



# Victims and Prisoners Act 2024

## 2024 CHAPTER 21

### PART 2

#### VICTIMS OF MAJOR INCIDENTS

##### *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;
  - (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).

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*Status: This is the original version (as it was originally enacted).*

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- (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)).