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Specification

Integrated Victims and Witnesses Service

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1. ORGANISATIONAL OVERVIEW

1.1 *Transport for London (TfL)*

- 1.1.1. TfL was created in 2000 as the integrated body responsible for London's transport system. TfL is a functional body of the Greater London Authority. Its primary role is to implement the Mayor of London's Transport Strategy and manage transport services to, from and within London.
- 1.1.2. Further background on what TfL does can be found on the TfL website:
<https://tfl.gov.uk/corporate/about-tfl/what-we-do>.
- 1.1.3. TfL is managing this procurement exercise on behalf of the Mayor's Office for Policing And Crime.

1.2 *Mayor's Office for Policing And Crime*

- 1.2.1 The Mayor's Office for Policing And Crime (MOPAC) was established on 16th January 2012 under the Police Reform and Social Responsibility Act 2011. MOPAC holds the Metropolitan Police Service (MPS) to account; making the police answerable to the communities they serve. MOPAC is the Police and Crime Commissioning body for London. MOPAC is required to work in partnership across agencies at a local and national level to ensure there is a unified approach to preventing and reducing crime.
- 1.2.2 MOPAC is responsible for delivering the Mayor of London's Police and Crime plan. More details of the work of MOPAC can be found at <https://www.london.gov.uk/what-we-do/mayor-s-office-policing-and-crime-mopac>. From the 1st October 2014, MOPAC assumed responsibility for commissioning victims' services in London.

2. INTRODUCTION

- 2.1 MOPAC intends to commission the provision of seamless, end-to-end support for victims and witnesses of crime resident in London, for a two-year period from 1st April 2019 to 31st March 2021 with an option to extend for an additional two years (1st April 2021 to 31st March 2023).
- 2.2 There will be a mobilisation period from when the contract is signed in January to 31st March 2019 to transition from current arrangements and the Provider(s) will be expected to work closely with MOPAC and partners during this period to ensure the Service is ready to commence on 1st April 2019.
- 2.3 [The Mayor's Police and Crime Plan](#), puts victims at the heart of everything MOPAC does, making significant commitments regarding the provision of better services and improving the experience of the criminal justice service for victims of crime. Additionally, MOPAC is working to increase support for victims experiencing significant harm, including serious violence, and for vulnerable and intimidated witnesses across London. The range of support will include:
 - Support for adult victims of crime
 - Specialist support for victims and survivors of domestic violence
 - Access to Restorative Justice
 - Pre-trial support for witnesses
 - Support for victims and witnesses of major crime incidents
- 2.4 The Service will aim to assist in tackling low levels of victim satisfaction in London; high levels of court attrition and will deal with over 200,000 cases annually. This is the wider context of over ¾ of

a million victims of police-recorded crime within the capital per year. As not all crime is reported, the true level of victimisation is actually much higher. In fact, the number of recorded victims of crime in London has increased by more than 16% (over 100,000 more victims) over the last 4 years.

- 2.5 The Service forms part of a wider MOPAC programme to change and improve the support to and experiences of victims and witnesses. This may involve reviewing, designing, piloting and/or commissioning other services for victims and witnesses that will subsequently form part of the Integrated Victim and Witness Service model. The Provider(s) will be required to support the further integration of victim and witness services.

3. BACKGROUND

3.1 *Legislative and Regulatory Frameworks*

- 3.1.1 MOPAC assumed devolved responsibility from the Ministry of Justice (MoJ) for commissioning the majority of victims' services in London from 1st October 2014 and annual funding is granted to MOPAC by the MoJ for this purpose. MOPAC supplements this grant from its own budget, through successful applications to other Government funding streams and by partnering with other commissioning bodies.
- 3.1.2 The [Domestic Violence, Crime and Victims Act 2004](#) established the [Code of Practice for Victims of Crime \(VCoP\)](#). The current version (October 2015) sets out victims' rights and entitlements due from agencies in the criminal justice system (CJS). The recently published [cross-Government Victims Strategy](#) proposes making PCCs responsible for overseeing VCoP compliance in their respective areas. Therefore, MOPAC works with statutory criminal justice partner agencies and support organisations to improve compliance with this important national framework
- 3.1.3 The [Witness Charter](#) sets out the standards of care witnesses of crime in England and Wales can expect at every stage of the process from each of the service providers involved in the Criminal Justice System, including defence lawyers.
- 3.1.4 The Mayor of London's Police and Crime Plan [A Safer City for All Londoners: Police and Crime Plan 2017-2021](#) (PCP) puts victims at the heart of everything MOPAC does, making significant commitments regarding the provision of better services and improving the experience of the Criminal Justice Service for victims of crime.
- 3.1.5 In March 2018, a [Memorandum of Understanding \(MoU\)](#) was signed between MOPAC, the Ministry of Justice (MoJ) and London Councils to work towards justice devolution. This seeks to facilitate a more integrated approach to delivering justice services in London. In relation to victims and witnesses, the MoU commits MoJ to devolve the provision of pre-trial and outreach support for witnesses in London to MOPAC from April 2019.
- 3.1.6 In line with the Mayor's Police and Crime Plan, MOPAC is working to increase support for victims experiencing significant harm, including serious violence, and for vulnerable and intimidated witnesses across London.
- 3.2 ***Case for Change***
- 3.2.1 In the context of victims' commissioning, the purpose of supporting victims is so that they a) feel they have the ability to cope with the initial impact of the crime and, b) recover from the harm

experienced (whilst acknowledging that not all victims will return entirely to the lives they had before). This is commonly summarised as 'cope and recover'.

- 3.2.2 The purpose of supporting witnesses, whether they have accessed support for victims or not, and regardless of whether they are called by the prosecution or the defence, is to support them to attend court and give their best evidence.
- 3.2.3 Research commissioned by MOPAC has evidenced that victims and witnesses are let down by their experiences with the criminal justice system and that there are some major gaps in the provision of support services and their interface with statutory criminal justice agencies.
- 3.2.4 During a period of rising crime and victimisation, those on the receiving end have for too long been on the periphery of, and not well served by, the criminal justice system. This is evidenced by a number of indicators, including:
- a consistent and on-going downward trend in overall victim satisfaction with the Metropolitan Police Service (MPS) - now at its lowest level since before the financial year 2012-13;
 - poor compliance in some areas with VCoP;
 - the number of cracked and ineffective trails as a result of witness non-attendance;
 - the drop in the number of referrals to victim support services without an increase in quality of referral and levels of repeat victimisation; and
 - Victims of the high harm crimes of hate crime (+53%), sexual offences (+37%), domestic abuse (+27%) and knife crime (+53%) have all increased during the last 4 years.
- 3.2.5 This is particularly true for victims of Domestic Abuse. There are considerable persistent challenges for this group of victims in terms of receiving the support they need to cope, recover and seek the justice they are entitled to. There are social and societal barriers to accepting domestic abuse exists and barriers to accessing support – for example, the feeling that the abuse has to be extreme in order to seek support. Additionally, there are barriers to understanding that the definition of Domestic Abuse includes other forms of abuse such as coercive control, financial abuse and verbal abuse.
- 3.2.6 Victims and witnesses have told us that:
- They are passed between agencies; with no help to navigate their journey;
 - They want more information on each stage of the CJS process;
 - Initial contact, including information on what to expect, is important;
 - They want accessible information as it is difficult to process it all;
 - Making lots of statements is confusing for them;
 - They have to chase for updates about their case;
 - They often cannot contact a named officer; messages were unreturned;
 - Phoning 101 for updates and talking to a stranger is traumatic;
 - They are not told their case was dropped and felt 'lost in the system';
 - Finding general information is difficult: no single place to go;
 - They have to repeat their story or correct misinformation; and
 - Criminal justice journeys feel 'disconnected'.
- 3.2.6 Many of these problems are linked to systems. The CJS is complex, with many different agencies, each constrained to 'do their job' with respect to victims and witnesses before handing them over to the next organisation in the chain. This leads to confusion on behalf of victims and witnesses, who have to deal with a bewildering number of agencies and people.

