

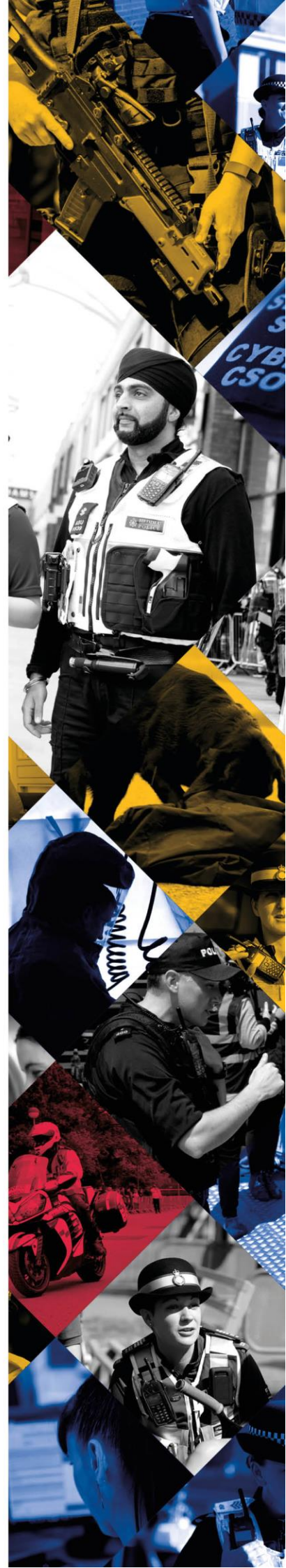


Office of Police and Crime Commissioner
Office of Chief Constable

Victim Code of Practice (Key Entitlements) Compliance

Annual Report 2020 / 2021

7th June 2021



1.0 RECOMMENDATION

- 1.1 To continue to monitor and report compliance with the Victim's Code of Practice, utilising performance and compliance data obtained from the Victim Care unit.
- 1.2 To monitor the implementation and impact of the Victim Care Unit on Victim's Code Compliance and victim satisfaction.

2.0 INTRODUCTION AND BACKGROUND

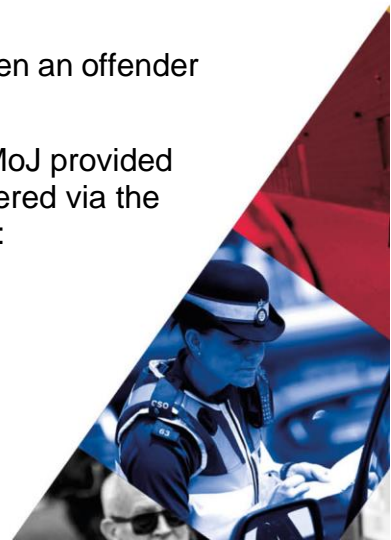
- 2.1 In September 2018, the UK Government Published a Victim Strategy, detailing its vision for how victims should be supported during their journey through the criminal justice system. Within the strategy was a commitment to 'hold agencies to account for compliance with the Victim's Code through improved reporting, monitoring and transparency'. To fulfil this commitment, it was agreed that Police and Crime Commissioners would oversee the monitoring of criminal justice agencies compliance with the Victim's Code of Practice (the Code) and report this to the Ministry of Justice (MoJ).

The MoJ released guidance stating that this process would be done via dip sampling 30 cases per quarter against the '5 key entitlements' within the Code. This process was completed for the financial year 2019 – 20. However, the MoJ put this process on hold for the year 2020 – 21 due to feedback querying the value and validity of the results as they are taken from a very small sample.

The MoJ are yet to release how they see this process will operate going forward. There is work ongoing Nationally via the National Police Chiefs Council (NPCC) Victim and Witness Governance Group chaired by ACC Ackland to agree a common and effective way of monitoring compliance with the Code. Therefore, in Gwent we decided to continue the previous process while awaiting further information. However, where we have been able to use data from a larger data set this has been done.

