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| VICTIM CODE OF PRACTICE (KEY ENTITLEMENTS) COMPLIANCE |
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| SCRUTINY EXECUTIVE BOARD |
| Annual Report 2023 / 2024  PURPOSE AND RECOMMENDATION  The purpose of this report is for monitoring.  The recommendation is to continue monitoring compliance to ensure we are providing victims with the best possible service and procedural justice.  A further recommendation is to plan for the necessary resource to meet the Ministry of Justice (MOJ) reporting metrics due to begin in 2025. More detail provided in section 3.  INTRODUCTION AND BACKGROUND  The [Victims Code of Practice 2020](https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime) (VCOP) sets out the minimum level of service a victim should receive throughout their criminal justice journey from Policing, Crown Prosecution Service (CPS), His Majesty’s Courts & Tribunals Service (HMCTS) and Probation.  In September 2018, the UK Government published a Victim Strategy, detailing its vision on how victims should be supported during their journey through the criminal justice system. The strategy included 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 MOJ.  The [Victim and Prisoners Bill](https://www.gov.uk/government/publications/victims-and-prisoners-bill) has received Royal Assent and is now the [Victim and Prisoners Act 2024.](https://www.legislation.gov.uk/ukpga/2024/21/enacted#:~:text=An%20Act%20to%20make%20provision%20about%20victims%20of,marriage%20or%20civil%20partnership%3B%20and%20for%20connected%20purposes.) The Act enshrines the principles of the Victims Code in law and increases transparency and oversight throughout the criminal justice process.  In preparation the Head of Victim Services created a compliance model for 23-24 (annexed in 14.1) that has enabled the force to capture and scrutinise data that can lead to meaningful change. This data is utilised in a force-wide action plan that holds leaders accountable for the performance in their area of business.  This work remains a national priority within the victim and witness workstreams, and we continue to collaborate with the Ministry of Justice around how all agencies will report compliance, with the implementation of collecting the metrics planned for 2025. There is currently a pilot underway with 11 forces which will help further some of this work; Gwent was unable to commit to this due to the level of resource required.  The following report is a mixture of mass data and DIP sampling undertaken by Victim Services. The report captures 18 metrics in total, 11 of which will be required by the MOJ. ISSUES FOR CONSIDERATION All of the data within this report has been manually extracted and collated by the Head of Victims Services as there is currently no central mechanism in place. Without Victim Services managing this area of work and utilising its own resource the organisation wouldn’t have had any data to report on.  While we can report on the metrics required by the MOJ we do not have the means to acquire the sample size that will be expected in 2025. This will need to be factored into the planned PIR due to be conducted to ensure there is capacity to deliver the statutory obligations on reporting. COMPLIANCE **Right One – To be able to understand and be understood.**  **The right to be given the option to converse in Welsh.**  One of the entitlements under right one, is to be given the option to speak in the language of preference, in Wales this relates to being offered to converse in Welsh. The below data is collated from the Victim Care Unit, however it’s worth noting the offer of contact in Welsh should be made by all in contact with victims of crime.  This right also covers any language required; however we don’t currently capture compliance for this.  **\*April 2023 – March 2024**  **Right Two – to have the details of the crime recorded without delay.**  **The right to have the crime recorded within 24 hours.**  While this right sits under the code it is heavily scrutinised through the HMIC Victim Services Assessment work.  **Right Three – To be provided with information when reporting the crime.**  **The right to receive written confirmation of allegation, occurrence number and contact details.**  For standard cases all victims should be sent a text and/or letter/email with all of the above information. Enhanced cases where there is risk (DA/SV) can only have this sent with explicit consent from the victim. Any victim of crime can opt out of this information.  **\*April 2023 – March 2024**    **The right to be provided with information on their rights as a victim.**  Along with the victim of crime letter the Victim Care Unit (VCU) also sends a victim information pack which includes detail on Victim Code of Practice (VCOP) and available support services. The pack details what they can expect as a victim of crime with further detail of restorative justice and the journey through criminal justice.  **\*April 2023 – March 2024**    **Right 4 – To be referred to services that support victims and have services tailored to your needs.**  **The right to be assessed for a standard or enhanced service.** When a crime is recorded with an aggrieved attached, a victim needs assessment is required to establish eligibility for a standard or enhanced service under the code. This is completed by officers using the ICP01 template on NICHE.  While it may seem that completion isn’t where it needs to be it’s worth noting that the data collected for this metric includes all crimes including linked occurrences, not all would require an ICP01.  **\*April 2023 – March 2024**  **The right to be referred to a support service within 2 working days.**  All volume crime is allocated to the Victim Care Unit within 1 working day which is the support triage function. A report is run from NICHE pulling all crimes with an aggrieved attached and, is further assessed to be ‘standard or enhanced’ and allocated appropriately to a Victim Care Officer.    **\*April 2023 – March 2024**  **The right to have a needs assessment and be referred for tailored support.**  When the VCU makes successful contact with a victim, a full and thorough needs assessment is completed. This captures all elements of their lives that may impact their engagement in a criminal justice process and achieve their best evidence. This enables a robust understanding of risk/need and the ability to implement a tailored support plan.  We also understand that vulnerability is fluid and can change throughout the course of the criminal justice journey. During regular updates the Victim Care Officer (VCO) continually reassesses to ensure victims are receiving the right support at the right time.  While 100% would be the ideal compliance, unfortunately there will always be victims who refuse to take part, particularly if they are sure they don’t want external support or regular updates.  **\*April 2023 – March 2024**  **The right to have a needs assessment for special measures.**  While the entitlement requirements of special measures sits within the [Youth Justice and Criminal Evidence Act](https://www.legislation.gov.uk/ukpga/1999/23/contents) 1999, the right to be assessed and offered is also a requirement within the code of practice.  While Q2 and Q4 are positive, Q1 and Q3 evidence the need for consistency. When scrutinised the DIP sample showed those not being offered were those sat outside of the Special Measures Advisor’s remit.  **\*April 2023 – March 2024**  If the victim agrees, an application needs to be made to the court using the MG2 form. It’s pleasing to see that when requested by victims the application to the court is being made.  **\*April 2023 – March 2024**  **Right 5 – To be given information on the Criminal Injuries Compensation Authority scheme.**  Victims are provided with information on CICA within the information packs sent at the beginning of their criminal justice journey. At this time, we do not have direct conversations early on around CICA as the defence can use this to their advantage in court. However, we do discuss it in more detail at the end of the process.  **\*April 2023 – March 2024**  Applications for CICA are made directly through the agency, however when Information Services receive requests for information we aim to respond in 30 days.  **Right 6 – To be provided with information about the investigation.**  **The right to be provided with key stage updates.**  It is the OIC’s responsibility to provide victims with updates for the key stages of the investigation. Despite being one of the most important elements of a criminal justice journey for victims, this is the area where performance is the worst. The VCU model was created to take over regular updates and allow officers more time to ensure key stage updates. Despite evidence that efforts have been made through the year to improve compliance, it is disappointing to see this figure is not higher.  Where updates were given, it was positive to see the majority were given within the correct timescale.  **\*April 2023 – March 2024**  **The right to be provided with regular updates.**  All victims who are referred into the VCU are given the opportunity to have regular updates. Should they wish to engage, a contact schedule is arranged using the VCM by the VCO which should be adhered to throughout the criminal justice journey. Victims can opt out of this at any time. Compliance drops due to being understaffed and awaiting successful recruitment.    **\*April 2023 – March 2024**  **Right 7 - To make a victim personal statement.