- 3.2.7 Feedback from victims indicates that the current system constantly and consistently demands information from the victim/witness, without providing reciprocal information that would facilitate both 'cope and recover' and the giving of best evidence. This feedback revealed several more areas for improvement with the current system:
- Referrals mechanisms can be strengthened
 - Referrals are one-off, one-way activities rather than relationships
 - Information is not shared well between agencies
 - Multiple management information systems are not victim focused
- 3.2.8 All this requires an integrated Service for victims of crime that join up the support available to victims and witnesses as they go through the justice process (or if they choose not to report their crime) and ensure these are better suited to the specific needs of Londoners.
- 3.2.9 The Service will also facilitate effective partnership working with and between providers, statutory partners and agencies involved in the criminal justice system at the local, regional and national level to improve integration and links between different parts of the system (see section 8.2 *Ecosystem*).
- 3.2.10 MOPAC has, therefore, committed to re-commissioning core victim support services, with a view to establishing an integrated and end-to-end service for victims and witnesses in London. The new service needs to be in place by April 2019, in order to align with devolution of part of the Court Based Witness Service and the end of current grant extensions for:
- the Multi-Crime Service (including the assessment and referral service and the support service for victims of crime), currently provided by Victim Support;
 - Restore:London, providing restorative justice services in London; and
 - the Pan London Domestic Violence Service, currently also provided by Victim Support.
- 3.2.11 MOPAC will shortly publish a Victims' Needs Assessment and Review of VCoP compliance in London. The Provider(s) must ensure that the findings of this publication are taken into account in terms of Service design (see paragraph 9.2.3).

3.3 **Current Service Delivery**

- 3.3.1 Victims' services are currently commissioned on a national, regional and local basis (see Appendix 2) and Provider(s) must ensure that the Service establishes and maintains working relationships across this spectrum, including the development of robust referral pathways.
- 3.3.2 The table below summarises the current landscape (since 2016/17) for MOPAC-commissioned (regional) services covered in this commissioning exercise. The number of cases for each is an approximate guide as the figure can vary according to crime levels and police referral methodology. Detailed current service volume data is provided in the accompanying data pack document.

Details	Purpose
<u>Multi-Crime Service</u> <ul style="list-style-type: none"> • Current provider: Victim Support 	<ul style="list-style-type: none"> • To provide universal access to support for those who choose to report crime and for those who do not; • To provide enhanced support to priority referrals; and • To raise victims' awareness of their rights and entitlements under VCoP.

<u>Domestic Violence Service</u> <ul style="list-style-type: none"> Current provider: Victim Support 	<ul style="list-style-type: none"> To maintain provision across London of the additional 40.5 IDVAs across the capital; To provide IDVA support to high risk victims of Domestic Abuse; To ensure effective safety planning and risk management for service users; and To test the effectiveness of Domestic Violence Protection Orders (year-long project).
<u>Restore:London</u> <ul style="list-style-type: none"> Current provider: Catch-22 led consortium 	<ul style="list-style-type: none"> To develop and run a pan-London Restorative Justice (RJ) model that delivers victim-led RJ provision and casework

- 3.3.2 MOPAC also funds Victim Support to deliver a Children and Young People's Victim Service, which is to be re-commissioned for April 2019, but is outside the scope of this specification.
- 3.3.3 Also at the regional level, the five Witness Care Units in London are operated by the MPS. Their role is to tell victims and witnesses if they are required to give evidence, the dates of the court hearings, and explain court results and any sentence given.
- 3.3.4 At the national level, the MoJ currently funds a national Court-Based Witness Service (CBWS) to support witnesses, from both the prosecution and defence, to give their best evidence. Under the terms of the MoU agreed between MOPAC and the MoJ, the pre-trial and outreach elements of this service are being devolved to MOPAC and fall under this commissioning exercise.
- 3.3.5 MoJ also commissions the National Homicide Service, providing support to families bereaved by homicide. This is currently being recommissioned for April 2019.
- 3.3.6 Local Authority's commission a range of victims' services funded both themselves or through MOPAC's London Crime Prevention Fund.
- 3.3.7 Appendix 2 provides more detail on the range of national, regional and local victims' services commissioning.

4. OVERVIEW OF THE SERVICE

4.1 *IVWS Vision*

- 4.1.1 MOPAC's vision is to improve current provision, and deliver an integrated, accessible, responsive, quality support offer for:
- victims of crime, to aid their ability to cope and recover from the experience and reduce their risk of re-victimisation; and
 - witnesses, so they are able to attend court and give their best evidence.
- 4.1.2 This is the Integrated Victims and Witnesses Service (IVWS). IVWS will significantly improve the offer to victims and witnesses, embedding design principles and key attributes which seek to address failings and gaps in the current model of provision.

4.2 *Programme Objectives*

- 4.2.1 MOPAC's key objectives for the re-commissioning of victim support services in London are:

- to deliver Mayoral commitments relating to victims in the PCP and other strategies, including the Violence Against Women and Girls (VAWG) Strategy;
- to deliver improved compliance with VCoP and the Witness Charter (WC);
- to increase value for money from MOPAC's victims' services, and existing national witnesses' services, commissioning;
- to increase the accessibility of the services;
- to improve the quality of services delivered to victims and witnesses in London; and
- to ensure high-harm/high-risk victims receive the right support at the right time.

4.2.2 Deliver the Mayoral commitments relating to victims in the Police and Crime Plan and other strategies, including the Violence Against Women and Girls (VAWG) Strategy

A Safer City for All Londoners: Police and Crime Plan 2017-2021 puts victims at the heart of everything MOPAC does and makes several commitments covered by the new services. The key commitment is to join up the services available to witnesses and victims of crime as they go through the criminal justice process and ensure these are better suited to their needs.

