including children. Professionals must also be aware of the range of support available for victims of domestic abuse and sexual violence, including their role in effective communication set out in statutory guidance, with a particular focus on establishing IDVA/ISVAs as a single point of contact²⁸.

To undertake a thorough and meaningful needs assessment, specialist training and guidance must be provided for professionals on domestic abuse, including coercive control, trauma, and the heightened risk of harm posed to survivors with intersectional need. It is important that needs assessments provide tangible actions that connect victims and survivors with specialist services.

Routine and timely information sharing with a range of statutory and specialist services is key to conducting a quality needs assessment with both adult and child victims and survivors. Information held by organisations such as Children's Social Care, Education, Health, Police, Probation and specialist services will provide vital detail required for understanding an individual's needs and circumstance, including any risks they face.

Communication should be regular and flexible, including when no progress occurs or there are delays to expected progress points, this is particularly important for survivors at heightened risk harm. Where possible, there should be continuity of contact to avoid re-traumatisation and if there are to be any changes to the point of contact, this should be clearly communicated. Language used should be inclusive and respectful with limited legal and/or professional jargon and interpretation services and communication support should be available and accessible.

Question 1F: What role could the Code have in facilitating needs assessments being undertaken in a quality and trauma-informed way?

Recommendation: The code should include guiding principles and a minimum training requirement for professionals to conduct needs assessments with adults, children and young people.

The code could provide a set of guiding principles for agencies to adopt in their communication and needs assessment, alongside minimum training standards required for needs assessment and communication for both adults and children and young people.

Any increase for agencies in resource and training should be identified at the earliest opportunity with provision put in place to meet need.

Chapter 2 – Engaging with child victims

Question 2A: Do you think a framework guiding criminal justice agencies' engagement with children should be introduced? [Yes/No] Please explain your answer. Question 2B: Do you agree with the proposed framework for how criminal justice agencies could engage with children? [Yes/No] Please explain your answer.

Recommendation: Introduce a national framework for pre-interview preparation and needs assessment of all children and vulnerable witnesses, with regular training, monitoring and quality assurance to ensure that children can be supported to have a voice in their own cases.

In 2024, the Domestic Abuse Commissioner published 'Tell Nicole "Our feelings matter": Children's views on the support they need after experiencing domestic abuse'²⁹. The report brings together the voices of children and young people with lived experience of domestic abuse to tell us what support they found

²⁷ Bates, L., Hoeger, K., Stoneman, M. and Whitaker, A. (2021). Domestic homicides and suspected victim suicides during the Covid-19 pandemic 2020-2021. Vulnerability Knowledge and Practice Programme.

²⁸ [idva-guidance.pdf](#)

²⁹ [dac_bcyp_tell-nicole_report_FINAL-DIGITAL-2.pdf](#)

helpful, what needs to improve and what changes they would like to see that will help children in the future.

Children and young people told the Commissioner directly:

“Nicole – tell the government we need support for victims going to court”

“Tell the police we need better support when going through a police investigation – regular contact, speak to us, not just our parents, young peoples experience of domestic abuse is just as scary as adults!”

When speaking specifically about communication within the justice system, one young person described a distinct lack of updates - *“Did interview but didn’t hear anything back. I’m not being questioned on the domestic violence case”*³⁰.

We know that despite being automatically entitled to ‘enhanced rights’, children do not consistently have these rights upheld³¹. Research by the Children’s Commissioner evidences the extent of this failing:

- Across 12 police force areas, 122,818 total incidents of crime were recorded involving a child victim of serious violence, sexual violence or domestic abuse. However, only 1,491 requests for registered intermediaries to be present for the interview were made, equating to just 1.2% of the child victims³².
- Average referral rates, across the four police forces that provided data, for child victims of domestic abuse to specialist advocacy support was just 8%, ranging from 1% in one police force area to 15% in another. This was equivalent to 109,000 incidents involving child victims of domestic abuse leading to no recorded referral to specialist advocacy support³³.
- Only four police force areas were able to report on the number of referrals they made to children’s mental health services. These forces recorded 36,596 total incidents of crime involving a child victim of serious violence, sexual violence or domestic abuse – yet only 216 (0.6%) referrals to children’s mental health services were reported³⁴.
- Most police forces (80%) do not collect centralised data on whether a needs assessment was undertaken prior to interviewing with child victims of crime (as mandated in the Victims’ Code). In the two police force areas that could provide this data, just 11% of child victims received a needs assessment³⁵.
- Only 19% of police forces who were able to respond could confirm that they record whether a child victim has had a video-recorded interview. Only three forces were able to provide the number of child victims interviewed in the 2022/23 financial year. Only very small proportions of policing staff were trained to interview child victims on video in the same year³⁶.

Whilst we know that children and young people impacted by domestic abuse want to be engaged with directly, evidence tells us that this isn’t happening and children’s needs remain unmet. The Commissioner therefore recommended the Ministry of Justice develop a national framework for pre-interview preparation and needs assessment of all children and vulnerable witnesses, with regular training, monitoring and quality assurance to ensure that children can be supported to have a voice in their own cases³⁷. The Commissioner wholly supports and welcomes the introduction of a framework guiding criminal justice agencies’ engagement with children.

Question 2C: Do you think the proposed age categories that are being used to guide criminal justice agencies’ engagement with child victims are the right ones? [Yes/No] Please explain your answer.

