

**CTC, the national cycling charity’s response to the consultation on**

**the Code of Practice for Victims of Crime**

**August 2015**

**Question 1 and 2:  Do you agree with our proposal to amend the definition of a victim entitled to services under the Code so that victims of any criminal offence become eligible rather than victims of crimes notifiable under the National Crime Recording Standards (NCRS)? Please give reasons for your response.**

We support the proposal to amend the definition of a victim to include victims of all offences. Currently, victims of summary motoring offences, such as careless driving and drink driving, are not entitled to the rights outlined in the Victims’ Code. As such is it difficult for them to access timely information about an investigation and they do not receive information about victims support services. This makes it hard for them to know how the crime that they were subjected to is being dealt with.

It is important that victims of summary motoring offences are included in the definition of a victim so that they are treated as victims of crime and are entitled to the same information and support as victims of other types of crime. They do not suffer any less just because the crime they were subject to is classified differently to another type of crime. They have to go through many of the same criminal justice processes as other victims of crime, but do so with a lot less information and support.

All victims of road incidents should be treated as victims of crime until the contrary is proven and entitled to the same rights as other victims of crime. They should not be treated as a victim only after a charge has been made. This should be clarified in the Code.

**Question 3 and 4: Should any more organisations be added to paragraph 8 of the Introduction to the Code because they are competent authorities for the purposes of the Directive?**

We believe that Traffic Commissioners and Coroners should also be added.

We recognise that Traffic Commissioners and Coroners do not investigate crimes nor prosecute criminals like the other service providers on the list, but they do come into contact with victims of crime and therefore should adhere to the same rules as other organisations.

**Question 9: Do you have any comments on any of the other amendments we propose to make to the Code?**

The victims’ right to review police charging decisions should be extended to all criminal offences, not just the most serious. This should be national policy.

We have been notified of many cases where cyclists' lives have been put in danger or they have been badly injured and the police have taken no further action or sent the driver on an awareness course, with little explanation to the victim of why. Sometimes victims attempt to reverse this decision but with the limited means available to them they invariably have little success.

We are also aware of police forces that disregard charging guidance by sending drivers who have driven *dangerously* but not caused serious injury on improvement courses rather than charge them. Guidance states that only drivers who have driven *carelessly* but not caused injury should be sent on such courses. There needs to be a way for victims to challenge these decisions so that people who drive dangerously and risk the lives of others are brought before the courts and discouraged from putting other people’s lives in danger.