In the Violence Against Women and Girls (VAWG) strategy the Mayor committed to funding and supporting Independent Domestic Violence Advocate (IDVA) provision in London. To enhance this offer MOPAC committed to improving the current IDVA service to better meet the emerging needs and demands of service users. This will include ensuring the service is aligned with the Criminal Justice Service (CJS) and other MOPAC commissioned services.

4.2.3 Deliver improved compliance with VCoP and the Witness Charter (WC)

The recently released cross-Government Victims' Strategy outlines plans to give Police and Crime Commissioners responsibility for VCoP compliance oversight in their respective areas and, therefore, this is a key objective of the Service. MOPAC is currently undertaking a review of VCoP compliance in London which will help to provide a baseline from which to measure improvement.

The Service will integrate VCSE-led support services with elements of the criminal justice process (the devolved elements of the Witness Service) which will help to improve the care of victims and witnesses which is fundamental to VCoP compliance.

The Service will also need to deliver compliance with the Witness Charter and be sensitive and responsive to the range of needs presented by witnesses, particularly those who are vulnerable.

4.2.4 Increase value for money from MOPAC's victims' services, and existing national witnesses' services, commissioning

MOPAC supplements the victims funding allocated to London by the MoJ with £18m from its own budget (see paragraph 4.3.1). MOPAC has a duty to ensure value for public money which makes this a priority objective for the Service. MOPAC will extend its commissioning reach through this exercise, achieving efficiencies and reducing duplication.

4.2.5 Increase the accessibility of the services

The Service needs to be equally accessible to those who wish to report their crime to the police and to those who do not wish to report. This is a requirement of the MoJ victims funding grant to MOPAC.

Londoners do not currently always know where to go to find information, advice and practical and emotional support. The Service will be promoted as such. The Provider(s) must identify ways of promoting the Service to Londoners. Furthermore, MOPAC requires the Service to engage with London's diverse communities, particularly those that under-report crime and are less likely to access services. This also applies to engaging victims with protected characteristics, as defined by the Equality Act (see paragraph 5.4.4).

4.2.6 Improve the quality of services delivered to victims and witnesses

Service users have provided evidence based on their experiences for how victim and witness services could improve – for example: better information, more updates, fewer handovers – these ideas are embedded in the design principles and key attributes of the Service.

The same quality of service levels for those who report their crime to the police and for those who choose not to will be provided by the Service. Similarly, the same level of service will be provided for both prosecution and defence witnesses.

The Service will develop an improved interface between VCSE-led support services, the MPS and criminal justice agencies to help improve VCoP compliance, which will, in turn, provide a better quality of services for victims and witnesses in London.

4.2.7 Ensure high-harm/high-risk victims receive the right support at the right time

The Police and Crime Plan has a focus on vulnerable victims and helping to reduce the likelihood of their becoming repeat victims of crime. Whilst reducing repeat victimisation is a focus for CJS agencies in terms of targets, this has not always been a priority for VCSE organisations working to help victims cope and recover. MOPAC acknowledges that the Service can have a positive influence on reducing repeat victimisation and this will be represented as a key target.

4.3 ***Victims' Budget Official Decisions***

- 4.3.1 MOPAC's governance is required to be transparent and, therefore, key budgetary decisions approved by the Deputy Mayor for Policing and Crime are documented and published. The budget for this commissioning exercise is set out in [PCD174](#) and [PCD377](#).

5. **SERVICE REQUIREMENTS**

5.1 **Scope**

- 5.1.1 The Provider(s) must ensure that the Service:

- meets the support needs of victims and witnesses or, as the case may be, family members;
- acts in the interests of the victims or witnesses or family members supported;
- is free of charge;
- is confidential;
- is non-discriminatory (including being available to all regardless of residence status, nationality or citizenship);
- is available whether or not a crime has been reported to the police;
- is available before, during and for an appropriate time after any investigation or criminal proceedings;
- understands and implements a gendered approach to service delivery;
- complies with VCoP and the Witness Charter, including any amendments made through the lifetime of the contract; and

- advocates so that victims and witnesses receive their entitlements; and supports responsible authorities in discharging their duties to victims and witnesses.

5.1.2 The IVWS will provide advocacy, safety-planning, practical and emotional support and associated specialist support to victims and witnesses of crime resident in London to help them cope and recover from their experiences. It will also support public witnesses to attend court and give their best evidence. The Service must:

- operate in all 32 London Boroughs and City of London with consistent service across London;
- work in conjunction with the newly formed Met Police Basic Command Unit (BCU) areas (see Appendix 3) and City of London Police;
- work in conjunction with other criminal justice agencies in London, including but not limited to the Crown Prosecution Service (CPS), Her Majesty's Courts and Tribunals Service (HMCTS) and the National Probation Service (see Appendix 4).
- operate in harmony with other local provision, particularly the specialist services and the services commissioned or delivered by Local Authorities and other MOPAC-commissioned victim services;
- be fully inter-operable with nationally/PCC-commissioned services for victims and witnesses; and
- ensure that those victims not resident in London and/or whose crimes are out of scope (victims of sexual violence, for example) are referred to the most appropriate service and assurances sought that the referral is received and responded to – the Service needs to bear in mind the 'duty of care' to ensure that any victim gets the support they need whether through the Service or through onward referral.

5.2 **Key Attributes**

5.2.1 MOPAC has, in consultation with service users and providers, developed key design attributes for the new IVWS delivery model that distinguish it from current services and will help achieve the objectives detailed in section 4.2. Whilst these are included in the Minimum Service Levels at section 6 where practical, below provides more detail and rationale for the changes:

5.2.2 **A shared set of principles:** the Provider(s) are expected to promote the service and deliver in line with a common set of values and principles, and to work collaboratively with other providers and statutory partners. This will promote a sense of 'one service' being accessed by victims and witnesses, supporting improvements in effectively reassuring victims and witnesses and reducing the confusion they currently feel trying to navigate a fragmented landscape of different services.

5.2.3 **Caseworker model:** every service user will be allocated a named Caseworker or IDVA (for high-risk victims of domestic abuse) who, building a trusting relationship, will travel with them throughout their cope and recover and/or criminal justice journeys and be their principle point of contact regardless of what specialist service the victim or witness is also referred into. The Caseworker must be able to conduct detailed, fully consensual handover referrals to other specialist services, where appropriate – a 'warm' referral.

5.2.4 The Caseworker role is a key innovation within the Service. It is a response to one of the findings from MOPAC's extensive consultation – that victims are confused by the overwhelming number of agencies and requests for information that result from reporting a crime. The caseworkers must be skilled and trained to a level that enables risk identification and an awareness of service remit limitations, i.e. identification of risk beyond service scope should be referred to specialist services as appropriate.