³⁰ [dac_bryp_tell-nicole_report_FINAL-DIGITAL-2.pdf](#)

³¹ Children’s Commissioner (2024b)

³² Children’s Commissioner (2024b)

³³ Children’s Commissioner (2024b)

³⁴ Children’s Commissioner (2024b)

³⁵ Children’s Commissioner (2024b)

³⁶ Children’s Commissioner (2024b)

³⁷ [dac_bryp_main-report_V6-DIGITAL.pdf](#)

Question 2D: Do you think the right level of engagement is reflected in each category, for example a presumption of direct engagement with 16- and 17-year-olds? [Yes/No] Please explain your answer. Question 2E: Are there any circumstances in which the proposed framework for how criminal justice agencies engage with children should not apply? [Yes/No] Please explain your answer. Question 2F: Please provide your views on what agencies could do to make sure that direct engagement with children is undertaken in a quality and trauma-informed way

Recommendation: Age categories can be a useful guide to support agencies communicating with children and young people, but these should be flexible, recognising that each child's development and individual circumstances will be different, requiring an individual response.

Recommendation: Fund the development and delivery of specialist training for every frontline professional working with babies, children and young people who might be at risk of domestic abuse

Recommendation: Ensure that professionals across the criminal justice system – including police, prosecutors, the judiciary, and probation officers – are comprehensively, consistently, and regularly trained in identifying and responding to all forms of domestic abuse.

We know that children and young people have asked time and time again to be communicated with directly and the Domestic Abuse Commissioner welcomes this change, recognising the importance of children being able to opt-out of this scheme if they wish.

Children and young people's ability to understand and consent as stated, is complex and will change over time. General age brackets in alignment with key child developmental stages can be useful as a guide. However, children and young people are not a homogenous group, and the impact of crime and trauma will likely have a significant impact on their development and choice of communication. It is also likely that children will traverse age brackets during the criminal justice process given current systemic delays. In these instances, the onus should not be upon the child to request another needs assessment, but on the justice agency to continuously assess communication needs and methods in line with the child's age and development.

Engagement with children and young people should be centred on their individual needs and development. In the Domestic Abuse Commissioners' 'Tell Nicole' Report, children said they wanted professionals to take more time to listen to them and work at their pace, recognising that adults have more power, which can be unfair to children³⁸. Children said they wanted to keep their personal information confidential and retain control over what information about them or their family is shared with others³⁹. As stated within the 'Tell Nicole' Report, professionals will need to think carefully about how they can enable children to feel updated and in control, while still following safeguarding procedures and balancing communication with protective parents and guardians⁴⁰. An awareness of specialist services available to children and how to engage with these services will be imperative for professionals when working with children and young people.

In the context of domestic abuse, children will often have complicated feelings towards a perpetrator, who is often a family member. In cases of honour-based abuse, victims and survivors may face additional cultural, familial and community expectations which is important to consider in the context of a child or young persons' or adults' engagement. Professionals must have the sensitivity and skillset to navigate differing views between adult and child victims in a family context ensuring that all communication and action builds trust, giving children a safe space to discuss their individual risk and need. As set out in the Commissioners' recommendation for professionals training in engaging with children and young people, this includes age-appropriate communication methods, understanding barriers to engage and tailoring

³⁸ [dac_bryp_tell-nicole_report_FINAL-DIGITAL-2.pdf](#)

³⁹ [dac_bryp_tell-nicole_report_FINAL-DIGITAL-2.pdf](#)

⁴⁰ [dac_bryp_tell-nicole_report_FINAL-DIGITAL-2.pdf](#)

responses for children with diverse identities and needs, and protected characteristics, recognising the importance of intersectionality⁴¹.

The Acorns Youth Panel produced a useful resource that can guide professionals on how to work with and support young people in a trauma informed way⁴². They suggest encouraging workers to listen, be flexible, go at the young persons' space and enable them to retain control, remembering that young people are experts in their own lives⁴³.

In addition to being trauma-informed, it is crucial that professionals communicating with children and young people are also domestic-abuse informed. Given the complexity of domestic abuse, the Domestic Abuse Commissioner made a recommendation to government⁴⁴ to fund the development and delivery of specialist training for every frontline professional working with babies, children and young people who might be at risk of domestic abuse. This is of the upmost importance when communicating with children and young people who are victims of domestic abuse and engaged in the criminal justice system. The recommendation, made within the Domestic Abuse Commissioners' Victims in their own right? report (pg. 127-129) sets out a comprehensive training recommendation for a tiered, building block approach which the Commissioner continues to advocate for across the multi-agency response to domestic abuse⁴⁵. Criminal justice agencies should also be sufficiently trained to assess Gillick competence as part of the needs assessment. The Domestic Abuse Commissioner also made a recommendation in 'Shifting the Scales' to ensure professionals across the criminal justice system are comprehensively, consistently and regularly trained in identifying and responding to all forms of domestic abuse⁴⁶.

Where the parent or guardian is a suspect, which is likely in the context of domestic abuse and other types of VAWG crimes, it will likely not be appropriate for the offender to receive updates, and strict protocols must be in place to evaluate risk in this setting with a presumption of no-contact. Although the College of Policing has strong guidance on counter-allegations⁴⁷, a lack of understanding of domestic abuse can lead to misidentification of the primary perpetrator and a lack of recognition or response to counter-allegations. Analysis of Domestic Homicide Reviews has found that "rhetoric around equivalence of female and male perpetrators has meant frontline police are reporting women as perpetrators instead of identifying the reason for this e.g. retaliation, self-defence etc."⁴⁸. A decision not to engage directly with parents in the context of counter-allegations of abuse could mean a protective parent is further negatively impacted by not receiving updates in relation to their child.

