



Victims and Prisoners Act 2024

2024 CHAPTER 21

PART 2

VICTIMS OF MAJOR INCIDENTS

PROSPECTIVE

Functions and powers of advocates in respect of major incidents

39 Functions of advocates appointed in respect of major incidents

- (1) This section applies where an advocate is appointed in respect of a major incident.
- (2) Where more than one advocate is appointed in respect of the incident, references in this section to “the advocate” are to each advocate individually and any number of them (including all of them) acting jointly.
- (3) Subject to the terms of their appointment, the advocate may provide such support to victims of the incident as the advocate considers appropriate in relation to—
 - (a) the aftermath of the incident;
 - (b) an investigation by a public authority into the incident;
 - (c) an inquest under the Coroners and Justice Act 2009 into a death the incident may have caused or contributed to;
 - (d) an inquiry into the incident under the Inquiries Act 2005.
- (4) The support provided under subsection (3) may include, for example—
 - (a) helping victims understand the actions of public authorities in relation to the incident, and how the views of victims may be taken into account;
 - (b) informing victims about other sources of support and advice, and services, that may be available in connection with the incident;
 - (c) communicating with public authorities on behalf of victims in relation to the incident;

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Victims and Prisoners Act 2024, Cross Heading: Functions and powers of advocates in respect of major incidents. (See end of Document for details)

- (d) assisting victims to access documents or other information in relation to an investigation, inquest or inquiry referred to in subsection (3) (to the extent that victims are, or a particular victim is, entitled to such access).
- (5) The advocate may provide support to victims by providing support to such persons as the advocate considers represent one or more victims, including where those persons are not victims themselves.
- (6) Where the advocate provides support to victims under the age of 18, the advocate may do so only by providing support to such persons as the advocate considers represent those victims.
- (7) A person may not represent victims for the purposes of this Part if the person—
 - (a) is an individual under the age of 18, or
 - (b) would, in representing victims, carry on a legal activity.
- (8) The advocate may not, in supporting victims—
 - (a) carry on a legal activity;
 - (b) provide financial support to any person;
 - (c) provide health care to any person.
- (9) Nothing in this Part confers a right on any person to require the advocate to provide support, or support of a particular type, to that person or any other person.
- (10) In this section—
 - “health care” includes all forms of health care, whether relating to physical or mental health;
 - “legal activity” has the meaning given by section 12(3) of the Legal Services Act 2007;
 - “public authority” has the same meaning as in section 35(2)(a) (see section 35(5)).

Commencement Information

II S. 39 not in force at Royal Assent, see [s. 81\(2\)](#)

40 Role of advocates under Part 1 of the Coroners and Justice Act 2009

In section 47(2) of the Coroners and Justice Act 2009 (interested persons in relation to a deceased person or investigation or inquest into a death), after paragraph (ka) insert—

- “(kb) where an advocate has been appointed under [section 36\(1\)](#) of the Victims and Prisoners Act 2024 in respect of an incident which may have caused or contributed to the death of the deceased—
 - (i) each advocate that has been appointed under that section in respect of that incident, and
 - (ii) the standing advocate appointed under [section 35\(1\)](#) of that Act;”.

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Victims and Prisoners Act 2024,
Cross Heading: Functions and powers of advocates in respect of major incidents. (See end of Document for details)

Commencement Information

I2 S. 40 not in force at Royal Assent, see [s. 81\(2\)](#)

Status:

This version of this cross heading contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Victims and Prisoners Act 2024, Cross Heading: Functions and powers of advocates in respect of major incidents.