

Ministry of Justice consultation on revisions to the Victims' Code

Response from Brake, the road safety charity, 12 August 2015

About Brake

[Brake](#) is a national road safety charity that exists to stop the needless deaths and serious injuries that happen on roads every day, make streets and communities safer for everyone, and care for families bereaved and injured in road crashes. Brake promotes road safety awareness, safe and sustainable road use, and effective road safety policies. We do this through national [campaigns](#), [community education](#), [services](#) for road safety professionals and employers, and by coordinating the UK's flagship road safety event every November, [Road Safety Week](#). Brake is a national, government-funded provider of [support](#) to families and individuals devastated by road death and serious injury, including through a helpline and support packs. Brake was founded in the UK in 1995, and now has domestic operations in the UK and [New Zealand](#), and works globally to promote action on road safety.

Consultation response

Brake has opted to provide some general comments in response to this consultation, rather than answering all questions, due to resourcing limitations. Our views are summarised below. Paragraphs are numbered, but numbering does not coincide with the question numbers in the consultation.

1. Brake agrees with the proposal to extend the Code to victims of crimes such as careless driving and drink driving, especially as these victims will include those who suffer horrendous serious injuries, who should be made clear about their entitlements.
2. Brake agrees with the approach used in the Code of distinguishing victims of more serious crimes, and ensuring these victims are entitled to appropriately enhanced levels of support and service, given their more profound needs and the serious impact the crime will have on them. It's important this clear distinction is maintained, especially so agencies (which may have limited resources) understand the importance of prioritising the needs of victims who are most severely affected.
3. Brake provides support services to victims of road death and serious injury, and knows that these victims are left devastated by these violent, sudden and man-made events, and have profound and wide-ranging support needs. Brake would advocate an approach where the Victims' Code makes clear that anyone who suffers a bereavement *or serious injury* as a result of a violent, man-made event like a road crash (which should be assumed to be a crime unless shown otherwise) should be entitled to enhanced support and services. Brake believes this should include prompt referral to specialist support services, given the value of specialist early intervention support.
4. Brake agrees that all relevant government, CJS and other statutory agencies that victims may come into contact with should be included under the Code. In Brake's experience, victims of road death and serious injury frequently experience difficulties in their liaison with such agencies, adding to their distress, often due to poor standards of empathetic communications. Brake therefore agrees with any efforts to improve the standards of service and communication offered by these agencies.

For more detailed views from Brake on the Victims' Code, see Brake's response to the Ministry of Justice's 2013 consultation [here](#).

For any queries, please contact Julie Townsend on jtownsend@brake.org.uk or 01484 559909.