Children and young people impacted by domestic abuse may also be accessing specialist support from services, such as Children's IDVA's or support in schools. In this context, children and young people should be able to utilise those services and their functions, such as advocates being 'single points of contact's' in the same way that adults can.

Children aged 0-11 include some of the most vulnerable populations in the UK, the age groups at the highest risk of serious incidents and homicide⁴⁹. This is also a vital age period for critical attachment and development. Greater flexibility for children who do wish to engage directly and can clearly demonstrate decision-making competence is needed. Children aged as young as 6-9 have told the Domestic Abuse Commissioner that would like professionals "to explain things in a way that I understand by breaking it bit by bit"⁵⁰, evidencing the value of direct communication for some children. In cases where victims and

⁴¹ [dac_bcyp_main-report_V6-DIGITAL.pdf](#)

⁴² [Youth Panel FAQ Booklet](#)

⁴³ [Youth Panel FAQ Booklet](#)

⁴⁴ [dac_bcyp_main-report_V6-DIGITAL.pdf](#)

⁴⁵ [dac_bcyp_main-report_V6-DIGITAL.pdf](#)

⁴⁶ [dac_cjs-report_main_FINAL-DIGITAL.pdf](#)

⁴⁷ [Suspect strategy | College of Policing](#)

⁴⁸ Chantler et al. (2023). Domestic Homicide Oversight Mechanism: Criminal Justice Research Report.

⁴⁹ Office for National Statistics. (2024b). Domestic abuse in England and Wales overview: November 2024. Available at: www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/domesticabuseinenglandandwalesoverview/november2024

⁵⁰ [dac_bcyp_tell-nicole_report_FINAL-DIGITAL-2.pdf](#)

survivors are deemed to young to engage with directly, it is important to consider alternative methods that enable infant voice to be captured for example, the NSPCC's Life Story Work⁵¹.

It is important to note that children, for many reasons, may well be living independently from their parent or guardian for their safety. This is particularly true for older teenage boys who face additional barriers accessing safe accommodation such as refuge, leading to siblings sometimes being separated as result of rules regarding their placement⁵². In these cases, it is important not to disempower protective parents / guardians by automatically discounting their opportunity to receive information alongside their child.

Question 2G: Do you think the specific sections detailing what child victims can expect should be included in the Code? (as yellow boxes throughout) [Yes/No] Please explain your answer. Question 2I: Please tell us if there is anything else that could be included in a yellow box in the Code to set out provision specific to child victims

Recommendation: Separate resources for children and young people, parents, and adult victims of crime would be useful.

There is a significant amount of evidence and research about how children and young people want to be engaged with victims which is outlined in the response to Questions 5D-G. Separate resources for children and young people, parents and adult victims would be useful so victims are not overwhelmed with information that may not be relevant to them.

Question 2H: In general, do you think that the impact of a crime on victims under the age of 12 should be relayed by a parent or guardian (for example, by making a Victim Impact Statement on the child's behalf)? [Yes/No] Please explain your answer.

Recommendation: Parents or guardians should be able to relay the impact of crime upon their child, however there should be a level of flexibility that enables the child to engage in the process, independently of their parents, if they choose to.

Domestic abuse often can have a profound impact upon children and young people which will vary according to a range of factors, such as gender, age, severity and duration of abuse⁵³. It is important that the impact upon children is recognised and acknowledged, with the same right to explain the individual way they have been impacted by the crime to the court, as adults.

In general, children under the age of 12 will likely be too young to complete a Victim Impact Statement independently without assistance and parents or guardians are likely to be involved, especially for younger children. If a child is too young or unable to express themselves clearly, a protective parent should be able to describe the impact on the child (e.g. changes in their behaviour, sleep, schooling).

That it is not to say that children should not be involved in the provision of the victim impact statement, there should be an individual choice for each family and child to determine what level of involvement is right for them.

Chapter 3 Quality and timeliness of providing case information

Question 3A. What information would be most valuable for victims going through the criminal justice process including during the investigation and pre-trial to access on a digital service?

Recommendation: Accessibility must be embedded as standard, with multiple formats and translation options to support victims with diverse need as described in detail below.

⁵¹ [2020LifeStoryWorkProject.pdf](#)

⁵² Theobald, J. et al. (2021). 'Women's refuges and critical social work: Opportunities and challenges in advancing social justice,' The British Journal of Social Work, 51(1). Available at: <https://doi.org/10.1093/bjsw/bcaa213> (Accessed 17 February 2025)

⁵³ Skafida, V. et al. (2021). 'Prevalence and Social Inequality in Experiences of Domestic Abuse Among Mothers of Young Children: A Study Using National Survey Data from Scotland', Journal of Interpersonal Violence, 37(11–12), Available at: <https://doi.org/10.1177/0886260520980392>

Victims often report that uncertainty and poor communication hinder engagement⁵⁴, especially for those with disabilities or language barriers⁵⁵. Victims and survivors have told us that they feel more able to engage in a criminal justice process if they are supported by a specialist domestic abuse service, as such any digital service must provide information, guidance and referral pathways to local specialist domestic abuse services, including ‘by and for’ services⁵⁶.

