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The Law

Civil Law

What is it and how does it work?

Civil Law is the section of the law that deals with disputes between individuals or organisations. For example, a car crash victim claims damages against the driver for loss or injury sustained in an accident, or one company sues another over a trade dispute.

Unlike criminal offences, the Crown Prosecution Service (CPS) doesn't prosecute a civil offence. Rather than any sentence, custodial or otherwise, the end result is usually financial compensation.

Civil Law has developed in a similar way to the way criminal law has, through a mixture of Statutory Law made by governments, and 'precedent' which is created by earlier cases.

What is 'precedent?'

An example of how precedent creates law is the law of 'negligence.' In the first 'negligence' case a woman developed gastro-enteritis after swallowing a snail contained in a bottle of ginger beer. Lord Atkin, the judge who heard the case, decided that she was entitled to some form of compensation. He ruled that the manufacturer had a 'duty of care' towards its customers and in this instance had been negligent - and the law of 'negligence' was created.

Burden of proof

One crucial difference between Civil and Criminal law is that the 'burden of proof' is lower in a civil case. A criminal case must be proved 'beyond reasonable doubt.' A civil case only has to be proved on the 'balance of probabilities,' i.e. it is 'likely' that the defendant is guilty.

The OJ Simpson trial in America is a classic example. The criminal trial hadn't proved 'beyond reasonable doubt' that he had murdered his wife, yet a subsequent civil trial decided that on the 'balance of probabilities' he had. As a result, the victim's family was awarded compensation, but in the criminal case, Simpson wasn't found guilty of murder, so he wasn't jailed.

Civil actions aren't always successful though. The family of Stephen Lawrence brought a civil action against those suspected of his murder. Although the 'burden of proof' was lower than in a criminal trial the men were once again acquitted when crucial identification evidence was ruled to be inadmissible.

Other areas covered by Civil Law are:

- Property - boundary disputes, trespass
- Work-related disputes - unfair dismissal, personal injury
- Defamation of character - The Neil Hamilton v Mohammed Al Fayed case is one example
- Consumer disputes - Faulty goods, 'trades description' offences
- Copyright or Intellectual Property disputes - Music sampling, plagiarism (copying someone else's material and passing it off as your own)

How Can Civil Law Affect You?

The two sides of any civil case are the claimant and the defendant:

- The Claimant is the person or organisation that claims they have suffered injury, loss or damage to their reputation in the case of Defamation of Character.
- The Defendant is the person or organisation that the claim is brought against

The claimant must bring the case to court, as the state has no interest in overseeing 'civil' wrongs. Many cases never get to court; often the solicitor acting on behalf of a claimant will reach a settlement outside of court. (Out of court settlements)

This is often a good thing as the cost of taking a civil case to court can be enormous. In the case of Neil Hamilton, a former MP, his political and personal reputation was destroyed and he was left facing an estimated £2 million legal bill after losing his libel battle against Al Fayed.

Which court do you have to go to?
Civil actions are heard in either the 'County' or 'High' Court. The deciding factor in where a civil case is heard is the amount of money involved.

- Cases worth less than £25,000 are always heard in the County court
- Cases worth more than £50,000 are always heard in the High court
- A 'fast track' system for claims below £5,000 exists in the County court. It cuts down the time, and the costs, of resolving smaller disputes.

If you decide to go ahead with your claim, your solicitor will:

- File a formal request for summons to the court within four months of the dispute beginning
- Provide the court with two copies of the details of the claim
- Prove that they can pay any costs associated with the hearing of the case
- Submit suitable medical certificates if the claim concerns personal injury.

Once a claim has been made against a defendant they must:

- Admit responsibility
- File a defence.

- If the defendant fails to do either within 14 days a 'default judgement' may be imposed, meaning the case is automatically ruled in the claimant's favour.

A verdict in either the high or county court isn't necessarily the end of the claim. Cases can be appealed and will then be heard in the Court of Appeal, but even that is not the final say on the matter. In certain circumstances a case may also be heard by the House of Lords, the final court of appeal in the United Kingdom.

Company Law

What is it and how does it work?