5.2.5 The key elements of the Caseworker role will be:

- Central coordination, with shared ownership and accountability for the end-to-end victim journey
- Ensuring victims are empowered to make informed choices about VCOP entitlements including restorative justice
- Providing tailored, personal support through the system based on needs, vulnerability and health (including mental health) and case progression.
- Explanation of how the CJS works
- Overall support planning, including emotional and practical support with seamless access to the most appropriate victim services to meet their individual needs.
- Prioritisation of direct victim care and support. The role is *not*, therefore, responsible for contacting CJS agencies for administrative case progression updates. This task should be undertaken through a different role in the Service.

5.2.6 **Needs assessment passport:** while victim and witness needs are not static, the requirement to have a new needs assessment every time they access a new service is confusing and disconcerting for victims and witnesses and can increase the anxiety they feel. A needs assessment 'passport' will put individuals in control of their information and act as a living document that 'travels' with them throughout their journey through the criminal justice system, and victims through their cope and recovery 'journey'.

5.2.7 The passport is a vital element of the Service. It will mean that statutory CJS agencies and VCSE support providers coming into contact with victims who are also accessing the IVWS will be expected to utilise the passport to provide the best possible service to each victim/witness.

5.2.8 **It can be seen that the development of the needs assessment passport concept to a point of legitimacy, acceptance and business-as-usual across the range of organisations working with victims and witnesses is a key priority. Therefore, MOPAC is keen to ensure that dedicated resource is put to work on this element.**

To facilitate this, there will be additional funding available in January 2019, over and above the amount of this tender, to work closely with MOPAC and define the requirements and budget for this work. There will be a need to engage with MOPAC's partners for victims' commissioning – both statutory and VCSE – to develop the needs assessment passport and secure buy-in so that it is embedded and ready to be used from 1st April 2019 by all partners.

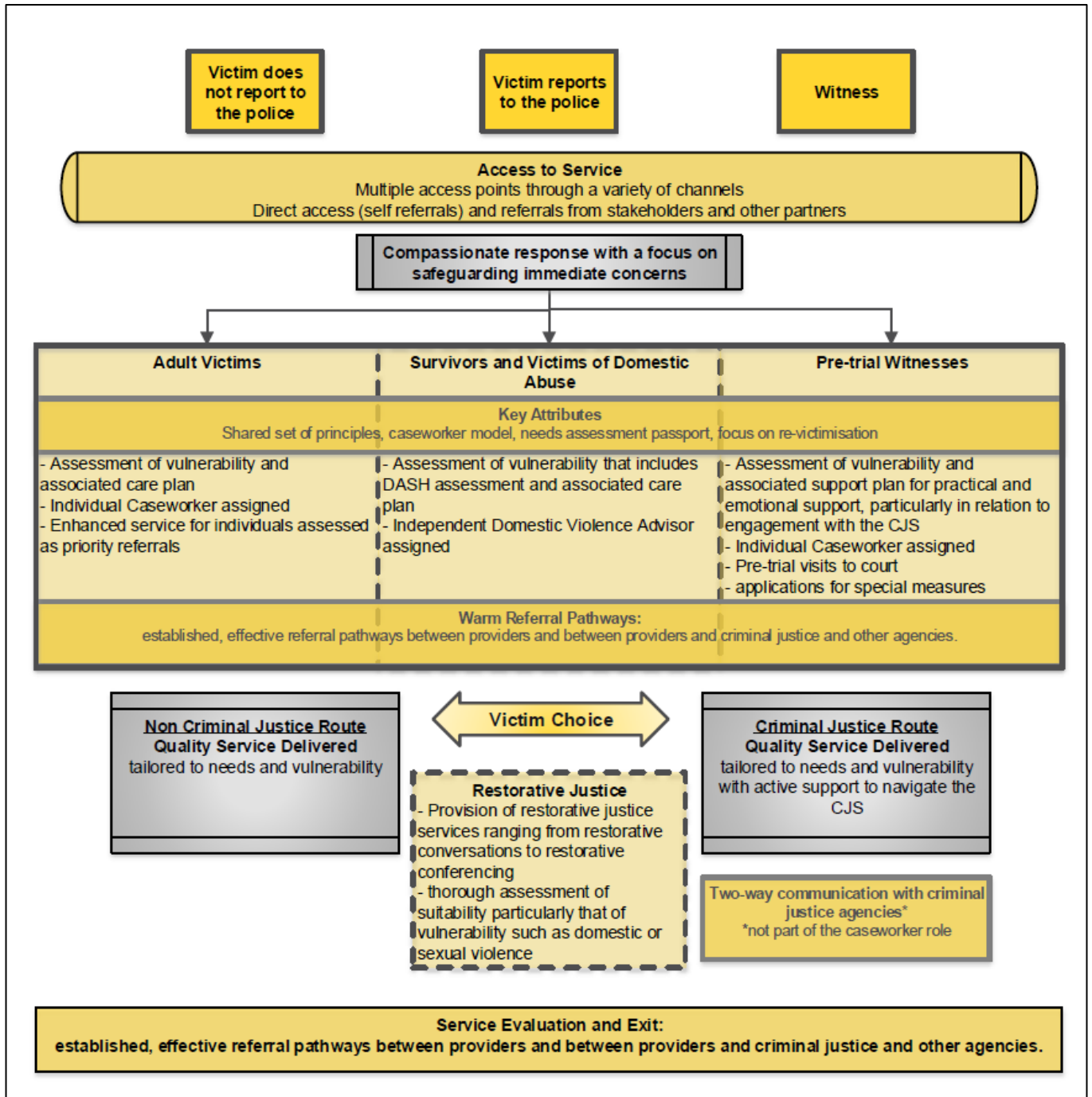
Provider(s) must, therefore, detail how they would approach this element of the work in question 4.4 of the bid evaluation. MOPAC reserves the right to not select any of the proposals for this element of the work and to seek an entirely separate provider to complete this.

5.2.9 **A focus on preventing re-victimisation:** as per the objective described in paragraph 4.2.7, by providing advice and information for victims to identify risks and access further support (for example, specialist crime prevention resources), the Service can help achieve this key objective.

5.3 High-Level Delivery Model

5.3.1 The diagram overleaf describes the high-level delivery model desired:

Figure 1: High-Level Delivery Model



5.4 ***Service Eligibility***

5.4.1 General

- a) IVWS victim support will be available to all adult residents of London who are victims of crime, whether or not this crime has been reported to an authority, including temporary residents by virtue of visiting, holidaying, or residing in the area temporarily (e.g. staying in a hostel).
- b) IVWS victim support will also be available to the families of adult victims of crime.
- c) IVWS witness support will be available to all adults resident in London who have been affected by witnessing a crime and to all those giving evidence at criminal trials, regardless of where the crime occurred, the location of the trial or the prosecuting agency¹.
- d) The Service is for adults² (18 years of age or older), with the exception of the Domestic Abuse element of the Service (16 years of age or older).
- e) Those not resident within the contract area, or who have returned to a residence outside of the contract area are not eligible for the Service (although the contractor shall, with consent, assist with referrals to the relevant PCC-commissioned victims' service or witness service outside the contract area).