A digital service should therefore provide:

1. Timely and accessible case updates, including but not limited to. Clear information should include investigation progress, charging decisions, bail conditions, and court dates, which are available in plain English, Easy Read formats, and multiple languages.
2. Clear explanations of the criminal justice process with step-by-step guidance and optional visual or audio support to assist users with cognitive, literacy, or language challenges
3. Information on rights and protections, including eligibility for special measures such as remote testimony, screens, or separate waiting areas. All guidance should address the specific needs and risks of survivors with disabilities or language barriers.
4. Safety-related guidance - instructions on reporting breaches, risk concerns, and accessing emergency help.
5. Access to specialist services - clear contact information and referral pathways to national and local domestic abuse services, including specialist ‘by and for’ services.
6. Consistent points of contact to reduce the burden of repeating complex and/or traumatic disclosures, particularly critical for survivors with learning disabilities or limited English.
7. Secure document access allowing survivors to revisit information at their own pace.

Question 3B: What information should not be communicated digitally but instead conveyed through personal communication with victims?

Recommendation: Personal communication must be trauma-informed, accessible, and supported by interpreters or advocates where required.

Digital communication cannot replace empathetic, human interaction in highly sensitive situations or with children and young people. Due to existing system inequalities and barriers, survivors with disabilities, limited English, or sensory impairments are already less likely to report and/or access support, despite being more at risk of harm (Women's Aid, 2023). In addition, recent analysis by Age UK found that 2.4 million (19%) of older people have limited use of the internet, using it less than once a month or not at all⁵⁷. Therefore, any digital communication must avoid introducing further barriers and increased risks of exclusion-based disengagement, taking an intersectional and trauma informed approach.

Information that should be delivered personally includes:

- Decisions not to charge or to discontinue a case.
- Safety-critical updates (including survivor perception of safety) such as bail changes or perpetrator release.

⁵⁴ Domestic Abuse Commissioner for England and Wales, 2023. *A Patchwork of Provision: Gaps and Recommendations in Specialist Domestic Abuse Services*. London: Domestic Abuse Commissioner.

⁵⁵ SafeLives, 2023. *Insights Dataset: Improving Outcomes for Survivors of Domestic Abuse*. Bristol: SafeLives.

⁵⁶ Domestic Abuse Commissioner for England and Wales, 2025. *sShifting the Scales: Transforming the criminal justice response to domestic abuse*. London: Domestic Abuse Commissioner.

⁵⁷ [Age UK warns 2.4 million digitally excluded older people are at risk of being left behind in an increasingly digital world](#)

- Discussions regarding evidence or credibility.
- Victim Personal Statement guidance.
- Safeguarding concerns and risk escalations.

Question 3C: What other considerations should be integral to the design of any digital victim service?

Recommendation: People with lived experience of domestic abuse and those with intersecting needs and risks must be central to design, ensuring that all survivors can safely access, understand, and act upon information.

A safe and inclusive service must incorporate:

1. Safety and confidentiality: features such as quick-exit buttons and minimal digital traces for users at risk of monitoring (Refuge, 2018).
2. Trauma-informed, accessible design: Easy Read, multilingual, audio, and visual options, with information presented in manageable stages
3. Choice and autonomy: Allowing victims to control how and when they receive updates.
4. Integrated, inclusive systems: coordination across agencies to avoid fragmented communication, that disproportionately affects marginalised groups.
5. Non-digital alternatives for survivors without digital access or where technology may increase risk.
6. Robust data protection with consent-based access and minimal data collection.

Question 3D: How could a digital victim service help to prepare victims for what to expect at the court? A new Victims' Code A consultation on a new Victims' Code 18

Recommendation: Court preparation must be inclusive, addressing accessibility and inclusivity needs to increase survivor confidence and safety.

A digital platform can reduce fear and uncertainty, and increase positive outcomes for survivors by providing:

- Step-by-step accessible guides, with Easy Read and multilingual versions
- Visual and interactive tools, including courtroom layouts and role descriptions.
- Clear explanations of special measures and how to request them.
- Practical information on travel, expenses, and accessibility features in court.
- Information and guidance on media attendance at court.

Question 3E: Please provide your views on what agencies could do to make sure that communication with adult victims is undertaken in a quality and trauma-informed way. Please see question 2F for child victims specifically.

Recommendation: Quality, trauma and abuse informed communication must embed accessibility and intersectional awareness as a core principle, rather than an afterthought.

Agencies should:

1. Provide specialist training on domestic abuse, including coercive control, trauma, and the heightened risk of harm posed to survivors with intersectional needs.

2. Ensure continuity of contact to avoid re-traumatisation and communicate clearly if there are to be any changes to the point of contact.
3. Provide proactive updates and regular communication, including when no progress occurs or there are delays to expected progress points, this is particularly important for survivors at heightened risk harm.
4. Use inclusive, respectful language and avoid legal and/or professional jargon and ensure interpretation and/or communication support is available when required.
5. Collaborate with specialist services domestic abuse, including ‘by and for’ services to offer additional and/or alternative support to survivors.

Question 3F: What role can the Code have in supporting quality and trauma-informed communication processes?

Recommendation: The Code should ensure that all survivors, including those with intersectional needs, experience consistent, safe, and domestic abuse and trauma informed communication.

The Victims’ Code can:

- Embed trauma-informed principles that recognise domestic abuse and intersectional risk and need.
- Set enforceable standards for timely, clear, and inclusive communication.
- Mandate referral pathways to specialist domestic abuse services, including ‘by and for’ services.
- Strengthen accountability and monitoring, including tracking outcomes for survivors with intersectional needs.

Question 3G: Do you think agencies should be able to delegate certain responsibilities such as providing information to victims and making referrals to support services? [Yes/No] Please explain your answer

Recommendation: Delegation should always enhance, not complicate, the survivor’s experience by ensuring support is tailored, accessible, and domestic abuse and trauma informed.