Setting up and running a company in the UK is governed by the Companies Act 1985, but many other regulations affect company operations. These include:

- Sale of Goods Act 1979 - regulations covering the sale of any items
- Health and Safety At Work Act 1974 - regulates minimum standards of health and safety for employees
- Employers' Liability (Compulsory Insurance) Act 1969 - this requires employers to have insurance against physical injury and disease sustained by employees.

Two types of company

- Private Company - this usually means a small or family run businesses. A private company can't offer shares to the public and must have one director and/or one member. They must include Ltd ('Limited Liability') in the company name.
- Public Companies - these must have a minimum capital of £50,000, offer shares to the public, and must have at least two directors or members. They must include 'plc' (Public Limited Company) in the registered company name.

It's possible to go into business without setting up either a private or public company. You can operate as a 'sole trader,' basically self-employment, or you can form a 'partnership,' two or more people running a business.

Rules for running such business are more relaxed than for public or private companies. It isn't necessary to register with Companies House and legal requirements relate mainly to the Inland Revenue.

All companies have to: 'prominently display' the company name, address and type of business at:

- The place where business is carried out

It must also appear on:

- Business letters
- Orders for the supply of goods
- Invoices and receipts
- Demands for payment of debts

You must also supply the names and addresses of the owners or directors of the company to anyone that you do business with or have their details available to view at your business premises. Failure to do so is a criminal offence.

There are strict rules governing company names under the Business Names Act 1985.

A company name can be illegal if it:

- Suggests the company is bigger than it is, e.g. naming a company 'ABC International' when it does no business overseas.
- Contravenes registered trademarks or is already being used.
- Gives the impression that the company is associated with 'Her Majesty's Government' or includes 'prescribed' words, for example 'Bank' or 'Police.'

How Does Company Law Affect You?

So you've chosen a name, decided which type of company is best for you and now want to get it up and running.

What are the first steps?

- Before starting trading as either a public or private company you must register 'articles of association' at Companies House. Applications must be witnessed by a solicitor and must name the 'first director' and 'company secretary.'
- Directors needn't be formally trained; they're only legally obliged to 'carry out their duties to the best of their abilities.'
- They may be personally liable for fraudulent or wrongful trading should the company fail, although they won't be punished for 'errors of judgement' in such cases.
- The 'Company Secretary' needs no formal training but should be a 'competent person' able to oversee the efficient operation of the business.

Where can I set up my business?

A business can be run from your home, but there are regulations governing workplaces that need to be observed.

Certain types of business may break planning rules for residential areas, so it's worth finding out if this is the case before setting up.

Commercial premises need planning permission and you also need to:

- Clearly display the company name and nature of its business in a prominent position. Failure to do so not only infringes the Companies Act but also may render any contracts that you have established as 'null and void'.
- Pay 'business rates,' a local authority tax that contributes to the cost of providing services to the business
- Provide access for wheelchairs and people with disabilities.

Under the Workplace (Health, Safety and Welfare) Regulations Act 1969 an employer must:

- Provide a safe place and method of work allowing employees to move around easily and safely.
- Have insurance cover under the Employers' Liability (Compulsory Insurance) Act 1969.
- Maintain a 'general duty of care for the health and safety of employees.'

Any goods that you produce or distribute must satisfy the General Product Safety Regulations 1994. The Regulations cover everyone who supplies consumer goods in the UK, including:

- Manufacturers
- importers
- retailers
- hirers
- wholesalers

You can only supply products that satisfy the regulations. Failure to do so breaks section 17 of the General Product Safety Regulations 1994 and could result in a conviction leading to a £5,000 fine, three months in prison or both. Nasty business!

Criminal Law

What is it, and how does it work?

The law contains a number of different strands - and certain subtle differences exist between English and Welsh Law and those that apply to Scotland and Northern Ireland - this section looks specifically at English Criminal Law.

What is a criminal offence?

A criminal offence is in its broadest terms behaviour that breaks the rules governing society. Crimes range from the apparently trivial to serious offences like rape, murder or terrorism.

How is the law created?

English law has been developed over centuries and consists of 'Common Law,' 'Statutory Law' and most recently 'European Union' Law.

Common Law

This is also known as 'case law,' and is made by judges in the course of hearing individual cases. This is known as the system of 'precedent.' Precedent effectively means that a decision that has been reached during one particular case will then apply to all similar cases. In theory, it gives the law some degree of flexibility and allows it to respond to changes in public standards or society in general.