5.4.2 Priority Victims and Witness

- a) Vulnerable victims and vulnerable or intimidated witnesses shall be prioritised and eligible for enhanced support (see Appendix 5).
- b) For the purposes of the Service, vulnerability is defined as:
 - under 18 years old at the time of the offence (although children and young people are out of scope of the service – see paragraph 5.4.5);
 - suffering from a mental disorder within the meaning of the Mental Health Act 1983;
 - having a significant impairment of intelligence and social functioning;
 - having a physical disability or suffering from a physical disorder;
 - victims of more serious crimes; and
 - repeat victims.
- c) Intimidated witnesses are those who are a victim of domestic abuse a sexual offence or of human trafficking, or if you are a witness to a gun or knife offence. Whatever the nature of the offence, a witness may also be considered to be an intimidated witness if the quality of their evidence is likely to be affected by fear or distress about testifying in court.
- d) The nature of the enhanced support is described within each element of the Service below.

5.4.3 For the Pre-Trial Witness Service

- a) All victims, whether currently engaged with the Integrated Victim and Witness Service or not, and non-victim witnesses who are giving evidence for the prosecution or the defence will be eligible for the service.
- b) Victims engaging with this element of the Service should be referred to as complainants to ensure a fair and balanced approach to the justice process.
- c) Witnesses who are themselves in custody are eligible, but defendants are not.
- d) Services will be provided to witnesses attending a criminal court to give evidence, or giving evidence through another means, such as remotely through video link to the court.
- e) Bereaved family members attending court during the trial, including those who are not witnesses themselves, are also eligible for support, as are those family members or friends whose presence is material to the ability of the witness to present their evidence.

¹ For a list of prosecuting agencies, see <https://www.thelawpages.com/prosecution-authorities/prosecution-authorities.php>.

² See 3.3.3

- f) Complainants not called to give evidence will also be supported if, with the permission of the court, they wish to read out their victim personal statement (VPS) or be present when it is read.
- g) The Children and Young People's (CYP) Victim Service will support victims and witnesses who are under 18 years of age at the time of the offence, and the successful provider will need to work closely with the provider of the CYP service (to be commissioned).
- h) Witnesses who have not engaged with the Integrated Victim and Witness Service before the day of the trial and who first present at court are out of scope. These witnesses will be the responsibility of the national Court-Based Witness Service commissioned by MoJ.
- i) Vulnerable and intimidated witnesses are eligible for additional support.

5.4.4 Equalities

- a) All services must meet the Equality Duty legal obligations for public bodies set out in Section 149 of the Equality Act 2010. The Contractor shall pay due regard to the following aims of the duty when designing, delivering or evaluating support services or when referring victims to other service Contractors:
 - o Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - o Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - o Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- b) The duty covers eight protected characteristics: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; gender; sexual orientation
- c) All elements of the Service shall take into account the specific needs of under-served groups.
- d) The Contractor shall consider the need to:
 - o Remove or minimise disadvantage suffered by those who share that characteristic;
 - o Take steps to meet the specific needs of persons with a relevant protected characteristic. This could, for example, involve taking steps to take account of disabilities;
 - o Encourage persons with a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- e) The Provider(s) and commissioners shall conduct regular reviews of equality issues to highlight and address areas of need and to ensure the service is responsive to the needs of specific communities.
- f) The Provider(s) must undertake an annual Equalities Impact Assessment and provide this to the commissioner for any material change to service delivery model, policies or processes.
- g) MOPAC, as part of the GLA Group, proactively conducts its procurement process in line with the GLA Group's Responsible Procurement (RP) Policy which defines responsible procurement as pioneering socially, environmentally and economically sustainable procurement to deliver improved quality of life and better value for money.
- h) Key RP considerations in the procurement of this contract are:
 - o Equality & Inclusion Policy: required for all relevant contracts with value of £1m+ and which involve 'people'.
 - o Equality & Inclusion Training: used to ensure a supplier's workforce is diversity aware. Relevant if the contract requires interaction with the public.
 - o Supplier Diversity Plan: used when a contract may involve a significant number of sub-contractors, or complex supply chains, to ensure small and diverse businesses have equal contracting opportunities. MOPAC will work with the provider to further develop the Supplier Diversity Plan as part of Mobilisation and through Contract Management

- Diversity Communications Plan: used when the contract or project involves activities undertaken within a diverse community and/or presents opportunities for diverse suppliers in the supply chain. It is likely to support the supplier diversity plan and may be part of a wider communication plan. MOPAC will work with the provider to further develop the Diversity Communication Plan as part of Mobilisation and through Contract Management

5.4.5 Out of Scope

- a) Children and young people are out of scope of the Service. MOPAC is separately commissioning a specialist service for children and young people. The Service will need to have clear referral pathways in place with the new service for children and young people.
- b) Victims of sexual violence are out of scope of the Service. Support for victims of sexual violence is subject to different commissioning arrangements, both local and national. The national arrangements may be subject to devolution during the tenure of this contract.
- c) Victims of anti-social behaviour are out of scope of the Service. The funding MOPAC receives from MoJ for victims' services must be used to help victims of crime, not victims of anti-social behaviour. MOPAC's residual budget is, unfortunately, not sufficient to cover these victims.
- d) Defendants are out of scope of the service.
- e) Professional & expert witnesses are out of scope - if giving evidence in their professional capacity.
- f) Those affected by homicide are out of scope of the Service and should be immediately referred to the [National Homicide Service](#).
- g) Those affected by road traffic accidents are out of scope of the Service and should be immediately referred to relevant services.

5.5 **Operating Times**

- 5.5.1 The Provider(s) must ensure that the Service is fully operational and accessible from 8am to 8pm seven days a week, including bank holidays. A proportionate out-of-hours service, inclusive of all contact methodology, must also be provided. The Provider(s) must ensure that telephone calls to the Service are free of charge to the caller and must be able to receive calls from a variety of referral methods and provide information, advice and support. Staff answering telephones must be suitably trained and qualified to respond to people who may be in crisis. The element of the Service supporting victims and survivors of Domestic Abuse will operate at times suitable to service needs which may be outside these times.

5.6 **Delivery Locations**

- 5.6.1 The Provider(s) must be able to provide fully accessible premises in various suitable locations across London for the Service to operate from, including appropriate spaces for face-to-face contact with victims and witnesses. The Provider(s) should consider the use of premises that are currently being used to accommodate Victim Support staff and volunteers.
- 5.6.2 The Provider(s) will be responsible for co-location arrangements as specified within their bid. MOPAC will provide some assistance to begin negotiations.
- 5.6.3 The Provider(s) must have trained staff to provide an outreach service for those victims and witnesses who may not be able to travel. These visits must not be undertaken by volunteer staff. The Provider(s) must ensure that it is a safe environment for both the victim and the Caseworker and have in place an effective lone-working policy.

