



Scrutiny findings

The new Victims' Code of Practice (VCoP), which came into force in April 2021 is a charter of rights that dictate the minimum level of service victims can expect at every stage of the justice process. The Code, enshrined within 12 rights, sets out the services that must be provided to victims of crime by organisations.

Victims Code of Practice – Assault on Emergency Worker - Police

Scrutiny Panel 10th December 2025

It is the Police and Crime Commissioners legal responsibility to hold the Chief Constable to account on behalf of the residents of Devon, Cornwall, and the Isles of Scilly for delivering a police force that works well and meets the needs of its communities. To do this the LCJB 'scrutinises' certain issues and activities including the compliance of the Victims Code of Practice. The scrutiny of VCoP is about reviewing cases and working practices, to recognise and promote good practice, identify any areas for development and support the police as an organisation to learn and improve.

By giving the public this information openly as part of good governance, they can form their own informed views about whether or not they have confidence in the criminal justice system.

It is important that the Criminal Justice partnership continues to focus on the needs of victims and by reviewing cases we can identify:

- Good practice
- Any gaps in service
- Lessons which we could learn
- Where we can influence positive changes is policy and working practices
- Opportunities for improved engagement across the criminal justice system
- Demands on services and how services are performing
- How public money is spent
- Where feedback can be provided.



What are the 12 victim rights?

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| 1. To be able to understand and to be understood. | 2. To have the details of the crime recorded without unjustified delay. | 3. To be provided with information when reporting the crime. |
| 4. To be referred to services that support victims. | 5. To be provided with information about compensation. | 6. To be provided with information about the investigation and prosecution. |
| 7. To make a Victim Personal Statement. | 8. To be given information about the trial, trial process and your role as a witness. | 9. To be given information about the outcome of the case and any appeals. |
| 10. To be paid expenses and have property returned. | 11. To be given information about the offender following a conviction. | 12. To make a complaint about your rights not being met. |

How the Local Criminal Justice Board (LCJB) scrutinises the rights of victims and compliance to the Victims Code of Practice?

The LCJB has a scrutiny panel which is made up of representatives from the Courts, Youth Justice Service, the Police, Probation, and the Crown Prosecution Service. The panel 'dip-samples' criminal cases that have been finalised through the criminal justice system. The panel scrutinises 6 - 8 cases which are selected at random and any personal information of individuals are removed.

The panel review the cases at each panel meeting using anonymised data retrieved from each agency, which provides information on the progression of a case through to its conclusion. They can then identify the services offered to the victim and discuss the 12 victim rights in order to explore whether or not the rights have been fulfilled and a good service given to the victim in the case.

Based on the information that the panel members have available to them; they will then place each case into one of seven categories:

1.	Fully compliant
2.	Partially compliant
3.	Non-compliant
4.	Victim did not engage
5.	Panel failed to reach a decision
6.	Information not recorded
7.	Not applicable



The Panel Meeting

The panel met on 10th December 2025 and scrutinised 6 cases relating Assault on Emergency Worker, specifically assault on police.

The Assaults on Emergency Workers (Offences) Act 2018 came into force on 13 November 2018. Section 1 of the Act provides for the offence of common assault or battery committed against an emergency worker acting in the execution of their duty or function.

The Act modified the offence of common assault or battery where it is committed against emergency workers, with a maximum penalty of 2 years imprisonment. The Act also created a statutory aggravating factor, this means that when a person is convicted, the judge must consider the fact that the offence was committed against an emergency worker as an aggravating factor meriting an increase in the sentence within the maximum allowed for the particular offence.

The panel reviewed cases involving assault on police, this offence falls under the Assaults on Emergency Workers Act 2018.

Statistics

The panel were provided statistical data relating to Assaults on police with the most current data to March 2022 from the Home Office.

In the year ending March 2022 there were just over 41,000 assaults on police officers in England and Wales (including British Transport). Of which:

- 29,491 were crimes of "assault without injury on a constable" recorded across all forces an increase of 11% compared with 26,539 in the previous year
- 11,730 crimes of "assault with injury on a constable"[footnote 1] recorded across all forces (including British Transport Police), an increase of 2.6% compared with 11,429 in the previous year



Annex A: Assaults on police officers, England and Wales, year ending March 2022

Force name	Police recorded crime - Assault with injury on a constable	Police recorded crime - Assault without injury on a constable	Total assaults on a constable (with and without injury)
Avon & Somerset	373	1,294	1667
Devon & Cornwall	190	683	873
Dorset	101	2	103
Gloucestershire	142	1	143
Wiltshire	3	289	292

The above table includes regional forces only, to find out more please visit:

[Annex: Statistics on the number of police officers assaulted in the year ending March 2022, England and Wales - GOV.UK](#)

The findings from the panel's meeting

The panel deemed **1 case to be Partially compliant** with the 12 Victims Rights. Observations included the following:

- The panel felt the Victims Code of Practice concentrated on the civilian victim of a linked assault. The offence of Assault on Emergency Worker lacked information under right 5, the right to be provided information about compensation, and the court had no details of any order being made. Additionally, no Victim Personal Statement (VPS) was recorded under right 7, however the panel could not be assured this was because the officer did not want to give a VPS.



The panel deemed **5 cases to be non-compliant** with the 12 Victims Rights. Observations included the following:

- In one case the police officer assaulted was also the investigating officer and the case lacked evidence that 7 of the 12 rights had been compliant. The panel felt the case should have been allocated to another officer to investigate to ensure all 12 rights were considered and met.
- In one case the offence took 11 months to consider a charge, this had an impact on the Statutory Time limits, and the case was discontinued. The panel also noted a 6-month delay in informing the victim of the outcome.
- In some cases, Restorative Justice was not considered or offered to the victim.
- In some cases, the victim as a police officer has assessed their own needs on the Victim Needs Assessment as 'none'. Police Officer Victims should be separated from the case, and the focus should be on them as a victim not as a police officer.

Learning from the panel

- Not all Police Officers see themselves as a victim in cases of assault on police.
- In some cases, linked offences are given priority and more robust investigations and often the offence linked of assault on police are managed less seriously.
- In some cases, the victim as a police officer was also the investigating officer, the panel felt this is a factor in the 12 victims rights not being complied with and will raise this as an observation through the police subject matter expert (SME).
- In some cases, there were significant delays in cases going to court.

Using the panel's findings to make a difference:

The panel report their findings to the agencies who contributed to the panel and those who have statutory responsibilities as detailed within the Victims Code of Practice. Devon and Cornwall Local Criminal Justice Board review findings and agree themes for future panels.

Panel findings may be raised with individual officers, staff and relevant departments across the Criminal Justice partnership and may also cascade learning from the panel throughout their respective agencies.

Support for Victims and Witnesses:

[Criminal Justice and You](#) is a new product which aims to transform the experience of victims and witnesses in the criminal justice system and is a multimedia resource developed by victims for victims, it brings all aspects of the criminal justice system into one place, helping to demystify every step of the process.



Information for victims and the support services which are available locally can be found on the Police and Crime Commissioners website: [Home - Victim Care Devon & Cornwall \(victimcare-dc.org\)](http://www.victimcare-dc.org)

Find out more about our scrutiny at www.devonandcornwall-pcc.gov.uk/about-us/scrutiny.

If you need this information in a different language or format please contact the Office of the Police and Crime Commissioner by email

opcc@dc-pcc.gov.uk

or telephone 01392 497700