The 5 key entitlements are:

- Be informed at key stages of the case
 - Be referred to organisations supporting victims of crime
 - Be provided with regular updates on the progress of their case
 - Be given the opportunity to make a Victim Personal Statement (VPS) and be informed how it was used in court
 - Under the Victim Contact Scheme, be informed when an offender is released (does not apply to policing)
- 2.2 To support agencies to report on these entitlements the MoJ provided questions, which are specific to each agency, to be answered via the dip sampling process. The questions for police forces are:



- Does the victim receive a written acknowledgement that a crime was reported?
- Is the victim assessed and, unless opting out referred to support services, within 2 days?
- Are the updates the victims receive on the next steps including arrest, charge and bail, timely and of high quality?
- Is the victim informed of the end of their (Criminal Justice System (CJS) journey?
- Was a VPS taken?

For the Witness Care Unit (WCU) the questions are:

- Are the updates the victims receive on the next steps including plea, appearance at court timely and of high quality?
- Is the victim informed of the end of the CJS journey?
- Was the use of the VPS reported back to the victim?

2.3 In May 2019, a Victim Board was established and is chaired by the Head of Criminal Justice. This board seeks to secure and scrutinise the effective delivery of a consistent and good quality service for victims and witnesses. The board reviews current delivery and performance and agrees any changes to the delivery of victim services in order to ensure it meets the requirements set out within the Victim strategy, Police and Crime Plan, Victim's Code of Practice and Witness Charter.

The board has overseen considerable work over the last 12 months to improve compliance with the Code. A significant piece of work the board overseen has been the design of a restructured victim services model. The business case for the restructure was approved by the Service Improvement Board in December 2020. The restructure involves establishing and introducing a Gwent Police Victim Care Unit (VCU) into Connect Gwent Victim's Hub. The VCU responsibilities will be:

- Assessing victims support requirements and identifying vulnerability
- Offering support and a referral to external agencies when required
- Agreeing with victims a regular update schedule (where required)
- Providing victims regular contact
- Providing victims with the information they require and are entitled to under VCOP
- Acting as a central point of contact for victims
- Increasing capability to obtain victim feedback
- Ensuring robust quality assurance and reporting processes



The restructure to victim services will enable Gwent Police to more effectively support victims through their criminal justice journey thus increasing victim satisfaction and compliance with the Code. It will enable Gwent Police to monitor and report on compliance on a greater proportion of victims who receive a service from Gwent Police. This will negate the issues of validity of the previous MoJ compliance checks and subsequent reports.

Below is a short presentation which provides an overview of the new Victim Care Unit and its aims and objectives.



CC%20briefing%20-%20VCU.ppt

It should also be noted that a revised version of the Code was published in April 2021. The national work around compliance, mentioned above, relates to the revised Code. The revised Code does not alter our obligations to victims under the Code, instead it has simplified the lay out to enable both criminal justice agencies and victims to interpret the Code and understand victims' rights. Communications have been released to Gwent Police personnel to enable them to understand that there is a new iteration of the Code and understand their obligations to victims.

- 2.4 This report details the findings of the dip sample process / NICHE report for each of the above questions, as well as work that has taken place and is planned to improve compliance and the service victims receive from Gwent Police.
- 2.5 As mentioned above, the dip sample is only of 30 occurrences per quarter and therefore, findings may not be an accurate portrayal of performance as a whole but should provide an indication of areas of good practice and areas that require improvements. The sample was selected by randomly selecting 30 occurrences per quarter. Selecting the sample randomly meant that not all questions could be answered for all cases due to the different journeys they took through the criminal justice system, for example a proportion were closed at FPOC and therefore would not have made a VPS or had ongoing updates about an investigation. As mentioned above, discussions are taking place via the NPCC Victim and Witness Group as to how to improve this process moving forward.

