

<u>OFFICE OF POLICE AND CRIME COMMISSIONER</u>	
LEAD CHIEF OFFICER:	Assistant Chief Constable Kirk
TITLE:	Compliance with the Victims Code of Practice
DATE:	6th March 2019
TIMING:	Annual
PURPOSE:	For monitoring and decision making
1.	<u>RECOMMENDATION</u>
1.1	To assume further work into existing work around Niche and templates to enable more efficient monitoring of compliance with the Victim Code of Practice.
1.2	To provide training or other communication to officers to enhance understanding of the Victim Code of Practice. This would include victim's entitlements and officer responsibilities.
2.	<u>INTRODUCTION & BACKGROUND</u>
2.1	<p>The Victims' Code of Practice (VCoP)</p> <p>The Victims' Code of Practice came into effect in 2006 with revisions in 2013 and 2015. It was established under the Domestic Violence, Crime and Victim's Act 2004.</p> <p>The Code sets out what each Criminal Justice agency must do for victims and the timeframe in which they must do it. The code applies to all Criminal Justice agencies, including the police, Crown Prosecution Service (CPS), Courts Service and the Probation Service.</p> <p>The code identifies key entitlements for victims including:</p> <ul style="list-style-type: none"> • To be kept informed about the progress of their case • The right to special measures • Additional entitlements for victims who are vulnerable, intimidated, or a child or young person • The right to apply for compensation • A Victim Personal Statement to explain the impact of the crime, and to have it read out in court, with the permission of the court • To be told when an offender will be released, if that offender has been sentenced to a year or more in prison for a violent or sexual offence • Information about taking part in restorative justice schemes • To be referred to victim support services • A Victim's Right to Review

	<p>The Code was updated in October 2015, bringing in new measures to comply with the European Union Victims' Directive. The main changes to the Code were:</p> <ul style="list-style-type: none"> • Broadening the definition of a victim to include victims of all offences. Previously victims of some offences, such as careless driving or minor criminal damage, were not entitled to services under the Code. • Ensuring that victims are entitled to receive support and information from all relevant public sector bodies. Organisations such as HMRC, the Serious Fraud Office and the National Crime Agency now have obligations to victims under the Code. • Entitling all victims who report a crime to receive a written acknowledgement from the police.
2.2	<p>Victim's Strategy</p> <p>The UK government Victims Strategy (published September 2018) includes a commitment to strengthen the Victims' Code of Practice, hold agencies more accountable for compliance, and improve both police training and communication with victims with greater emphasis on alternative court solutions and victim compensation claims.</p> <p>It is also recognized by the Government that the Victims' Codes of Practice is complex and the strategy aims to provide a clearer understanding to victims on their entitlements under the code and provide clarity to those law enforcement agencies that provide services to victims.</p> <p>It is intended that the monitoring of compliance with the code will become the duty of Police and Crime Commissioners.</p> <p>The full Victim's Strategy can be accessed by the following link :</p> <p>https://www.gov.uk/government/publications/victims-strategy</p>
2.3	<p>Compliance</p> <p>Analysis of Gwent Police compliance with the Victim's Code of Practice has been undertaken and attached at paragraph 12.1</p> <ul style="list-style-type: none"> • CARES was introduced in Gwent as a platform for delivering elements of the VCoP. It consists of a number of templates in Niche that follow the mnemonic CARES and serves to remind officers of the different elements of the code and when they should be providing information to victims during the investigation journey. It is the current platform which is used to reinforce and inform practice in this area. • Feedback from officers has resulted in the development of new NICHE templates to ensure value and quality is added to the service provided to victims. • Staff understand the basics of the Code's requirements but lack clarity