5.7 Case Management

- 5.7.1 The Provider(s) must be able to provide, maintain and update a secure case management system that meets recognised information security management systems standards.

6. MINIMUM SERVICE LEVELS

6.1 General

The Provider(s) must ensure that each element of the Service:

- 6.1.1 is promoted to and engages with London's diverse communities, particularly those that underreport crime and are less likely to access services;
- 6.1.2 makes information available in a variety of formats and through a range of channels. This includes the provision of services and information to those with specific accessibility needs, such as physical, mental disabilities, and/or not having English as their first language;
- 6.1.3 help individuals regardless of where the crime was committed (including overseas);
- 6.1.4 provides a quality service at an equitable level for all referrals;
- 6.1.5 has the ability to sift referrals using agreed Home Office categories of crime;
- 6.1.6 records information received in a secure case management system and provides assurance to MOPAC on the level of security in place;
- 6.1.7 has agreed information-sharing and data protection protocols in place with all relevant criminal justice agencies;
- 6.1.8 has the ability to dynamically assess risk and vulnerability throughout engagement with victims and witnesses, including risks such as those indicating domestic abuse;
- 6.1.9 works collaboratively with VCSE partners and statutory agencies across national, regional and local government;
- 6.1.10 effectively manages peaks and troughs in demand, bearing in mind that this should cover major incidents;
- 6.1.11 provides practical and emotional support;
- 6.1.12 provides, where relevant, accessible, accurate and timely information about the criminal justice system, the witness role, case progression and witness entitlements to witnesses who are called to give evidence;
- 6.1.13 works with partners to develop and embed the 'Needs Assessment Passport' into the Service and ensure that this element of the operating model is fully accepted by and integrated into the work of statutory criminal justice agencies and other victims' services providers;
- 6.1.14 continually assesses victims' needs to ensure the appropriate services are being provided;
- 6.1.15 remains flexible and responsive to changes in the evidence-base;

- 6.1.16 provides up-to-date literature and referral information on other relevant services, to enable victims to consider informed consent to onward referral or for future signposting purposes;
- 6.1.17 ensures that victims receive a service appropriate to their needs whether they have reported the crime to the police or not;
- 6.1.18 undertakes outreach work and improves service accessibility to under-represented groups. This may involve training of professionals and other individuals; and
- 6.1.19 when needs are identified that cannot be met by the Service, or through onwards referral, provides an escalation process to inform further service improvement.

6.2 Referral and Assessment

The Provider(s) must ensure that the Service:

- 6.2.1 is able to receive and send data daily in agreed secure formats from and to police forces and other criminal justice and support organisations, including but not limited to:
 - a) Other parts of the IVWS;
 - b) VCSE support organisations;
 - c) The MPS Witness Care Units;
 - d) Any other prosecuting authority; and
 - e) Defence solicitors who refer defence witnesses; and
 - f) Self-referring witnesses who have been told to attend court.
- 6.2.2 accepts self-referrals regardless of crime type and whether or not they have reported to police;
- 6.2.3 if the referral is for an out-of-scope crime type, makes appropriate onward referral arrangements within 24 hours of first contact;
- 6.2.4 has the ability to contact referring agencies for further information where necessary, in order to clarify victim details to ensure the victim receives the most appropriate response;
- 6.2.5 conducts needs assessments, undertaken by suitably trained and qualified members of staff, to identify and record needs and appropriate services, determining whether victims are vulnerable and qualify for 'enhanced status' or IDVA level of Service within 24 hours of first contact, with victim's/witness's consent;
- 6.2.6 refers to suitable support services in accordance with their needs, and enables the prioritisation of services to vulnerable or at-risk victims, via established referral pathways;
- 6.2.7 ensures supported, detailed and fully consensual onward referrals ('warm');
- 6.2.8 seeks victim consent for onward referral to relevant specialised services, including services located outside London if required;
- 6.2.9 works with other MOPAC-commissioned services and put in place referral pathways and protocols as necessary and appropriate; and
- 6.2.10 records decisions on all actions taken throughout the referral and assessment process.

6.3 **Contact**

The Provider(s) must ensure that the Service:

- 6.3.1 triages cases to establish victims' needs in accordance with agreed contact methodology;
- 6.3.2 contacts referrals in accordance with their preferred method of contact, in line with the General Data Protection Regulation (GDPR), within 72 hours of the referral. An assessment of contact method must be made to ensure the method to be used is safe;
- 6.3.3 where telephone contact is required, makes sufficient attempts (at least 3 attempts within 72 hours; at different times/days) to contact the victim; and
- 6.3.4 provide encouragement to victims to consider taking up the offer of a needs assessment.

6.4 **Adult Victims**

The Provider(s) must ensure that the Service:

- 6.4.1 provides universal access to practical and emotional support to help victims of crime cope and recover from their experience, whether or not they have reported their crime to the police;
- 6.4.2 provides enhanced support to priority referrals – defined as victims of high-harm crime; vulnerable victims and repeat victims;
- 6.4.3 raises victims' awareness of their rights and entitlements under the Code of Practice for Victims of Crime;
- 6.4.4 has suitably trained and qualified Caseworkers, including specific training to identify domestic abuse risks and generic service wide training on restorative approaches;
- 6.4.5 provides all victims taking up the offer of a service with a named Caseworker within 24 hours of an initial needs assessment;
- 6.4.6 allows for victims to change their caseworker at any time without reason;
- 6.4.7 provides all people accessing the service with an agreed care plan within 72 hours of the initial needs assessment;
- 6.4.8 provides a service to victims of domestic abuse who do not meet the threshold for the specialist element of the Service;
- 6.4.9 provides services to meet the emergency needs of victims. Emergency assistance includes, but is not limited to, the following expenses:
 - a) Replacement of property that was lost, damaged, or stolen as a result of a crime;
 - b) Purchase and installation of home security devices such as locks; and
 - c) Short-term emergency accommodation.
- 6.4.10 meets the immediate emergency needs of victims to ensure that they are safe and secure, including arranging refuge provision. This also applies to the Domestic Abuse element of the Service;

- 6.4.11 provides evidence-based interventions wherever possible, including:
- a) one-to-one support groups;
 - b) support groups;
 - c) peer support;
 - d) safeguarding;
 - e) crime prevention advice;
 - f) health promotion/harm reduction advice and information;
 - g) advocacy support for compensation claims; and
 - h) advocacy support to facilitate access to housing support; financial advice; substance misuse services; mental health services; legal advice; and other relevant services.
- 6.4.12 The Service Model must be designed so that the caseworker is the principle point of contact with the victim. Statutory criminal justice agencies must use victims' preferred method of contact and it is anticipated that the preferred method will be through the caseworker. This also applies for the Domestic Abuse element of the Service; and
- 6.4.13 The Service Model must be designed to ensure that the allocated caseworker is able to dedicate their time directly to their caseload of victims/survivors. This means developing a model that takes the time-consuming task of contacting criminal justice or other statutory agencies on behalf of the victim/survivor away from the caseworker. This also applies for the Domestic Abuse element of the Service.

