



Victims' Right to Review (VRR)

Summary

The Victims' Right to Review (VRR) scheme gives victims the right to request a review of a police decision not to prosecute a suspect. The right of a victim to request a review arises where the police:

- ✓ Make a decision not to bring proceedings in cases where the police have authority to charge; or
- ✓ Make a decision that the case does not meet the Threshold Test for referral to the CPS for a charging decision.

The review will be conducted by one rank senior to the officer initially involved with the case, usually by an Inspector. The request from the victim can be submitted using a contact form online (as the preferred method of contact), by email, in writing or by telephone to the Horizon Victim and Witness Care team.

Who can apply?

Any victim in a case where a qualifying decision has been made is entitled to seek a review of that decision under the scheme.

This includes:

- ✓ Close relatives of a person whose death was directly caused by criminal conduct
- ✓ Parents or guardians where the main victim is a child or youth under 18
- ✓ Police officers who are victims of crime
- ✓ Family spokespersons of victims with a disability or who are so badly injured they cannot communicate
- ✓ Businesses, providing they give a named point of contact.

The following cases **DO NOT** fall within the scope of police VRR:

- ✗ Cases where no suspect has been identified and interviewed, for instance investigations that are filed 'at source'
- ✗ Cases where charges are brought in respect of some (but not all) allegations made or against some (but not all) possible suspects
- ✗ Cases where a charge is brought that relates to the matter complained about by the victim but the offence charged differs from the crime that was recorded, for instance the suspect is charged with common assault but an offence of actual bodily harm has been recorded
- ✗ Cases which are concluded by way of Out of Court Disposal; and
- ✗ Cases where the victim retracts their complaint or refuses to co-operate with the investigation and a decision is therefore taken not to charge/not to refer the case to the CPS for a charging decision.



What are the time limits for a review?

- ✓ A request for a review of a decision should be acknowledged within **10 working days**
- ✓ Victims should be allowed to request a review within **3 months** of being notified of the police decision not to prosecute
- ✓ Requests made after the **3 month period** will be dealt with at the Force's discretion
- ✓ The review should be completed and the decision communicated to the victim with an overall timeframe of **30 working days** (i.e. **6 weeks** from receipt of the request from the victim)
- ✓ In complex or sensitive cases it may not be possible to provide a victim right to review decision within the timescales above. In such cases, the victim will be notified accordingly and regular updates on the progress of the review will be provided.

Please note this scheme applies only in relation to qualifying decisions made on or after 01/04/15

What can a victim expect as an outcome of a review?

There are six potential outcomes of a review:

1. The original decision to take no further action is upheld
2. The original decision is overturned and proceedings are commenced against the suspect, i.e. they are charged/summonsed
3. The original decision is overturned and the suspect is dealt with by way of an out of court disposal
4. The original decision is overturned and the case is referred to the CPS for a charging decision
5. It is determined that further enquiries need to be completed before the reviewing officer can make their decision
6. The original decision is overturned but the case is statute-bared and proceedings cannot be instigated.

What happens if the victim is still not happy with the outcome after review?

If the victim remains dissatisfied with outcome of the police review and wishes to pursue the matter further, they may apply to the High Court for a judicial review.

How will this affect me?

If you are the Officer in Charge (OIC) of a criminal investigation that fits the criteria of this scheme, you will have certain responsibilities to carry out under the Victims' Right to Review:

- At the point of informing the victim of the police decision not to prosecute a suspect (see Summary for criteria), you must inform the victim that they have the right to have the decision reviewed and that they may do this within 3 months
- You must inform the victim that further information about the scheme is available at: www.wiltshire.police.uk/horizon
- You must record on the associated occurrence enquiry log (OEL) that you have informed the victim of the decision and their right to request a review
- At the point of informing a suspect of a decision to take no further action against them, they must be made aware that proceedings may still be initiated in light of fresh evidence or a review of the decision.

Further information: For further information please see www.wiltshire.police.uk/horizon, or contact the police lead for the project, Sgt Simon Cowdrey.