3.0 ISSUES FOR CONSIDERATION

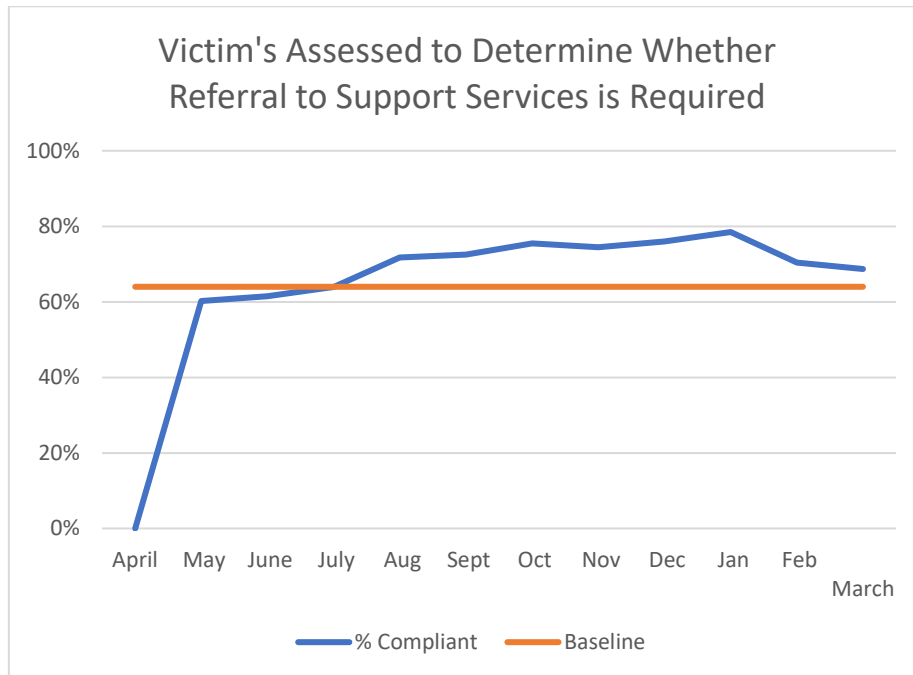
- 3.1 The embedded document displays the data obtained as part of the Victim Performance Pack on a monthly basis.



Victim%20Force%20Performance%20Pac



3.2



A NICHE report is utilised to monitor and report on compliance against this Victim Code of Practice key entitlement rather than a small dip sample process.

In this financial year, 69% (18291/2503) of victims were assessed to determine whether they required a referral to external support services. This compares to 53% in the financial year 2019 -20 (dip sample).

Work has been undertaken to improve this over the last year including:

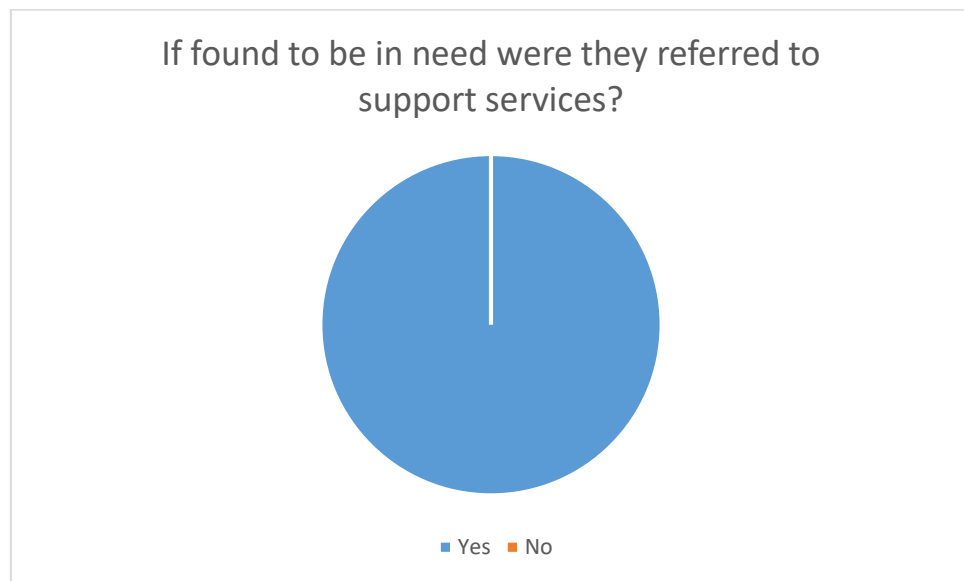
- Training all Officers & Sergeants via a 'Victim Focus' Force Training Day on the Victim's Code, with a focus on assessing victim's needs and vulnerability.
- Increased focus and scrutiny on the completion of the Victim Contact Management module (VCM), including providing detailed guidance and communications on its importance.
- A Business Case to restructure Victim Support Services and introduce a Gwent Police Victim Care Unit (VCU) into Connect Gwent was approved in December 2020 by the Service Improvement Board.

The VCU, which will be fully operational in May 2021 and will be responsible for contacting and completing a needs assessment with

victims of crime. The VCU Needs Assessment will be detailed and allow Gwent Police to have a better understanding of victims needs. This change will also allow us to move to a consent only model where victims are only referred to external support services where a need to do so has been identified.