Statutory Law

This consists of laws that have been made by an Act of Parliament. Governments may introduce a 'Bill' to update existing laws or develop new ones to respond to changes in society. A Bill is debated in Parliament and once passed is drafted into law.

Changes to law

- A new law that was implemented to respond to changes in society is the Criminal Justice and Public Order Act 1994. Key parts of the Act are a direct reaction to changes in technology, and include a

provision that allows a police surgeon or doctor acting on behalf of the police to take 'intimate samples' (hair, saliva, blood etc) for use in a national DNA database, from anyone convicted of a 'recordable offence.'

- Another example of a government response to 'new' crime is the decision to increase the penalty for mobile phone theft. Offenders may now face a sentence of up to five years in prison, an increase designed to deter the recent rises in this type of crime.

European Law

This has had an increasing effect on English law since the introduction of the European Communities Act 1972. In effect, any established UK law that contradicts European Law will be overruled by its European equivalent through the European Court of Justice in Luxembourg. For more info on this, see our section on European Law.

How Does Criminal Law Affect You?

If you've committed a criminal offence, or you're suspected of doing so, the police will firstly arrest you. Then they will question you, and depending on the evidence, charge you with the crime. There is often a solicitor on call for police stations, or you can ring your own, or get one.

- It is your right to have someone assisting you during questioning. This is usually a solicitor, if you don't have one the police must provide you with one, but can also be any other responsible adult, for instance a parent in the case of juvenile crime.
- If you're a suspect, you're warned that you are being charged with a particular offence and told that 'You do not have to say anything, but it may harm your defence if you do not mention when questioned something which you may later rely on in court. Anything you do say may be given in evidence.'
- You can be held for a maximum of 24 hours for less serious offences or for up to 36 hours for more severe crimes.
- After questioning you, the police may then submit a file to the Crown Prosecution Service (CPS) who will decide whether to prosecute. This is the same even if you're under 18.
- Recently the police have gained the power to 'caution' offenders for minor offences. They do not go to court but may be taken into account should further offences be committed. Cautions can be kept in police files for up to ten years.

Depending on the severity of the crime and the risk of re-offending suspects of crime may be remanded into custody or bailed to appear before the court at a later date.

Most cases are heard in the Magistrates Court, or the Youth Court in the case of a juvenile. Should a defendant plead not-guilty or is charged with a serious crime, such as murder, the case will be heard in Crown Court, ordinarily in front of a jury.

- A jury is twelve people appointed from the community
- You can conduct your own defence, but it's recommended that a suitably qualified person is appointed to defend you. (usually a solicitor)
- A variety of sanctions are available to the judiciary and punishments usually reflect the crime committed. Lesser offences may result in a fine or community service.
- Serious crimes are punishable by prison sentences, although there is a 'fixed tariff' that is used by judges when sentencing offenders. In

rare cases judges may make a recommendation that offenders serve a minimum term, yet ultimately the Home Secretary determines any sentence served.

Crime statistics

- In 1999, the last year for which figures are available, there were 5,109,089 crimes recorded by the police.
- 605,797 of these were for violent crimes
- 953,200 were for burglary
- 2,191,400 were for theft/handling stolen goods (125,200 of which were bicycle thefts)
- 279,500 were for fraud or forgery
- 834,400 were for criminal damage
- 21,300 were drug related

European Law

What is it and how does it work?

The European Union began in 1951 when France, West Germany, Belgium, Luxembourg, Italy and the Netherlands formed the European Coal and Steel Community. This became the European Economic Communities (EEC) in 1957.

The UK joined in 1973 and it's since been expanded to include 15 European countries. Originally formed to prevent another war in Europe by promoting political and economic unity, it is now generally called the European Union and has become increasingly influential in matters of trade, politics and law.

What influence does it have on the law in the UK?

Since signing the Treaty on European Union (also known as the Maastricht Treaty) in 1992, the UK has co-operated closely with its European partners in political, economic and legal affairs.

This means that laws and trade agreements established by the European Union are legally binding within the UK. In fact, the European Communities Act 1972 ensured that European law takes precedence over all domestic sources of law.

