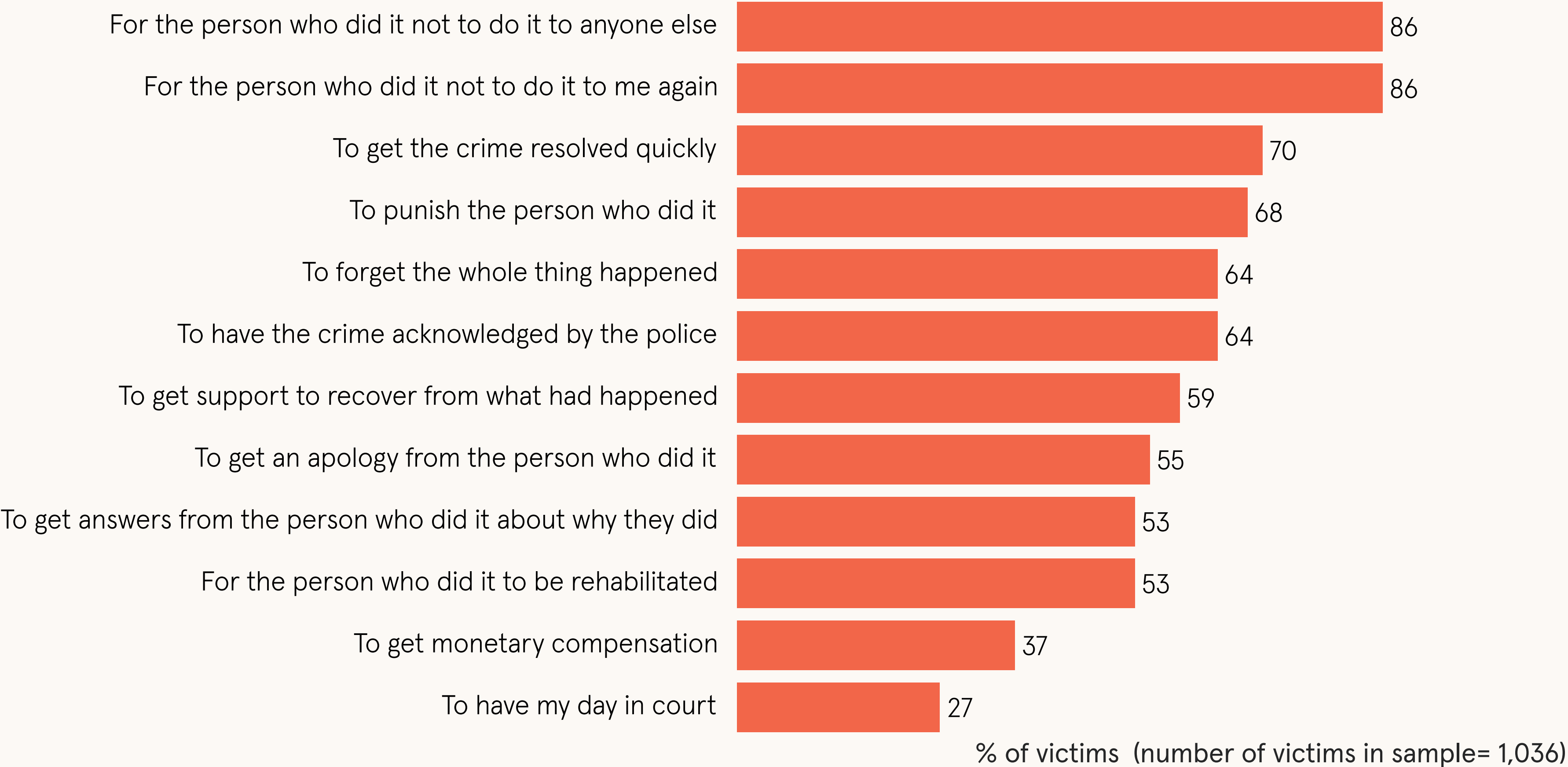




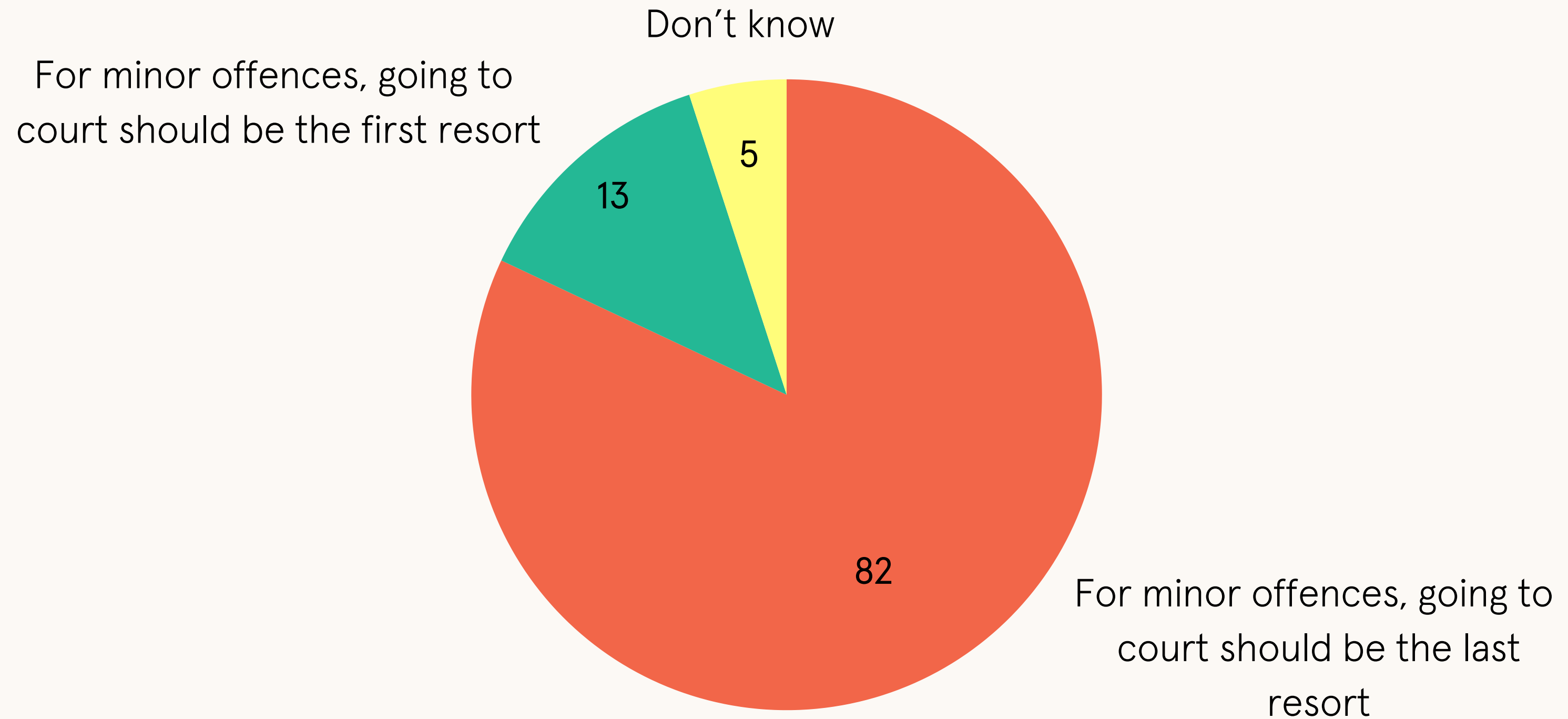
How to improve victims' experiences of out of court resolutions