Work that is planned for the coming year to improve this area includes:

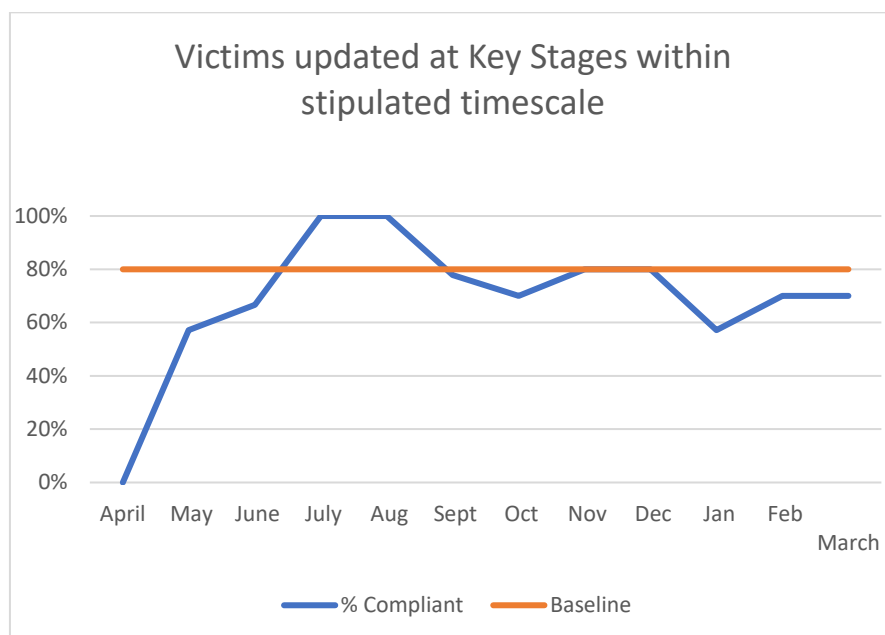
- The full launch of the Victim Care Unit in May 2021 who will be responsible for assessing victims needs and identifying vulnerability.



Due to the opt out model Gwent Police currently operate, all victims that required support were referred to support services. However, it is worth noting that because of the 'implied consent model', 98% of victims referred to Connect Gwent did not engage in ongoing support, which is evidence of inefficiencies with this approach. The establishment of the Victim Care Unit will enable Gwent Police to only refer victims to external support services where a need to do so has been identified. This will enable support services to focus their resources at those in need of support.



3.3



In this financial year, of the 120 cases selected for the MoJ dip sample process, 102 should have received a ‘Key Stage’ update within timescales set out in the Victim’s Code. In 18 cases as there was no key stage was recorded.

Of the 102 victims that should have received a ‘Key Stage’ update 76% (78/102) received a Key Stage update within the timescales set out in the Victim’s Code of Practice. This compares with 63% (74/117) for the financial year 2019/20.

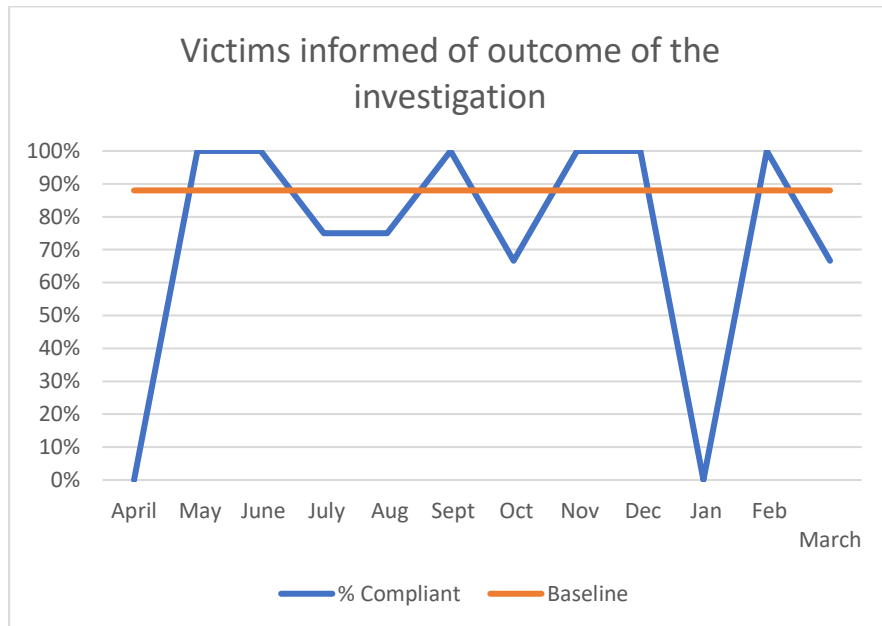
Work has been undertaken to improve this over the last year including:

- Training all Officers and Sergeants on the Code, with a focus on keeping victims updated and how this can be done in a variety of ways according to the victim’s needs (phone, email etc)
- Increased focus and scrutiny on the completion of the Victim Contact Management module (VCM), including providing detailed guidance and communications on its importance.
- As previously mentioned, approval was granted in December 2021 to establish a Victim Care Unit (VCU) with Connect Gwent. The VCU will not be responsible for providing victims with Key Stage updates but will be able to monitor whether these are being provided and task officers to provide them when it is identified one has not been provided via regular contact with the victim.

Work that is planned for the coming year to improve this area includes:

- The full launch of the VCU in May 2021 (detailed above). The VCU will be able to monitor compliance on a greater scale going forward. This will also enable greater scrutiny and oversight of updates provided as the VCU will be able to flag these cases to supervisors as appropriate.
- Continued communications on the importance of updating victims.

3.4



*Please note that compliance was not 0% in April and January, rather there were no cases dip sampled this period where an outcome of the investigation was recorded.

In this financial year, of the 120 cases selected for the MoJ dip sample only 30 cases had an outcome recorded at the point the dip sample was completed. Of the 30 cases that were relevant 87% (26/30) were informed of the outcome of the investigation. This compares with 85% (82/96) for the financial year 2019/20.

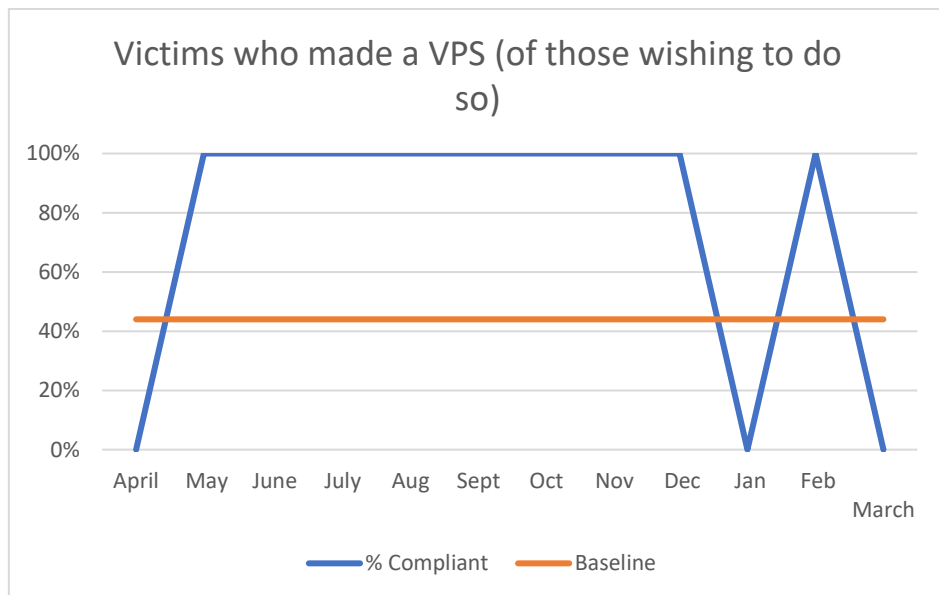
The work completed and planned for this area is the same as 'Key Stage' updates as the two are closely linked.



3.5



The Code states that victims should be offered an opportunity to make a VPS at the same time they make a witness statement. In this financial year 75 of the 120 cases included victims that had provided a witness statement and therefore should have been offered the opportunity to provide a VPS. Of the 75 victims that provided a witness statement 95% (71/75) were offered the opportunity to make a VPS. This compares with 88% (43/49) for the financial year 2019-20.



*Please note that compliance was not 0% in April, January and March rather there were no cases dip sampled this period that were applicable.

Of the 75 victims that were entitled to make a VPS 20 wished to do so. 100% (20/20) of the victims that wished to make a VPS had one taken.