Yes—if safeguards are in place. Delegating to specialist domestic abuse organisations can improve engagement and safety, particularly for victims with disabilities, language barriers, or other vulnerabilities. Delegation should include:

- Clear statutory accountability.
- Safe, informed consent for information sharing.
- Consideration of sustainable funding and capacity building for specialist services.
- Integrated communication across agencies and services, preventing fragmentation.

Chapter 4 – Improving how opportunities to participate are offered to victims

Question 4A: Do you think that the opportunity to make a Victim Impact Statement should be offered to victims once a suspect has been charged and again when a trial is scheduled? [Yes/No] please explain your answer.

Recommendation: Victims and survivors should have the opportunity to provide and update a VPS throughout the criminal justice process. Government should actively collect data on the uptake of VPS to effectively monitor their usage in compliance of the Code.

In 2020 the Sentencing Academy published a review of recent empirical findings relating to uptake of the VPS⁵⁸. However, there is no data collected by any government department on the uptake or volume of VPS, and questions about their use have not featured consistently on the Office for National Statistics National Crime Survey. According to the latest (2024) annual survey by the Office of the Victims' Commissioner, less than two thirds of respondents said they were offered an opportunity to make a VPS when cases had progressed to court⁵⁹. It is essential that victims and survivors are informed about what a VPS is, if the case reaches court, how the VPS will be seen by the defence, and members of the public / media present at court (if read publicly). We know from organisations working on the frontline that VPS are an important tool for victims and survivors to speak to the impact their experiences of domestic abuse has had. As such, victims and survivors should not be limited on what they include in their VPS unless in very exceptional legal circumstances. Research undertaken by Advance shows that VPS are not always considered by the court or sought by the CPS, meaning the impact of crime is often not available. "I made a four-page personal statement, and it never made it to court which was disheartening"⁶⁰.

Given the length of time a criminal case takes to conclude in the context of court delays, victims and survivors should have the right to complete a VPS when a trial is scheduled, and at the point a suspect is charged. If the trial is significantly delayed, victims and survivors should have the opportunity to update their VPS, and the impacts of abuse can change over time.

Question 4B: How helpful do you think the new information in Right 7 is to ensure victims understand how they can make a Victim Impact Statement? [Likert – Very helpful -> Very Unhelpful].

Question 4C: How helpful do you think the new information in Right 11 is to ensure victims understand when they can make a Victim Impact Statement? [Likert –Very helpful -> Very Unhelpful].

Recommendation: All communication should be available in multiple accessible formats.

The information provided is helpful. As with all forms of communication, it is important to consider how accessible the information is. For example, is the Code available in different languages and formats (e.g. large print, braille and audio).

Question 4D: At which point(s) during criminal justice proceedings should victims be told about sentencing hearings and offender attendance? Question 4E: What information would be useful to help victims understand why the judge may or may not decide to order the offender to attend the hearing?

Recommendation: Victims and survivors should be told about sentencing hearings and offender attendance at the earliest practicable opportunity.

Recommendation: Victims should be informed of their right to have an advocate / domestic abuse specialist attend the hearing with them.

The CPS Victim Needs Assessment evidenced victims and survivors' want for earlier communication and some control over timing and frequency of updates⁶¹. Although there is limited academic evidence available on offender attendance, policy research and anecdotal engagement with stakeholders suggests engagement with victims and survivors should rely less on event-based communication, and move towards individually tailored, consistent engagement. This includes telling victims and survivors earlier than legally required, being pro-active in communication and ensuring victims and survivors know when sentencing hearings are scheduled, what will happen and whether the offender will attend. Last minute updates can undermine confidence in the justice system and increase trauma.

For victims and survivors of domestic abuse, offender attendance should be clearly communicated, allowing enough time for victims and survivors to prepare, arrange attendance (including being supported

⁵⁸ [Victim-Personal-Statements-and-Sentencing-2-2.pdf](#)

⁵⁹ [Victims-Survey-2024-report-16.10.25.pdf](#)

⁶⁰ [Her-Story-Her-Justice-1.pdf](#)

⁶¹ [Transforming our service to victims at the CPS | The Crown Prosecution Service](#)

by an advocate and safety planning). Information explaining the judges' remit and rationale for their decision for the offender to attend should be included.

Question 4F: Do you think that sentencing decisions are well understood by victims? [Yes/No] Please explain your answer. Question 4G: What materials do you think would be useful for victims to help increase their understanding of sentencing decisions Question 4H: Do you agree that victims should be proactively offered additional opportunities to join the Victim Contact Scheme, where eligible? [Yes/No] Please explain your answer. Question 4I: At what point(s) do you think this offer could be made to victims (outside of the circumstances accounted for where risk has increased to the victim, or where the case is high profile)?

Recommendation: The Ministry of Justice expand eligibility for the Victim Contact Scheme to all victims and survivors of domestic abuse, regardless of sentence length or whether their perpetrator's conviction is specifically for a domestic abuse-related crime.

Recommendation: Victims and survivors should be provided with materials that simplify language, explain real-world impacts of the sentence, clarify judicial reasoning both before and post sentence with the option for interactive follow-up.

Evidence from the Victim's Commissioners most recent annual survey (2024) found almost a fifth of respondents felt conviction and sentence were not properly explained to them, leaving them with unanswered questions, additional anxiety and feelings of being unimportant, without closure.⁶² The Sentencing Council for England and Wales also found that less than half of victims (42%) felt the sentence was clearly explained to them⁶³.