	<p>on the full details of the Codes of Practice.</p> <ul style="list-style-type: none"> • This has resulted in low compliance in some areas of the Code. • All new recruits receive VCoP training in their initial training but no refresher training has been provided to staff. • Based on processes and force systems, compliance is measured through a dip-sampling approach. <p>Dip sampling has identified limited compliance in some areas including providing information on processes and rights; agreeing and providing updates with victims; comprehensive needs assessments and children victims' entitlements.</p> <p>Whilst Dip sampling provides an opportunity to monitor compliance it does not provide performance data on a large scale and options to achieve this are to be explored.</p>
3.	<u>ISSUES FOR CONSIDERATION</u>
3.1	<p>In the case of fatalities as a result of a criminal or suspected criminal act, bereaved relatives are normally assigned a Family Liaison Officer (FLO) who provides the 'enhanced' services of the VCoP that the family are entitled to receive.</p> <p>This is a similar case for victims of Rape and other Serious Sexual Offences, who are allocated a SOLO (Sexual Offences Liaison Officer). Their role is to support the victim through the reporting process, coordinate the forensic medical examination and keep the victim updated on the investigation in line with the VCoP.</p>
3.2	A Gwent Police Victim Strategy has been developed and is being reviewed against the national strategy prior to formal launch.
3.3	A review of the victim's journey from start to end is being commissioned. This includes reviewing and working with partner agencies involved in the Criminal Justice process to understand issues and obstacles and to refine processes to enhance the service delivered to victims.
3.4	It is necessary to provide an awareness input / refresher training on the VCoP to officers and staff to enhance their understanding to ensure we deliver against all aspects of the VCoP.
3.5	The Restorative Justice Steering Group has developed a Restorative Justice training package. This group are formulating a programme to deliver awareness training force wide.
3.6	A Victims Care working group comprising of officers and staff from various work streams has been established to collectively look at the details contained within this report and identify options to deliver the points raised at paragraph 3.2 – 3.4. This work will feed the Victim Delivery Plan.
3.7	Scoping options are to be explored to enhance force systems to provide a mechanism to review and monitor VCoP compliance in a more detailed way than is currently provided through a dip-sampling approach.

3.8	The use of CARES, whilst currently used as a platform to deliver elements of the VCoP, is under review pending the completion of a review of Niche templates and as part of the wider Investigation Strategy.
3.9	As part of the overall review into the service provided to victims, work is ongoing with Connect Gwent to improve the referral process from the force to Connect Gwent to ensure that those who require support receive it, rather than continuing with a 'blanket' referral approach. This will assist the Connect Gwent Staff to focus on those who are in need of / request support. Part of the training to officers (para. 3.4) will include a recap on Connect Gwent and the services and support they can offer to victims.
3.10	A benchmarking exercise with other forces has been completed to understand their approach to victims and compliance with VCoP. A number of forces have no approach or system in place to adhere with the VCoP and have expressed an interest in visiting Gwent Police to discuss the work being commissioned to improve our approach.
4.	<u>NEXT STEPS</u>
4.1	Provide training on the VCoP to front-line officers and supervisors in an integrated approach that demonstrates organisational values and a victim-centred approach in Gwent Police.
4.2	Explore further opportunities to capture compliance with the code utilising the COT commissioned Niche (Template) review team.
4.4	Await further steer and guidance from the recommendations set out in the National Strategy, specifically: <ul style="list-style-type: none"> • Amendment of Code to reduce complexity, accessibility and language • Creation of a short, user friendly overview of the Code • Update of entitlements within the Code • Trial of Body Worn Video's in taking Victim Personal Statements
5.	<u>FINANCIAL CONSIDERATIONS</u>
5.1	None known currently but there may be implications around Learning and Development's capacity to deliver VCoP training.
6.	<u>PERSONNEL CONSIDERATIONS</u>
6.1	None known currently.
7.	<u>LEGAL IMPLICATIONS</u>
7.1	None known currently
8.	<u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u>
8.1	This report has been considered against the general duty to promote equality, as stipulated under the Strategic Equality Plan and has been assessed not to discriminate against any particular group.
8.2	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.	RISK
9.1	There is a risk that without reviewing and addressing the identified areas of low compliance that victims will not receive all of the entitlements that they are entitled to under the Victim Codes of Practice and this may impact on victim satisfaction / public confidence.
10.	PUBLIC INTEREST
10.1	It is in the public interest to look at this area of business and make improvements. Victims' experiences will be one way by which the people of Gwent will understand the public value of Gwent Police.
11.	CONTACT OFFICER
11.1	Chief Inspector Jason White
12.	ANNEXES
12.1	<p>VCOP Analysis</p>  <p>VCoP analysis table V1.5 07.10.18.docx</p>

For OPCC use only

Office of the Chief Constable

I confirm that Victims' Code of Practice Compliance report has been discussed and approved at a formal Chief Officers' meeting.

It is now forwarded to the OPCC for **information**.

Signature:



Date: 01.03.19

Police and Crime Commissioner for Gwent

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.

The above request has my approval.

Signature:

Date: