



Ministry
of Justice

The Right Honourable
Dominic Raab MP
Deputy Prime Minister
Lord Chancellor & Secretary
of State for Justice

Sir Robert Neill MP
Chair of the Justice Select Committee
House of Commons
London
SW1A 0AA

MoJ ref: MC104348

Email CC: JSC

29 March 2023

Dear Sir Bob,

INTRODUCTION OF THE VICTIMS AND PRISONERS BILL

I am pleased to confirm that today the Government has introduced our landmark Victims and Prisoners Bill to Parliament. The Bill delivers on three key manifesto commitments; to pass and implement a Victims Law, to reform the parole system, and to establish an Independent Public Advocate to support victims of a major incident. Additionally, we will be introducing changes to strengthen the operation of the Parole Board to ensure public confidence in the system. The Bill will also prohibit prisoners who are serving a whole life order from entering into a marriage or civil partnership.

I remain thankful to you and your committee colleagues for the time undertaken in conducting pre-legislative scrutiny on the draft Bill, and for assisting us in strengthening the Bill to ensure a better experience for victims of crime. I know that you and your colleagues will remain interested in the Bill as it progresses through Parliament, so I wanted to write to you directly to set out the Bill's principal measures, which will together form a wider package of better support for victims whilst ensuring public protection is at the heart of the decision-making process.

Key Victims and non-legislative package measures:

- To ensure the criminal justice system consistently delivers the entitlements in the Victims' Code, we will **enshrine principles of the Victims' Code in law and place a duty on criminal justice bodies with PCCs to review their compliance** and raise awareness of the Code.
- To provide greater oversight and transparency over how victims are treated, we will require criminal justice inspectorates to **undertake joint inspections on victims' issues** when directed to do so.
- To make it easier to complain if things go wrong, if you are a victim of crime, we will make complaints against a public body simpler and more accessible **by removing the need to go through an MP when making a complaint to the PHSO.**

- The Victims' Commissioner is a powerful voice for victims. To make the role as effective as possible, we will require relevant organisations to **respond to their recommendations and require the inspectorates to consult the Victims' Commissioner on their inspection programmes.**
- To target support to where victims need it, we will **introduce a joint statutory duty on PCCs and health and local authorities to work together when commissioning support services.**
- To support victims of sexual and domestic abuse we will **introduce guidance on Independent Sexual Violence Advisors (ISVAs) and Independent Domestic Violence Advisors (IDVAs) to increase awareness and consistency of these roles.**

To complement the victims measures in the Bill, we have committed to bring forward a refreshed Victims' Code and wider measures including those that the Government committed to take forward at consultation:

- **We have increased the Victim Surcharge by 20%,** so that offenders pay more towards vital victim support services. This increase will generate additional income of up to £20 million per year by 2024/25.
- To ensure victims are better informed and heard throughout the criminal justice process, **the Victims' Code will provide for the CPS to meet victims, in certain cases, before a hearing takes place.** We are also working with the judiciary to **introduce a Code entitlement for victims of the most serious crimes to be able to submit a victim personal statement to the Mental Health Tribunal,** where the release of the offender is being considered.

The Bill has been expanded since publication in draft and will also:

- **Create an Independent Public Advocate** fulfilling a longstanding Government commitment. The IPA will apply to victims of major incidents and will assist bereaved families and the injured in the immediate aftermath of a large-scale disaster (such as Hillsborough) and assist with engaging in any subsequent inquest or inquiry processes. I will work closely with parliamentarians across the House, the Hillsborough families, the Grenfell groups and the families of the victims of the Manchester Arena bombing to ensure that their experiences are taken into account and we get the detail of the IPA right.
- **Prohibit a prisoner serving a whole life order from entering into a marriage or civil partnership.** The Bill will bring forward measures to protect victims from further trauma and restrict prisoners who have been subject to the most severe sentence for the most heinous crimes from being able to marry whilst in prison. I have seen how the case of Levi Bellfield seeking to marry has caused real distress and trauma to his victims. I consider this a matter of public confidence in the Criminal Justice System and am determined that this should not happen in future.
- **Clarify the meaning and application of the current statutory release test** to ensure that minimising risk and public protection are at the core of decision-making when determining whether to release a prisoner, rather than the balancing exercise approach articulated by the courts.
- **Create a new "top-tier" cohort of offenders:** those convicted of the most serious offences who, if recommended by the Parole Board for release, will be subject to a new ministerial power to review their case.

- **Create a new veto power for the Secretary of State**, having reviewed a top tier case, to refuse to release the prisoner if necessary for public protection. The measures create a new route of appeal to the Upper Tribunal if a prisoner wants to challenge a Secretary of State decision to veto release.
- **Require the Parole Board to include members with a background in law enforcement** to help parole panels make better decisions in assessing risk.
- **Reform the role of the Chair of the Parole Board** to ensure it is a strategic leadership role that has no influence over the decisions made in individual cases by parole panels.
- **Create a power for the Secretary of State to remove the Chair** if this is necessary for the maintenance of public confidence in the Board.

Taken together, I believe this is a powerful package of measures to support victims, enhance their rights, enhance confidence in the system, and to deliver a manifesto commitment, reflecting the Government's clear commitment to victims, and to further strengthening our criminal justice system.

I am also copying this letter to all members of the Justice Select Committee. If you have any questions about the Bill, I would be glad to discuss it with you.

Yours sincerely,



RT HON DOMINIC RAAB MP