



# Op Hampshire

## Victims Right to Review VRR

Victims of crime have a right to challenge decisions. There are a number of stages at which No Further Action (NFA) or discontinuance decision can be made. This right applies if the decision is taken during the investigation stage, discontinued after charge but before trial by the CPS or withdrawn at trial by the CPS. Victims, including police victims have the right to apply to have the case reviewed. We should actively promote the fact this right exists.

### VRR - Police Decision

The investigating officer has a responsibility to inform the victim of this right. This is a requirement under the Victims Code of Practice and must be recorded on the crime report.

In order for the case to qualify for a review it must satisfy the following requirements;

- be a recordable offence under the National Crime Recording Standards
- a suspect has been identified and interviewed under caution, and;
- a decision has been made not to bring proceedings in cases where the police have the authority to charge a suspect; or
- a decision is made that the case does not meet the Threshold Test for referral to the CPS for a charging decision.

Should a case qualify for VRR with regards to a police charging decision, the review may be completed by an officer of the same rank as that of the decision maker.

### VRR - CPS Decision

A proposed discontinuance of a case by the CPS can be challenged in the first instance by the investigating officer following the receipt of a discontinuance notice.

If the discontinuance does go ahead then the victim is entitled to have the CPS decision reviewed under the VRR process. The victim must be informed of this right and this should be recorded on the crime report.

The CPS ask that you appeal a discontinuance within 5 days of the CPS communication of the decision to discontinue. This allows a prompt review and if appropriate, proceedings to be recommenced as quickly as possible.

The CPS website details timescales, email addresses and other requirements (see CPS VRR Scheme)

### VRR Submission – Supporting advice for Victims, Supervisors and Investigating Officers

The VRR process generates a chain of activity within the CPS. It is important that we utilise this process to greatest effect. The following points are important considerations prior to any formal VRR submission by the Victim:

1. The investigating officer may have relevant information that has not been shared with the victim. The victim, supervisor and investigating officer should attempt to consult to ensure there is a full appreciation of why the victim is dissatisfied.
2. The investigating officer and supervisor should review the case file and any CPS generated emails to ensure that all CPS memos and actions have been completed satisfactorily.

3. Outstanding memos and actions are not necessarily a blocker to a VRR submission and may in fact have no relevance to the original decision on which you seek a review.
4. It is the victims right to invoke the process however, it may be appropriate for a supervisor to discuss the potential outcomes and manage expectations.
5. There are time constraints with regards the VRR. The victim must bear this in mind when waiting for the investigating officer and supervisor to complete their review of the case.

The above actions are not mandatory but if managed within a sufficient timeframe they could lead to a more effective use of the VRR process.

Once these points have been covered and the Victim feels that further rationale and consideration is required from the CPS then the VRR submission should go ahead. Without this simple housekeeping we can leave ourselves open to unnecessary criticism.

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There is lots more information and documentation around Operation Hampshire available  
our website: [oscarkilo.org.uk/OpHampshire](https://oscarkilo.org.uk/OpHampshire)