The introduction of 'SDS40' to ease the prison overcrowding crisis has exposed significant issues in how perpetrators are released from prison and the management of their risk in the community⁶⁴. In this instance, many victims believed their perpetrators would be exempt from the scheme as communications framed domestic abuse perpetrators as being exempt, however in reality, the specified list of offences that were exempt did not cover all domestic abuse perpetrators, leaving survivors feeling dissatisfied and at risk. Safety planning is critical for victims and survivors of domestic abuse who are anticipating their perpetrator's release from prison; however, many have no warning of the release. This exemplifies a fundamental and systemic issue in communication with victims and survivors, which puts them and their families at potential risk⁶⁵.

Retroactive changes to community sentences, introduced through the Sentencing Act 2026⁶⁶ may further compound difficulties in victims understanding of sentencing. If expectations are not communicated and managed effectively, there are considerable risks that victims and survivors' will not feel safe, and their confidence in the criminal justice system will be undermined.

The current Victim Contact Scheme leaves the majority of victims and survivors of domestic abuse, without the information they need to plan for their own safety, and that of their children. One survivor told the Domestic Abuse Commissioner: "I had no real warning. I had a release date in mind when he was coming out – I had ordered my Ring doorbell, but it wasn't coming for another two weeks".

In 2023, the specialist VAWG sector recommended that the Victim Contact Scheme be extended to include cases with sentences under 12 months in all cases of domestic abuse⁶⁷. The Domestic Abuse Commissioner also made a recommendation to the Ministry of Justice to expand eligibility of the scheme to all victims and survivors of domestic abuse, regardless of sentence length or whether their

⁶² [Victims-Survey-2024-report-16.10.25.pdf](#)

⁶³ [Reconceptualising the effectiveness of sentencing: four perspectives](#)

⁶⁴ [dac_cjs-report_main_FINAL-DIGITAL.pdf](#)

⁶⁵ [dac_cjs-report_main_FINAL-DIGITAL.pdf](#)

⁶⁶ [Sentencing Act 2026](#)

⁶⁷ VAWG Sector (2023). Shadow Report on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention).

perpetrator's conviction is specifically for a domestic abuse-related crime⁶⁸. The Commissioner is encouraged by the helpline, introduced by the Victims and Courts Bill that will partially close this gap, but those not eligible for the victim contact scheme will remain unable to make representations about license conditions.

As previously stated, the value of specialist support to survivors is clear and equitable access to support is fundamental at every stage of the criminal justice system, including upon sentence and release. The dynamic risk associated with domestic abuse can escalate drastically at these critical points, and victims and survivors could be at risk of coercion, alongside other forms of abuse. It is crucial that communication with victims and survivors at these stages includes specialist support for discussion, and there are robust referral pathways, working relationships and information sharing arrangements in place that enable victims and survivors to access the right support, at the right time.

Only 10% of victims surveyed in the CPS Victim Needs Assessment felt that communication with the CPS considered their specific circumstances and characteristics⁶⁹. Research consistently tells us sentencing terminology is poorly understood⁷⁰, this is particularly important when understanding the length of time that offenders will spend in custody. The Sentencing Academy's research into public opinion and the language of sentencing found a strong preference for explaining sentences of imprisonment clearly, making a distinction between their custodial and non-custodial components – for example, instead of 'five years imprisonment', moving to 'two years in prison, and three in the community on licence'⁷¹. This is increasingly relevant due to changes such as 'SDS40' which decrease the amount of time an offender will serve in custody.

Question 4J: Do you agree that the victim should have to consent to being contacted in future if they decline joining the Scheme (outside of the circumstances accounted for where risk has increased to the victim, or where the case is high profile)? [Yes/No] Please explain your answer

Recommendation: All victims and survivors of domestic abuse should be updated in cases where there is an escalation of risk, even if they have previously declined contact with agencies.

There is an evidence base to suggest that pro-active follow-up engagement with victims reduces attrition rates. The Secondary Reassurance Contact (SRC) scheme for victims of hate crime, piloted by the Metropolitan Police force in 2022 reported a range of positive outcomes for victims, including 22% lower victim disengagement⁷². Victims and survivors may originally decline and later benefit from being contacted, but a balance must be struck to respect victims and survivors autonomy and decision making in declining the scheme.

In domestic abuse cases, there is likely to be a risk of harm posed to the victim and their child/ren. It is crucial that any escalation in risk is communicated swiftly so victims and survivors can safety plan in accordance to mitigate risk.

Question 4K: Do you think that a way for victims to express their views about an offender's release should be introduced, recognising that this cannot have an impact on the Parole Board's release decision? [Yes/No] Please explain your answer. **Question 4L:** Please provide your views on how you think victims could express their views about an offender's release where it is decided by the Parole Board

Recommendation: Victims and survivors of domestic abuse should be able to express their views about an offender's release in a range of formats (recognising that it cannot have an impact upon the release decision). A detailed explanation of the parole boards decision should be provided.

⁶⁸ [dac_cjs-report_main_FINAL-DIGITAL.pdf](#)

⁶⁹ [Transforming our service to victims at the CPS | The Crown Prosecution Service](#)

⁷⁰ [Public-Opinion-and-the-Language-of-Sentencing.pdf](#)

⁷¹ [Public-Opinion-and-the-Language-of-Sentencing.pdf](#)

⁷² [A randomised control trial testing the impact of police reassurance contact on hate crime victim withdrawal - Dan Whitten, Craig Went, 2025](#)

The CPS Victim Needs Assessment (2023) found that victim perspectives are impacted by a range of procedural justice elements beyond just sentencing outcomes, success for a victim can ‘means the victim feels able to engage, is well-supported, heard, safer, more resilient, less at risk of being a repeat victim, and better able to manage their trauma’⁷³.