Work has been undertaken to improve this over the last year including:

- Training all Officers and Sergeants on the Code, with a focus on VPS's
- A VPS template has been designed and added to NICHE in collaboration with South Wales Police.

Work that is planned for the coming year to improve this area includes:

- The VCU will be able to ensure victims are aware of their right to make a VPS and where the victim wishes to make one arrange for this to take place.
- Continue to explore how support agencies can support victims to provide a VPS.
- Continued communications on the importance of offering / taking a VPS.

Engagement work with victims to understand what barriers may exist to making a VPS.

- 3.6 The below embedded document provides full details of the results of the dip sampling process for the Witness Care Unit (WCU). However please note that Courts were closed in Q1 of this year and there were reduced trials throughout Q2, therefore the WCU were unable to dip sample 30 cases for every quarter.

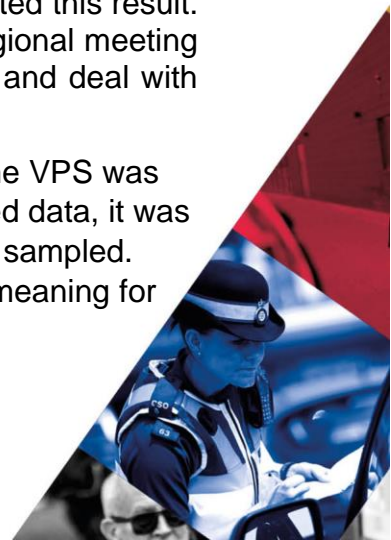


WCU%20VCOP%20
dipsample%20result

86% of communications from the WCU to victims about the trial were in timescales as set out in the Code. This compares to 75% in the previous financial year.

93% of victims were informed of the end of their criminal justice journey (outcome of trial) within the timescales stipulated within the Code. This compares to 98% last financial year. Due to the COVID pandemic there have been some issues with the passing of information to the WCU from other Criminal Justice agencies, which would have impacted this result. This has improved over the last half of the year and a regional meeting has been established by the OPCC as a forum to raise and deal with these issues.

The third question for the WCU was whether the use of the VPS was reported back to the victim. As can be seen in the attached data, it was not possible to answer this question for 97% of the cases sampled. This is due to the way that the dip sample was selected, meaning for



those cases the WCU were not informed whether a VPS was used and therefore unable to inform the victim (if one was provided). Discussion with criminal justice partners is due to take place on how we can improve the way in which the samples are selected.

4.0 NEXT STEPS

- 4.1 To complete work planned as detailed above.
- 4.2 To await the outcome of the work of the NPCC Victim and Witness Governance group to inform how compliance will be monitored and reported on in the future
- 4.3 To trial an enhanced dip sampling process that also looks at qualitative information as well as quantitative. South Wales Police have developed a framework for this that all Welsh forces are considering using.
- 4.4 To continue to develop the Victim Care Unit to assist Gwent Police in providing an excellent service to victims of crime, ensuring they receive their entitlements under the Code.
- 4.5 To monitor performance information from the Victim Care Unit in relation to the Code.
- 4.6 To use performance data to inform future training and communications.

5.0 FINANCIAL CONSIDERATIONS

- 5.1 There are no financial considerations at this stage.

6.0 PERSONNEL CONSIDERATIONS

- 6.1 No personnel considerations at this stage.

7.0 LEGAL IMPLICATIONS

- 7.1 There are no legal implications at this stage.

8.0 EQUALITIES AND HUMAN CONSIDERATIONS

- 8.1 In preparing this report, consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998.

9.0 RISK

- 9.1 None.

10.0 PUBLIC INTEREST

- 10.1 There are no public interest matters.

11.0 REPORT AUTHOR

- 11.1 David Broadway – Head of CJD & Information Services.

12.0 LEAD CHIEF OFFICER

- 12.1 ACC Roberts



13.0 ANNEXES

13.1 Documents embedded.

14.0 CHIEF OFFICER APPROVAL

14.1 I confirm this report has been discussed and approved at a formal Chief Officer's meeting.

14.2 I confirm this report is suitable for the public domain.



Signature:

Date: 13th May 2021

<p>Police and Crime Commissioner for Gwent</p>
<p>I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct.</p>
<p>The above request has my approval.</p>
<p>Signature:</p>
<p>Date:</p>