6.5 *Survivors and Victims of Domestic Abuse*

The Service will include specialist support for survivors and victims of domestic abuse. The Provider(s) must ensure that the Service:

- 6.5.1 provides support for survivors of DA, being fully conscious of the need for a gendered approach, prioritising those most vulnerable and at risk through the IDVA provision, while ensuring an appropriate response from caseworkers for the Service for medium and standard risk referrals;
- 6.5.2 drives consistency of service provision across London, working in harmony with locally commissioned services;
- 6.5.3 identifies and develops existing successful local operating models within geographical BCU areas;
- 6.5.4 provides a distinct service for male survivors;
- 6.5.5 provides tailored support, particularly for victims with protected characteristics also to those with no recourse to public funds;
- 6.5.6 operates a nationally recognised model for IDVA provision;
- 6.5.7 provides a safeguarding role with a focus on reducing repeat victimisation;
- 6.5.8 has strong operational and strategic links to Local Authority-funded and/or independently-funded provision (see Appendix 6 for the recommendations for service delivery from Local Authorities);
- 6.5.9 caters for specialisms required for BAME clients, LGBT clients, no recourse to public funds and other protected characteristics;
- 6.5.10 provides a minimum of 40.5 IDVA posts in 32 London boroughs and the City of London to support work with all victims/survivors of domestic abuse;

- 6.5.11 has a good understanding of local need and provision to better join up existing services in order to balance the development of a consistent service offer across London and a service tailored to variations in local need and demand;
- 6.5.12 develops and maintains a map of all existing domestic abuse services, relevant organisations and related services that clients may be referred from and/ or to. This will be shared with MOPAC;
- 6.5.13 works with victims/ survivors of domestic abuse who fall into the 'high-risk' category according to the DASH risk identification checklist and guidance³ or, if identified as vulnerable/high need, through another method. There must be no risk of local confusion resulting in no agency taking responsibility for an identified high-risk victim/survivor;
- 6.5.14 co-locates IDVA posts with other partner services (healthcare settings, MPS) based on evidence and local need. These co-location sites will complement existing Local Authority co-located services; and
- 6.5.15 There is potentially funding available to include a provision of direct services for children and young people who have been exposed to domestic abuse. This potential element of the service is detailed in Appendix 7. Confirmation regarding whether this service will be required for the final operating model will take place before service mobilisation and transition.

6.6 ***Restorative Justice***

The Provider(s) must ensure that the Service:

- 6.6.1 meets obligations relating to the ability to access restorative justice under VCoP;
- 6.6.2 applies a restorative approach to conversations with victims and witnesses, particularly in order to identify impact of the crime on the victim and inform the victim's personal statement;
- 6.6.3 actively supports access to the full range of Restorative Justice procedures, as appropriate;
- 6.6.4 ensures that any RJ service provision undertakes a thorough assessment process that identifies service suitability for service users who wish to progress further restorative options, particularly where there are vulnerable individuals, for example those experiencing domestic abuse. The assessment process must be fully appraised of elements of emotional and coercive control, particularly the covert nature of these control mechanisms;
- 6.6.5 ensures that any RJ service provision is delivered by suitably trained and competent staff and/or volunteers;
- 6.6.6 adheres to the guidelines of the [Restorative Justice Council](#); and
- 6.6.7 only uses restorative justice processes from services in possession of, or working towards, the [Restorative Service Quality Mark \(RSQM\)](#).

³ CAADA Risk Identification Checklist (RIC) & Quick Start Guidance for Domestic Abuse, Stalking and 'Honour'(DASH)-Based Violence (http://www.caada.org.uk/marac/RIC_for_MARAC.html) This guidance suggests that a case would usually be termed 'high risk' and referred to a MARAC if 14 or more 'yes' boxes are ticked during the risk assessment process, but also highlights the need for professional judgment. Cases may be categorised as 'high risk' if a professional has serious concerns about a victim's situation, and/ or potential escalation is identified.

6.7 ***Pre-trial service for victims and witnesses***

The Provider(s) must ensure that the Service:

- 6.7.1 has, as an objective, building witness confidence in, and maintaining engagement with, the criminal justice service at all stages of proceedings, so that witnesses attend court and are able to give their best evidence;
- 6.7.2 provides support to enable witnesses to give their best evidence at court by conducting needs assessments and arranging pre-trial court visits as appropriate;
- 6.7.3 ensures the integrity of the evidence – coaching cannot occur, justice outcomes cannot be compromised. The Provider(s) must understand the duty on them not to interfere in the evidence to be given in any way;
- 6.7.4 Provides sufficient training, guidance and supervision regarding ensuring the integrity of the evidence;
- 6.7.5 puts in place appropriate arrangements and adequate 'ethical walls' to ensure that the service is equally accessible to both prosecution and defence witnesses, without compromising the integrity of the evidence and the quality of the support provided;
- 6.7.6 ensures that all witnesses:
 - a) Are aware of what to expect and what is expected of them at court and when giving evidence;
 - b) Are confident and feel safe;
 - c) Are treated fairly and respectfully;
 - d) Are aware of and are in receipt of their entitlements and that agencies execute their duties appropriately and timely;
 - e) Do not encounter problems with court arrangements that impacts on their ability to give their best evidence, such as applications and arrangements for Special Measures; and
 - f) Receive parity of support regardless whether they are a witness for the defence or prosecution.
- 6.7.7 allocates a named Caseworker to each witness;
- 6.7.8 explains VCoP and Witness Charter to the witness, and ensure that they understand their entitlements and what they can expect from the service and other agencies;
- 6.7.9 liaises with responsible authorities to address issues where the witness is not receiving their entitlements under the Victims' Code and Witness Charter;
- 6.7.10 offers witnesses who are complainants the opportunity to complete or review their victim personal statement (VPS);
- 6.7.11 for trials or hearings in London, with the permission of the witness, makes a 'warm referral' to the in-court Witness Service for their attendance on the day of the trial or hearing;
- 6.7.12 explains the outcome of the trial, sentence guidelines, what the sentence means, victim entitlements post-sentence and any other relevant information, such as Parole Board hearings;