The opportunity for victims and survivors to express their views about an offender’s release would be a positive step in enabling victims and survivors to engage with the justice system and feel heard. Although the individual decision of the parole board may not help a victim/survivor to feel safe, timely communication that thoroughly explains decisions made are helpful.

Justices’ 2022 report highlights how victims may find the parole system difficult to understand⁷⁴. Information should be provided to victims and survivors about the role of the parole board and the remit within which they reach a decision. Again, access to specialist support is key in supporting victims and survivors at this stage and must be included in all communication.

As with other forms of communication, victims and survivors should have the opportunity to choose from a range of communication methods that suit their individual risk and need.

Chapter 5 Helping victims understand their rights under the Code

Question 5A: What do you think about requiring that victims be told about the Code when they report the crime, and when they have their needs (re) assessed?

Recommendation: Victims and survivors, and the general public should be made aware of the Victims Code. Victims should be made aware of their rights when they report a crime, and at the point of needs assessment / re-assessment.

In the most recent Victims’ Commissioners survey, only 17% of respondents had heard of the Victims Code⁷⁵. Victims and survivors must be made aware of their rights, especially as the Victim’s Code sets out their right to specialist support. We know that independent specialist support is crucial for victims and survivors of domestic abuse, who have told the Commissioner that they want to access support at the earliest opportunity⁷⁶. 71% of the victims and survivors of domestic abuse surveyed in the ‘Patchwork of Provision’ report were seeking legal support or advice for criminal court, whilst 74% wanted one to one support with a caseworker or IDVA.

Current commissioning guidance recognises the importance of delivering the ‘right services for victims at the right time’, recognising that a victim’s needs will likely change over time⁷⁷. It is essential therefore, that victims remain informed about their right to support at all stages of the justice system.

It is important to note that not all victims of crime will report their experiences to the police; the Crime Survey of England and Wales, found that less than one in five victims and survivors of domestic abuse report to the police⁷⁸. The survey also tells us that a number of victims and survivors did not report for reasons that indicate a lack of trust and confidence in the justice system and its efficacy⁷⁹. To ensure information about victim’s rights reach every victim and survivor of domestic abuse, including those who choose not to report their experiences to the police, action should also be taken to inform the general public about the Victims’ Code and what victims should expect from the justice system.

⁷³ [Transforming our service to victims at the CPS | The Crown Prosecution Service](#)

⁷⁴ [JUSTICE-A-Parole-System-fit-for-Purpose-20-Jan-2022.pdf](#)

⁷⁵ [Victims-Survey-2024-report-16.10.25.pdf](#)

⁷⁶ [DAC Mapping-Abuse-Survivors Long-Policy-Report Nov2022 FA.pdf](#)

⁷⁷ [Victim services commissioning guidance - GOV.UK](#)

⁷⁸ Office for National Statistics (2023). Partner abuse in detail, England and Wales: year ending March 2023 – Table 13: Why the victim did not tell the police about the partner abuse experienced in the last year, people aged 16 and over, England and Wales.

⁷⁹ Office for National Statistics (2023). Partner abuse in detail, England and Wales: year ending March 2023 – Table 13: Why the victim did not tell the police about the partner abuse experienced in the last year, people aged 16 and over, England and Wales.

Question 5B: What do you think about the new requirement for police to offer victims a standard physical or digital product on the Code? Question 5C: Do you think the proposed materials would help to improve victims' awareness of the Code?

Recommendation: Physical and digital products are useful when safe for victims and survivors to receive but cannot replace verbal communication or engagement with specialist services, including by and for services.

Physical or digital written materials can be helpful for victims and survivors to provide clarity and recall. This can be especially helpful for victims and survivors of domestic abuse who have ongoing trauma which can impact upon memory recall⁸⁰.

Victims and survivors of domestic abuse may avoid direct communication channels (text, messages etc.) if they are still at risk of being monitored from their perpetrator⁸¹. It is essential that professionals check the preferred and safe mode of communication with victims and survivors, so they are not placed at increased risk as a result of communication with the justice system.

Provision of physical or digital products, although useful, cannot be used in isolation and do not eradicate the need for verbal communication. Reviews of the victim notification scheme in Scotland found inconsistency and dissatisfaction with written communication alone⁸². In the context of domestic abuse and wider VAWG crimes, written updates may not be appropriate. Any update that impacts upon a person's risk (change in bail conditions, remand status, sentence release) should be communicated verbally at the earliest opportunity enabling victims and survivors to safety plan for themselves and their family.

Engagement with specialist support services is an important factor in victims and survivors being informed of their rights. Informing victims and survivors of their rights under the Victims Code is a key function of the IDVA role, set out in statutory guidance⁸³. Accurate needs assessments and referral pathways to specialist services are key for adults and children in accessing independent support to navigate the criminal justice system.

Question 5D: What materials do you think would help children engage with the Code (for example, a video)? Question 5E: What information about the criminal justice process could we include to support children to understand the Code? Question 5F: Where could this information for children be held (for example, on www.gov.uk)? Question 5G: What digital tools and innovation could help increase accessibility of the Code for children?

Recommendation: Children and young people should have access to a range of materials in addition, not in replacement of face to face and telephone support, including short explainer videos, to help them engage with the Code and understand each stage of the criminal justice system.

Recommendation: Any materials should be developed in collaboration with children and young people with experience of the justice system to better understand where the information should be held and what digital tools could help increase accessibility.

