

Serious Fraud Office

The Prosecutors' Pledge

Where there is an identifiable victim the prosecutor will:

(1) Take into account the impact on the victim or their family when making a charging decision.

In doing so the prosecutor will ensure that the charge adequately reflects the criminality of the offending. Where there are identified victims the prosecutor will, when selecting a charge, listen to the voice of the victim through their witness statement and, where the numbers of victims allow, through the victim personal statement.

(2) Inform the victim where the charge is withdrawn, discontinued or substantially altered.

The prosecutor will establish with each victim whether they wish to be kept informed of the withdrawal or dismissal of charges and will write and keep them so informed if they do.

(3) Where practical, seek a victim's view or that of the family when considering the acceptability of a plea.

In deciding on the acceptability of pleas the prosecutor will keep in mind any views expressed by any of the witnesses who are considered to be victims.

(4) Address the specific needs of a victim and where justified seek to protect their identity by making an appropriate application to the court.

The prosecutor will form a judgment and, where appropriate, make an application for "special measures" to ensure that victims are able to give "best evidence" before the court. In appropriate circumstances the prosecutor may also make an application to protect the identity of the victim or prevent inappropriate reporting in the media.

(5) Assist victims at court to refresh their memory from their written or video statement and answer their questions on court procedure and processes.

A member of prosecution staff will introduce themselves to the victim at court and whilst not permitted to discuss their evidence will answer any questions on procedure and processes. The victim will also be given an opportunity to read their statement or see their video taped statement before giving evidence.

(6) Promote and encourage two-way communications between victim and prosecutor at court.

The prosecutor will ensure that during the course of the court hearing any victim who so requests it is kept informed of the progress of the case. The prosecutor will promote two-way communication to enable a victim to pass to the prosecutor any information that may assist in the conduct of the prosecution or have a bearing on an assertion made by the defence.

(7) Protect victims from unwarranted or irrelevant attacks on their character and may seek the court's intervention where cross examination is considered to be inappropriate or oppressive.

The prosecutor will be alert during the course of the trial to unwarranted or irrelevant attacks on the victim's character and may seek the court's intervention where, for example, the prosecutor considers that cross-examination by the defence is inappropriate or oppressive.

(8) On conviction, robustly challenge defence mitigation which is derogatory to a victim's character.

At the sentencing stage, the prosecutor will challenge any assertion by the defence in mitigation which is derogatory to a victim's character and which is considered either false or irrelevant to proper sentencing considerations.

(9) On conviction apply for appropriate order for compensation, restitution or future protection of the victim.

The prosecutor will always consider making any relevant application for ancillary orders such as compensation or restitution and where appropriate and justified on the evidence encourage the court to impose a restraining order for the future protection of the victim.

(10) Keep victims informed of the progress of any appeal, and explain the effect of the court's judgment.

Where a case is the subject of an appeal to the Court of Appeal (Criminal) Division the prosecutor will ensure that any identified victims are advised of the hearing and that the grounds on which the appeal is made and the effect of the court's judgement are properly explained.