This has greatly affected people's rights in the UK, especially in the areas of employment.

How is European Law created?

European law is developed in the same way as the laws of the UK, a mixture of 'case law', (precedent, i.e. a decision that has been reached during one particular case will then apply to all similar cases.) and 'statutory law', (laws made by governments).

The European Court of Justice

- 'Case Law' stems from the activities of the European Court of Justice. (ECJ)
- The ECJ oversees decisions in each country to ensure that European law operates in the same way throughout the European Union.

Statutory law

This is also called 'legislation' and it is jointly established by three separate European institutions:

- **The European Parliament.** Made up of elected members from each country (called MEPs). It oversees decisions made by the European Council and the European Commission as well as monitoring how individual countries carry out European Union Law.
- **The European Council.** Made up of one minister from each country it ensures that European 'Treaty Objectives' (agreements decided collectively which form the highest level of European Law) are carried out.
- **The European Commission** - Made up of twenty 'Commissioners' it represents the interests of the European Union in general. As well as overseeing the use of European Law throughout the community it also negotiates trade agreements with other countries.

European Convention on Human Rights

This is a separate, but just as influential element of European Law. For example, The Human Rights Act 1998 became law in the UK in October 2000 and guarantees some rights that people in the UK did not have previously, including certain rights to privacy.

How Does European Law Affect You?

The effect of European Law on the UK is still being estimated, but every aspect of British law has to adapt to changes in the way it operates.

- European Union (EU) laws have increased people's rights in the UK. Parts of the Employment Protection Act 1978 were ruled unfair under EU law. The act gave less protection to part-time workers. As most part-time workers are women, the EU decided that this broke the European rules on equal pay for men and women. It ruled that this amounted to sexual discrimination and the UK government was forced to change the law.

The commitment to 'Free Trade' within the union has also affected the way businesses operate:

- Goods can now be transferred throughout the EU without passing through customs.
- Trademarks and intellectual property issues such as copyright, are protected in each member country.
- Individuals have the right to live and work in any EU member's country.
- Common European Standards have been established, ensuring that any product will be of similar quality regardless of where it is manufactured.

Free Trade agreements have revolutionised the way that businesses operate in Europe. Because national boundaries have been removed businesses can now operate in any member country.

- Before European Union only UK registered ships could fish in UK waters under the Merchant Shipping Act 1988. When Spanish ship owners tried to register in the UK, allowing them to fish in UK seas, the UK government stopped them. This was ruled to be against EU regulations, so the law was changed.

The European Convention on Human Rights (ECHR)

This is known as the Human Rights Act 1998 in the UK and it must now be considered when any legal ruling is made throughout the EU.

The main points it guarantees, which are called 'Articles' are:

- A right to life
- Freedom from inhuman treatment

- Freedom from slavery
- Right to liberty and security of the person
- Right to a fair and public hearing
- Freedom from retrospective effect of penal legislation
- Right to respect for privacy
- Freedom of thought, conscience and religion
- Freedom of expression
- Freedom of association and assembly
- The right to marry and found a family

If a legal decision made in the UK is thought to break the rules of the ECHR the case can be referred to the European Court of Human Rights for a ruling to be made, which may overrule British law.

Property Law

What is it and how does it work?

This section takes a look at laws governing buying property or renting.

What do I need to know when buying or selling a property?

The first thing to know about any property is whether it is 'freehold' or 'leasehold.'

- Most houses are sold on a freehold lease, which means the buyer owns the house and the ground that it stands on.
- Flats and properties such as business premises are usually sold on a leasehold basis. The land, and often the main building itself, is owned by a landlord who leases it for a set period - anything up to 999 years!
- The landlord and leaseholder have certain rights and responsibilities: Leaseholders must follow the terms of their lease and pay a 'service charge' to cover the costs of maintenance. Landlords must maintain the property.

If you're buying a property you should make your initial offer 'subject to contract.' If a survey then finds a problem with the property, terms of lease, or anything else such as disputed boundaries, you can pull out.

Once a contract has been signed it's legally binding, but both sides can claim compensation if the deal falls through.

- The government recently announced new laws that mean anyone selling a property must have a 'sellers pack,' which includes information such as 'buildings surveys,' that are currently only given when contracts are exchanged.