Work undertaken by the Children's Commissioner to understand children's experience of victims found a lack of knowledge or understanding of the Victims Code; none of the children engaged with the research had been told about their rights⁸⁴. Children told the Children's Commissioner that they wanted access to an "online hub of child-friendly, accessible resources which clearly explained their rights" with "bite sized

⁸⁰ [PHYSIOLOGICAL TRAUMA ARTICLE | Zoe Lodrick](#)

⁸¹ [s41887-023-00091-4.pdf](#)

⁸² [Victim Notification Scheme \(VNS\): independent review - gov.scot](#)

⁸³ [idva-guidance.pdf](#)

⁸⁴ [CC A4 HEADER](#)

information, such as short explainer videos setting out what they should expect from every stage of the justice system”⁸⁵.

This is supported by the Domestic Abuse Commissioners’ engagement work with children and young people, where children emphasised wanting information they can understand, wanting to know what will happen next and for that information to be provided in accessible formats⁸⁶.

The use of short explainer videos is considered good practice when engaging with children and young people across other justice sectors. The Youth Justice Legal Centre (YJLC) provides a series of explainer videos for young people and those supporting them on what to expect from the criminal justice system⁸⁷. Cafcass also provide video explainers, developed in collaboration with members of the Family Justice Young People’s Board made up of children and young people with direct experience of family court proceedings⁸⁸. Co-designed communication materials often tend to be in a video or animation format.

It is important to note that although a range of digital materials are needed, they cannot replace human interaction. It is vital that needs assessments and case updates are provided in person, or by telephone enabling children and young people to access immediate support and the opportunity to ask questions.

Chapter 6 Additional Information

Question 6A: Please provide any views relating to this additional information in the Code. [Free text box for any feedback]

The Domestic Abuse Commissioner particularly welcomes the right to request the sex and gender of interpreters for victims of sexual violence, gender-based violence and domestic abuse and the clarification of the right to request the sex and gender of interviewing police officers. It is positive to see the inclusion of the right of victims of stalking and harassment to request deletion of certain personal data when they have been subjected to unfounded allegations by their perpetrator.

It is also positive to see inclusion of information about Domestic Abuse Related Death reviews. Signposting materials should be available for all adult and children where a victim has, or appeared to have, died as a result of domestic abuse.

Question 6B: Are there any further views you would like to share as part of this consultation which haven’t been captured via responses to other questions? [Free text box for any feedback]

Recommendation: Include basic awareness raising resources on domestic abuse alongside materials informing victims and survivors, children and young people of their VCOP rights.

Recommendation: Clear mechanisms for quality assurance, ongoing monitoring and feedback should be embedded from the outset.

Recommendation: Co-production and collaboration with adult and child victims and survivors should be delivered in a supportive and structured environment, preferably facilitated by a specialist domestic abuse organisation and reflective of principles of best practice.

In the Commissioners’ ‘Tell Nicole’ Report, children and young people spoke about how they thought all children needed to have ‘basic information about domestic abuse, how to recognise if something is abusive if it is something other than physical abuse, and who to tell if it is happening to you’⁸⁹. As such, it would be useful if VCOP materials linked to a broader set of resources including, for example the governments ‘Enough’ campaign⁹⁰.

⁸⁵ [CC A4 HEADER](#)

⁸⁶ [dac_bryp_tell-nicole_report_FINAL-DIGITAL-2.pdf](#)

⁸⁷ [Explainer videos for young people](#)

⁸⁸ [Cafcass launches a new animated video for children and young people involved in family court proceed | Cafcass](#)

⁸⁹ [dac_bryp_tell-nicole_report_FINAL-DIGITAL-2.pdf](#)

⁹⁰ [What is abuse? | ENOUGH](#)

All proposals outlined in the current draft should be accompanied by clear mechanisms for quality assurance and ongoing monitoring of their effectiveness. It is essential that we can understand both adult and child victims' and survivors' experiences and assess whether the measures intended to deliver their rights are achieving their intended outcomes. To support this, robust feedback processes should be embedded from the outset, enabling continuous evaluation and informing any necessary adjustments.

Several of the recommendations set out by the Commissioner in this consultation response relate to co-production and collaboration with those with lived experience. In these circumstances we would encourage engagement with adult and child victims and survivors to occur in a structured and supportive environment, preferably facilitated by a specialist domestic abuse organisation delivering support to adults and children. Any engagement should be cognisant of the principles of lived experience set out by the Domestic Abuse Commissioner as best practice⁹¹ and include remuneration for those involved.

Equality Considerations

Question 7: Have we correctly identified the range and extent of the equalities impacts under this consultation in the Equality Statement? Please give reasons and supply evidence of further equalities impacts that are not covered as appropriate. [Free text box for any feedback].

The evidence is clear that victims and survivors from minoritised communities face structural barriers to finding or accessing support, and services delivered from outside their community may fail to understand the complexity of domestic abuse or lack the trust needed to disclose their experiences. At worst, support delivered without a strong understanding of their intersectional identities and needs can make victims and survivors feel disbelieved, minimised, and worse than if they'd not accessed services at all.

In addition to protected characteristics, the types of crime that victims have experienced will significantly affect the impact it has upon them. Victims and survivors of domestic and sexual abuse, stalking and harassment and those bereaved by domestic abuse related deaths are likely to face ongoing risk, and have distinct needs from other crime types. It is imperative that communication is tailored to everyone, with victims and survivors being given choice as to how to engage with the justice system at every stage.

⁹¹ [Lived experience engagement | Domestic Abuse Commissioner](#)