A short guide for police forces

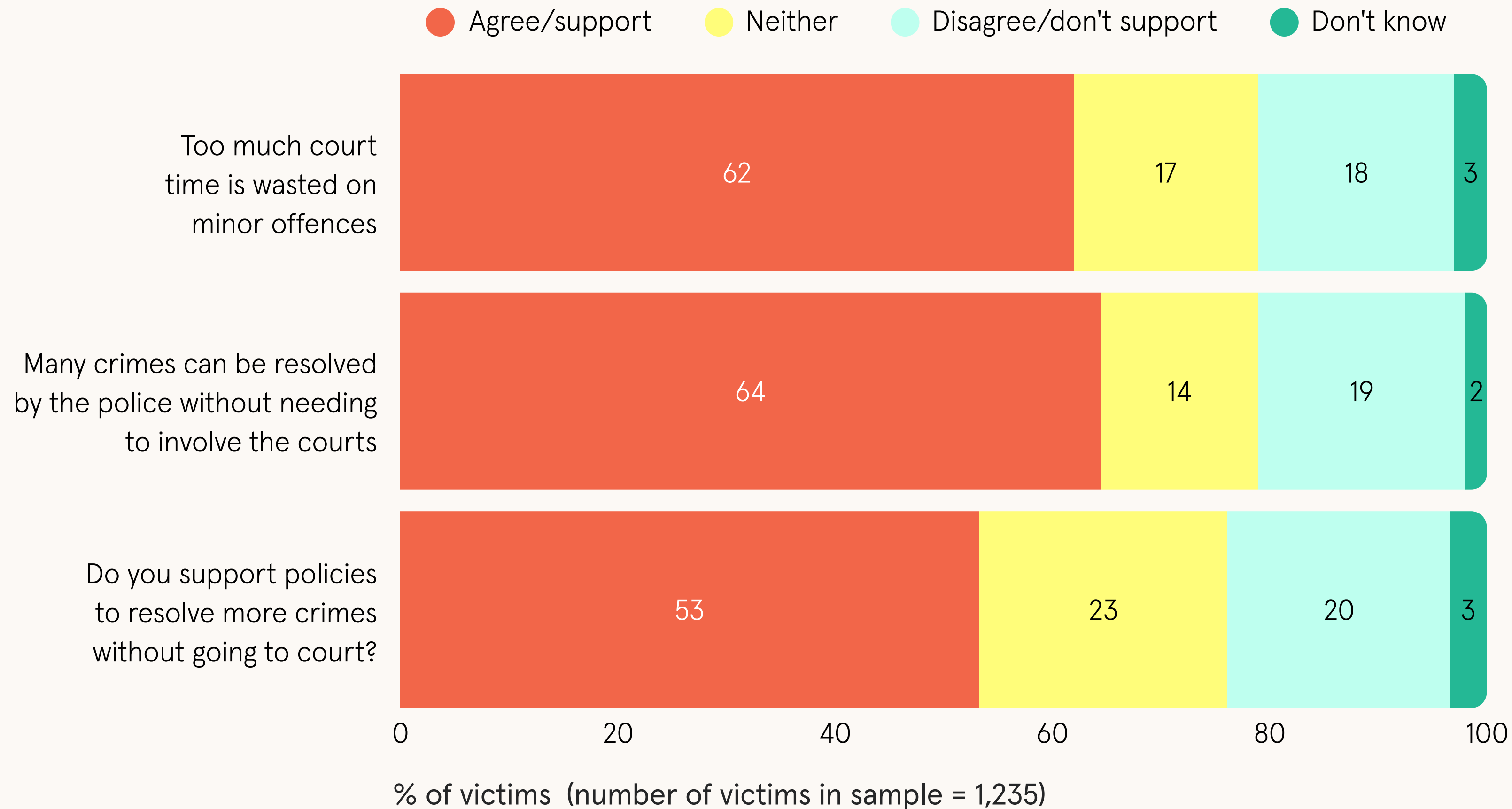
What were victims' priorities after experiencing a crime?



Victims are supportive of out of court resolutions in principle...



% of victims (number of victims in sample= 1,235)



Victims are often satisfied with out of court resolutions in practice...

But a lot depends on how they're delivered.

Our research identified **eight practical ways** police can improve victims' experience of out of court resolutions.



Victims' biggest benefits and drawbacks of out of court resolutions

Benefits

I avoided the stress of going to court

It was dealt with quickly

It was the sensible thing to do

I had a say over how the issue should be dealt with

Drawbacks

I felt like the person who committed the crime got off too easily

It didn't fully address the issue

I had no say over how the issue should be dealt with

I feel like I could have been compensated more fairly in court

(number of victims in sample= 123)

(1) Victims want a voice

Victims like out of court resolutions because it gives them a say in the outcome.

But this doesn't always happen - sometimes victims were not consulted on their wishes and did not receive an explanation why the crime was resolved in the way it was. This can leave victims feeling unheard and frustrated.

"She said what do you want to happen now? Which I thought was really good. She didn't say this is what's going to happen now. I felt like she really listened."

"I can't understand how there wouldn't have been a charge personally. And that was never explained to me why she wouldn't be charged."

- Check that your officers are asking victims what they want to happen
- Where the outcome conflicts with what the victim wants, go back to the victim and explain why

(2) A quick and easy resolution

Victims like that out of court resolutions resolve their crime quickly.

But this wasn't the case for all victims - some had to wait months for a resolution and had their case passed between multiple people.

This led to victims feeling dissatisfied with the out of court resolution process, even if they were supportive in principle.

"Easy and straightforward, wasn't dragged out or felt like I was waiting for it all to come up again."