**    All victims should be offered the opportunity to make a VPS at the time of providing a witness statement. It’s recognised that this wouldn’t always be the most appropriate time, but the offer should be continually made with an emphasis on this being explored again before a case file is submitted. There doesn’t seem to be any consistency in the offer for a VPS which was a similar picture last year.  **\*April 2023 – March 2024**  While the offer to make a VPS is important, when the victim agrees it is vital for the statement to then be taken given the impact it can have on sentencing. Although there was a decrease in Q2 it is pleasing to see 100% compliance for the rest of the year.  **\*April 2023 – March 2024**  **To be given information about the trial, process and your role as a witness.**  **The right to have needs assessed and a referral to the Witness Service where required.**  Once a case has a first hearing, all victims and witnesses in the case are referred into the Witness Care Unit (WCU). The WCU complete a needs assessment around the court process to ensure victims have all the help and information they need to achieve their best evidence. The number of trials managed in the unit has increased by 100 this year alone, which along with being understaffed is impacting performance. Last year we saw ‘final court update’ compliance decrease, and efforts have been made to ensure it improved this year; this meant prioritising updates over other tasks. The unit use WMS which is an archaic system and requires double and triple keying for most actions, the needs assessment being one of them.  Compliance for completing the post charge needs assessment is low. This is believed to be a recording issue as there was evidence within the system of these conversations taking place with victims. The additional needs assessment function was not completed on WMS which is what we have used to mark this exercise.  **\*April 2023 – March 2024**  **The right to be provided with key stage updates throughout the court process.**  Witness Care Officers are responsible for providing key stage updates around the court process post charge.  Unfortunately, compliance has decreased since last year where it was 100%. Given the additional demand and issues with resources it is still pleasing to see levels of engagement and within relevant timescales.  **\*April 2023 – March 2024**  **Right 9 - To be provided with a final court update.**  At the end of the court process the Witness Care Unit are responsible for ensuring the victim is aware of the outcome. As detailed above, efforts have been made to ensure these updates are given, it’s also positive to see that all updates given have been done so in the correct timescale.  **\*April 2022 – March 2023** NEXT STEPS To continue to use the current compliance model to assess our performance and make the necessary improvements in preparation for MOJ reporting in 2025.  To continue to develop the Victim Services model to assist Gwent Police in providing an excellent service to victims of crime, ensuring they receive their entitlements under the Code.  To monitor the national MOJ VCOP pilot and its outcomes.  To monitor MOJ updates as to any potential funding for analytical support funding.  To plan for how will meet the sample size requirements for the MOJ reporting in 2025.  To use performance data to inform future training, communication and improvements across the organisation.  FINANCIAL CONSIDERATIONS  Resource will be required through the central analytic team to meet the requirements of reporting to the MOJ. The MOJ have alluded to there being funding available for this, but this is yet to be confirmed.  PERSONNEL CONSIDERATIONS  The central analytical team do not currently have the resource to meet the expected demand expected.  LEGAL CONSIDERATIONS  None of note.  EQUALITIES & HUMAN RIGHTS CONSIDERATIONS  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.  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.  RISK  The current monitoring mechanism sits with the Head of Victim Services; this offers no resilience.  **FORCE SCRUTINY**  At Formal Chief Officer Team Meeting the Chief Constable scrutinised the report and had no issues to raise.  The report has been scrutinised by the Deputy Chief Constable at Scrutiny executive board with no issues to raise.  PUBLIC INTEREST  In producing this report, has consideration been given to ‘public confidence’?  Yes.  Are the contents of this report, observations and appendices necessary and suitable for the public domain?  Yes.  REPORT AUTHOR  Elizabeth Lower – Head of Victim Services  LEAD CHIEF OFFICER  Assistant Chief Constable, Nicky Brain  ANNEXES  VPOC Model 2023-24  GOVERNANCE BOARD AND CHIEF OFFICER APPROVAL  This report has been approved at formal Chief Officer’ meeting.  Meeting chaired by: Chief Constable Hobrough  Meeting date: 15.08.2024  Actions or amendments arising from meeting:  Signature:    Date: 21/08/2024  Annexes:  VPOC Model 2023-24 | | |