The Landlord & Tenant Act 1985 and Housing Act 1988 govern the renting or letting of property.

Landlords must:

- Allow tenants to benefit from the 'quiet enjoyment of the property,' tenants should be able to live without being harassed, or inconvenienced by the landlord.
- Provide property that is fit for human habitation. If a property is in an unhealthy state it is illegal under the Landlord & Tenant Act 1985.

- Maintain common areas, building structures and the outside of the property.
- Ensure that repairs are carried out properly.
- Design and build property to certain standards. If they don't, they can be prosecuted under the Defective Premises Act 1972.

If you're a tenant you have to:

- Pay rent
- Pay Council Tax, Water Rates and any other bills connected with the property.
- Take proper care of the property
- Allow the landlord to enter and view the property, providing you've been given sufficient notice. (At least 24 hours).

How Does Property Law Affect You?

Buying a property

Buying a property usually involves solicitors, estate agents, surveyors and unless you're buying with cash, a mortgage provider. You can do some parts yourself, such as the 'conveyancing,' but it's better to get the professionals to do it for you, even if it's expensive.

- As part of the conveyancing, solicitors carry out the necessary local searches. They ensure that the property isn't due to be demolished, subject to a compulsory purchase order, which might happen when the area the property is in is due for re-development, and most importantly of all, that the seller actually owns the property.
- They organise the transfers of money, deeds, and the particulars of the sale, such as the fixtures and fittings included in the purchase and determine the boundaries, rights of way and that a legally binding lease exists.
- Estate agents represent the seller. Should a problem arise with an agent you can complain to their trade association or the estate agent's ombudsman. Your local Trading Standards office can help you here and anything up to £50,000 can be awarded in compensation for problems.
- The surveyor inspects the property to ensure that it's worth the asking price. Your mortgage provider will insist on a minimal survey but it's worth having a more detailed survey done to be on the safe side.

The seller isn't legally obliged to point out any problems with the property, although they must answer truthfully any questions they are asked. If a problem arises the seller may be liable under the Property Misdescriptions Act 1991 and may have to compensate the buyer.

Leases and renting

Both landlords and tenants have legal obligations that depend on the type of lease.

There are three types of lease for private tenancies:

- Assured Shorthold Tenancy - tenancies started after 28th February 1997 unless the landlord has stated otherwise. Landlords are certain of retaining possession of the property at the end of the lease.
- Assured Tenancy - tenancy is assured for a fixed period and can only be terminated by court order or surrender by the tenant.
- Regulated (or 'protected') Tenancy - tenancies started before 15th January 1989. These offer the most protection against rent increases or eviction.

Under the Housing Act 1985, council or housing association tenants benefit from 'Secure Tenancy'. They have greater protection from rent increases or eviction than private tenants and can transfer the tenancy to a spouse or dependants should they die.



Crime: Burglary

- Burglary is an extremely common crime.
- There are over a million domestic burglaries in Britain every year.
- Many people are affected emotionally and financially by burglaries and the aftermath can leave people frightened, angry and in shock.

How Can I Secure My Home?

- Windows are the preferred means of entry for burglars. Good key operated window locks will help to protect your windows.
- Doors can be reinforced with mortise deadlocks. Fitting spy holes and chains on front doors will allow you to see who's there without opening up.
- Keep your house and car keys away from windows where they are visible to passers by. Don't leave keys near the front door either. They could easily be stolen through the letterbox with a hook or magnet.
- Burglar alarms and security lighting are good deterrents.
- Try to make your home look occupied when you're away by using timers on radios and lights.

What Else Can I Do?

- Hide important documents such as passports and driving licenses. Identity fraud is on the rise.
- Make sure you have up to date **home insurance**.

- Mark all electrical goods with your postcode and the number of your house or flat. You can buy ultraviolet pens to hide the ink, but this can fade over time. If possible, it's better to use a permanent marker.
- Make a note of the brand, model and serial number of all your electrical goods and take pictures if they have distinguishing features. Also, photograph any original items like jewellery. In the event of a burglary, this will make it easier for the police to identify your property.



Crime: Racial Abuse

A racial crime is something committed against a victim solely because of their race. This can include physical abuse/assault, verbal or written abuse, damage to property, and displaying or circulating racist material.

Everyone has the right to live peacefully and free from discrimination at home, in public and at work. Therefore if you are a victim of a racial crime, it's important that you report it to stop it happening to others as well as yourself. The Crime and Disorder Act 1998 created new 'racially aggravated offences' such as harassment, assault, grievous bodily harm, and criminal damages, which carry significantly higher penalties for offenders.



Crime: Sexual Assault

Women and men can be raped or assaulted sexually. It's a serious crime and it's an extremely distressing experience. Unlike other crimes it's sometimes weeks, months or years before rape and assault victims can begin to come to terms with and talk about their experience. Sexual assaults are often committed by someone known to the victim. The distress and impact of the assault may be even greater if this happens.

Regardless of whether the victim knows their attacker, assaults and rapes are serious crimes and are taken very seriously by the police.

If this happens to you, and you feel able to do so, try and call the police as soon as possible. They will need your help to catch the attacker.

Assaults and rape are dealt with very sympathetically by the police. You can be interviewed privately and away from the police station as police often have separate areas designated for this. But you don't have to go to a police station at all to report an assault. If you'd prefer, the police will come to your home.

Police advice about the time immediately after an attack is that, although your immediate reaction will be to wash, try not to if you can possibly help it. Washing destroys vital medical evidence that will help prove the case against the person who raped or assaulted you. But for the reasons outlined above, this can be very difficult advice to follow.

Should your case come to trial, your anonymity will be guaranteed by law if you are female or if you are under 18 years old. The law forbids anything that might identify you. Also, as a general rule, you should not be asked about your previous sexual history in a court.

If the violence is within your family, legal protection is possible. In some cases the attacker, whatever their relationship to the victim can be required not to enter your home, or even your neighbourhood.

When reporting any assault, it really helps if you are able to do the following:

- Give a description, or name and address, of any witness
- Remember what the attacker looked like
- If a car was involved, try to note the colour, model and registration number



Reporting A Crime

They don't always get a good press, and many people are sceptical about some officers use their powers in certain situations. But, the fact is that if you wish to report a crime, whether you are the victim or a witness, whether you have been burgled or seen an assault take place, you will need to call the police.

In any emergency situation, you should call 999. An emergency is generally where someone's life is at risk, if the offender is still at the scene of the crime, or has very recently left it.

If you are a witness to a crime as it's happening, call 999 yourself or get someone else to call for you so you can continue to watch what happens. You may need to describe what has happened and what you have seen to the police.

The 999 operator will transfer you directly to the police once you have confirmed this is the service required. The police will ask you what has happened and whereabouts they are needed. You will also then be asked for your name and the phone number you're calling from.

If it is a non-emergency, you could call your local police station, or visit it, and report it there. Police stations can seem quite intimidating but trained officers try to make the experience as relaxed as possible.

The police will want to take a statement from you - your description of what's happened. If you are the victim, they will ask you about the nature of the crime, whether you think there may have been any witnesses, and other information that will help them in understanding how to help and what to do next.

Your reported crime will be given a reference number. This is important as every aspect of an investigation will refer to the crime number. If you need to claim losses on an **insurance policy**, your insurance company will need to know this information as well.

The information you give the police will help them try to catch the offender(s) and will help prevent them carrying out similar crimes against

other people. If there is a successful arrest, the case may go to court, and you may be asked to attend as a witness.

Police Advice: Victims Of Crime

Reporting

If you want to report a crime to the police there are various ways of doing it. You can either phone them on 999, but I would stress only if it is urgent and the offence is happening right that minute. Otherwise there are numbers to contact the police and the police can come out to report the crime, you can telephone the police and report it over the phone, I think now there are some crimes we can even take over the web.

If you're reporting a crime that involves a car or a mobile phone, anything with a serial or ID number, please take that number with you. If you're worried about reporting a crime to the police you can do it confidentially, you can take someone with you, and you can ask for the police to come out to your house or meet at an agreed place and be with somebody when you report it. There's no reason to be worried about reporting a crime.

Crime

Reference

Numbers

The police will take the report from you, they will give you a crime number and that is useful if you need to make an insurance claim. After that the police will investigate the crime. If the investigation leads to a point where somebody's going to be arrested for the crime then we would need to come back to you, take a statement from you, explain how you may be asked to go to court, and to check that you are happy going to court. A lot of people who do report crimes either report them because they have to for insurance purposes, because they feel that we need to know what's going on the area, or because they are known to the offender but they don't want to go to court.

Hate

Crimes

I think someone who suffers from **homophobic** or **racial** crime will understandably feel very difficult in reporting it to the police. There are many ways of doing it, you can do it directly over the phone, at the police station or getting the police to come out and speak to you in person. There are also many helplines, many lesbian and gay helplines or counselling lines like the Samaritans who will report it confidentially on behalf. In the Metropolitan Police area we now have community safety units who are in place specifically to deal with that type of crime, and will deal with it sensitively and carefully.

Domestic

Violence

and/or

Abuse

Domestic violence is generally something that the police are called to at the time. For some years the Metropolitan Police have taken a proactive stance with domestic crime and we have an active arrest policy to try and

separate the parties until things have calmed down. It's a very very difficult thing to deal with. If you're a young person in the household and **parents are fighting** or causing difficulties with other children, or even yourself, think long and hard about what you can do. There are many ways of dealing with it. You can talk to teachers at school, you can talk to relatives or friends, and it doesn't have to be that a uniformed police officer comes around to the house to deal with it. It can be dealt with in a whole host of ways. We can deal with it very sensitively and carefully because it is difficult to deal with, and it's something that affects young people drastically. Check out the rest of our info on how the police deal with **domestic incidents**.

If You Know Who Did It...

If you are a young person who is a victim of crime and you know the person who's committed the crime against you, that does give you a dilemma. I suggest you think long and hard about it, and you should report the crime to us because a) you will feel better about it yourself. You will see that you're taking positive action and you're not being a victim anymore. Secondly, you probably won't be aware, but the person who has committed the crime against you may also be committing other crimes and as police officers we need to be dealing with this, to ensure that there aren't any more victims. It is difficult to stand up and say 'such and such committed this crime against me', we do understand that and we do what we can to support you through the whole process.

If you've witnessed an offence the most important thing you can do is actually use your eyes and ears. Simply watch, please don't get involved - we don't want people injured. Stand quietly, watch what's going on, please call the police, and when they arrive tell them honestly what you saw. If you know somebody who tells you that they've committed a crime, or you become aware that they are responsible for a crime that is difficult for you. There are many ways of dealing with it, you can do it through Crimestoppers anonymously, it can be reported to the police and we don't necessarily have to use your name or your details.



The Effects Of Crime

Being a victim of crime affects people very differently, and the effects can be long lasting. It's not uncommon to feel fear, anger, guilt and shock for a long time after the event, whatever the crime and however it happened.

And just because some crimes might be viewed as less serious, it doesn't mean that the way you will react to them will be less severe. If you have been burgled, your worries and anxieties about your home and your privacy might be just as strong as the shock and upset felt by a victim of an **assault**.

So the way victims of crime react to what has happened doesn't depend solely on the nature of the crime, it varies greatly depending on the kind of person they are, the support they receive from friends, relatives, the police & other groups, and on the person or people who have committed the crime.

Frequently, one of the biggest things to come to terms with after a crime has taken place is the realisation that the crime was committed deliberately against you or your property. You may feel isolated and fearful that it might happen again. Even though the police may be involved, you may still feel powerless and particularly vulnerable. It's a different feeling to being the victim of an accident. Genuine accidents occur unintentionally and, though unpleasant, there is usually no malice involved.

Sometimes the way a support network reacts to a victim - their friends and relatives etc - can be different to how a victim of a crime might need. People often don't like the idea of further upsetting the victim, and will avoid talking about it when the victim might actually feel a need to talk in order to deal with the aftermath. On the other hand some victims feel that to talk about the crime is to pass it on or would cause distress to other people, so they keep it to themselves and bottle everything up.

Some people take a lot longer than others to recover from the effects of a crime. They may be suffering from **Post Traumatic Stress Disorder**, which can occur following a particularly distressing incident. They may

need extra psychological help in coming to terms with and dealing with being a crime victim.

But the victim of a crime is not the only person to be affected by it. Friends, partners and children may all react to crime and feel similar emotions, as well as natural concern about the victim.