"When you're passed from pillar to post, you know I probably went through five or six officers, you do lose the will to live...If you've got an officer, that officer should stick with that particular case."

- **Improve monitoring of case lengths to ensure victims are not kept waiting months for a resolution**

(3) The what and the why

Victims' biggest priority is for the person who committed the crime not to do it again. They want reassurance that the resolution to their crime will do this.

But most victims haven't heard of out of court resolutions before. Victims want a clear explanation of what they are and why they work.

"The lady [police officer] that told me about it [the conditional caution] being sixteen weeks, she said that's how long it takes to form new habits. So if they've not been able to contact you or ring you for sixteen weeks, they form a new habit that after sixteen weeks he's not going to want to message you or ring you." (Victim of harassment)

- Explain what an out of court resolution is clearly, in plain English
- Equip officers and staff with stories and evidence to reassure victims that out of court resolutions can work to prevent reoffending
- Our [messaging guide](#) explains how to talk to members of the public about out of court resolutions

(4) The realities of court

Some victims were dissatisfied as they felt they would have received a better outcome in court – such as more compensation or more severe punishment.

In reality, this isn't the case; most crimes that can be resolved out of court would receive a fine in court, and victims tend to receive better compensation by resolving out of court than via prosecution – something which many victims don't know.

“I would have preferred to have gone to court to get that money back.”

“I would guess, I don't know, that when things go to court they get dealt with more seriously? But I don't know if that is the case.”

- **Ensure victims understand realities of going to court vs resolving out of court – especially around victim compensation**

(5) Think restorative justice

Victims want to know why the crime happened, and to convey the harm it caused them. Restorative resolutions – from letters of apology to facilitated conversations between the people involved – can meet this need perfectly.

But restorative justice needs to be offered. None of the victims interviewed mentioned a facilitated conversation being part of their resolution, despite some wanting one and sometimes even asking for it.

“I thought about even restorative justice. I'd like to sit in a room with her and ask her why, to explain exactly why she did it...but [I] was ostensibly not given a say in the outcome.”

“It was scary and I wanted him to understand, or them lads to understand, how it affected us.”

- **Make sure officers are offering victims all restorative justice options**
 - **facilitated conversations as well as letters of apology**

(6) A sincere apology

Many victims were happy with the concept of a letter of apology.

In practice, however, victims often felt the letter itself was poorly written, didn't show authenticity or remorse, or was written by someone else. Some victims felt more upset after reading the letter.

"When I read the letter I was, above and beyond, even more frustrated than I was initially."

"I'd rather it was a handwritten letter...It would be more personal...I don't think he did this [wrote the letter]...I think it was either a standard police letter or maybe he had a solicitor to draft it for him."

- Before you pass it on, check the letter does what it says on the tin: apologises, and in a sincere way
- Make sure the letter is written, or dictated, by the person who committed the crime. If possible, get it handwritten.

(7) I want that in writing

Many victims didn't know that their case had been resolved with an out of court resolution. They often didn't remember what they were told in person or over the phone and would have liked to check how it was resolved.

"It would have been nice to have something written down about the actions and what has been agreed."

"Once the resolution is done, communication halts...It would be nice to have a final, lengthy – well not lengthy, but just in slight detail – about what the resolution means...It would provide a lot more clarity."

- **Provide victims with a letter, email or text outlining both the sanction and an explanation of what actually happened e.g. a letter of apology, a dog behaviour course, compensation payment for damages**
- **For conditional cautions, explain what happens if they are breached**

(8) Feedback and monitoring

Many police forces can say very little about how victims in their area feel about out of court resolutions, because they don't ask a big enough sample.

"I, very strongly, would have liked a visit for some feedback once it [the out of court resolution] had gone through the system."

- Police forces should update their victim feedback process to provide insight into victims experience with out of court resolutions
- Have a route for officers to feedback when victims are unhappy with what happened
- Incorporate learning into out of court resolution policies and decision making

Methodology

- Poll of 1,235 victims plus in-depth interviews with 25 victims whose cases were resolved out of court.
- Polling done by Public First for Transform Justice
 - Online survey 15th Nov – 29th Nov 2024
 - Victim sample: 1,234 recent adult victims of crime (in the last four years), of which 426 reported to the police, 109 had their cases resolved by the police out of court, and 90 through the court
 - Demographically representative for age, gender, region and social grade
- Interviews conducted by Transform Justice via phone call or Zoom

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