- 6.7.13 undertakes a review of the needs assessment following trial and manage referrals onto appropriate services as required;
- 6.7.14 where eligible, explains and offers the Victim Contact Scheme. If accepted, a 'warm referral' will be made;
- 6.7.15 ensure that vulnerable and intimidated witnesses receive additional support, including, but not limited to:
- a) offering, arranging and providing the opportunity for their caseworker to meet with them in a safe and comfortable environment (an "outreach service"), and the Provider(s) shall be required to have in place a robust lone worker policy and practices to facilitate this;
 - b) explaining the options of Special Measures; liaising with the Witness Care Units, Crown Prosecution Service and HM Courts and Tribunal Service on applications for and the provision of Special Measures and act on behalf of the witness to resolve any other issues that may arise;
 - c) familiarising the witness with the video link facilities where applicable; and
 - d) offering and making arrangements to accompany the witness to court on the day of the trial or hearing to provide practical and emotional support when they are called to give evidence and, or to read their VPS, liaising with the in-court Witness Service as appropriate.
- 6.7.16 ensures that all staff engaged with the pre-trial witness service are adequately trained and have an in-depth understanding of the criminal justice system;
- 6.7.17 ensure that all staff engaged with the pre-trial service have comprehensive awareness of the subtle needs of vulnerable witnesses such as those who have experienced coercive control and those who have been harmed by someone they know. Staff will guide support accordingly and work with services to raise awareness of these needs in order to support witnesses to deliver their best evidence;
- 6.7.18 ensures any additional training and development needs arising will be met;
- 6.7.19 actively engages with and agrees pathways and protocols with criminal justice agencies, the defence community and Judiciary. Representatives of the service will participate in fora, such as court user groups and court reforms to help the continual improvement of services and arrangements for victims and witnesses attending court to give evidence;
- 6.7.20 provides information and awareness sessions to referring organisations or professions that are involved directly with witnesses, especially during the mobilisation period but then at regular intervals throughout the life of the contract;
- 6.7.21 should the witness disengage from the service, makes all effort made to reengage them, including through provision of the outreach service;
- 6.7.22 organises, recruits to and facilitates panels with partners and service users to inform service development and act on feedback/opportunities to improve services for victims and witnesses; and
- 6.7.23 responds to any communication that is received within 10 working days or similar timeframes, agreed with MOPAC, that can be monitored and managed.

Referral and Assessment process for Pre-Trial Witness Service

The Provider(s) must ensure that the Service:

- 6.7.24 can receive referrals at any stage of the pre-trial process, up until the day of the trial, at which point the witness shall be referred to the in-court Witness Service;
- 6.7.25 makes the safety of the witness paramount. Any safeguarding risks or disclosures should be immediately reported to the relevant authority;
- 6.7.26 identify, through the needs assessment, if there are other risks of the witness not attending court or giving evidence;
- 6.7.27 regularly monitors and responds to the (changing) needs of individual witnesses, at each stage of the criminal justice process or as the witness's circumstances change; and
- 6.7.28 meets the requirements as listed in the Referral section above.

Arranging Pre-trial visits

The Provider(s) must ensure that the Service:

- 6.7.29 makes necessary arrangements with HMCTS for the witness to access the court for the purposes of a pre-trial visit;
- 6.7.30 through the Caseworker, with the cooperation of, and in collaboration with, HMCTS and the in-court Witness Service, facilitates the pre-trial visit. Where possible, the caseworker will introduce the witness to the in-court Witness Service. The pre-trial visit must be conducted in line with the format approved by the Judiciary;
- 6.7.31 when it is difficult for the witness to attend in person, makes alternative arrangements to communicate the court environment, practical considerations and what is expected of them, such as through digital or voice communication channels;
- 6.7.32 in circumstances where the trial or hearing is outside of London, with the permission from the witness, liaises with the relevant Witness Service or makes the necessary warm referral through an agreed pathway. Any transfer of personal information will comply with the necessary regulations and legislation and be undertaken safely and securely.

6.8 *Support for victims and witnesses of major incidents*

The Provider(s) must ensure that the Service:

- 6.8.1 ensures that adequate caseworker arrangements are put in place so that victims of major crime incidents (whether occurring inside or outside of London) and family members resident in London are able to easily and speedily access support services;
- 6.8.2 in the event of a major crime incident, provides support commensurate with the scale of the incident, including:
 - a) specialist and dedicated support in relation to victim and witness needs, including provision or access to brief intervention and assessment of psychosocial and other mental health needs;
 - b) in consultation with partners, including the British Red Cross, and where required provide staff and volunteer resource for the provision of onsite support at Humanitarian/Community Assistance Centres and undertake outreach activity in the affected area;

- c) Ensuring attendance at Humanitarian Assistance Steering Group Meetings in the affected area to ensure the contractor is linked into local borough arrangements for the support of affected people;
- d) Engaging with police Family and Witness Liaison Teams to ensure people affected are proactively offered a referral into the Service;
- e) Ensuring the freephone support number, where available, is provided to key stakeholders in the affected area and promoted via social media channels;
- f) Ensuring engagement of London Borough Resilience Forums to ensure local authority Resilience Officers are familiar with the work of the contractor and the services it can provide in the event of a major incident;
- g) Providing Major Incident Response Training to staff and volunteers to ensure they have the knowledge and skills to provide humanitarian assistance in the event of a major incident;
- h) Ensuring MOPAC is provided with regular updates on the work being done to support the major incident recovery;
- i) Working closely with MOPAC and the Government's Victims of Terrorism Unit in terms of a co-ordinated response; and
- j) Undertaking any other work as deemed necessary to support local recovery arrangements in the affected area.

6.9 Governance and Management of the Service

The Provider(s) must:

- 6.9.1 have a dedicated Contract Manager who can act as the single point of contact for the Commissioners from the commencement and for the duration of the contract to ensure the implementation and delivery of an efficient and effective service;
- 6.9.2 attend local statutory agency/body meetings, as necessary and appropriate to aid delivery and service improvement;
- 6.9.3 establish service user forums to consult with victims and witnesses about their experiences and assist in the identification of service improvement opportunities and help the commissioner in understanding their experiences, their support needs, and help shape future victim and witness service provision;
- 6.9.4 ensure that all staff engaged with the Service are adequately trained and have in-depth understanding of the criminal justice system. They must keep up-to-date with changes in the criminal justice system, its practices and procedures. Any additional training and development needs arising must be met by the Provider(s).

7. DELIVERING THE SERVICE

7.1 Meeting Needs Requiring Specialist Provision

- 7.1.1 Provider(s) should bear in mind the specialist nature of some of the required services and the range of victims' needs in London. It is important that specialist provision, with relevant skills, expertise and experience, is included in proposed delivery models.
- 7.1.2 MOPAC acknowledges that potential single bidders may not have all the necessary skills, expertise and experience to meet all the specialist requirements. To facilitate this, MOPAC encourages bids from partnerships and consortia.

7.2 Service User Involvement

- 7.2.1 The Service must undertake regular and consistent service user and partner engagement activity and forums for the purposes of service design, continual service development and improvement derived from direct user feedback.
- 7.2.2 All victims will be given an opportunity to feedback about the Service they have received.
- 7.2.3 Complaints procedures shall be made available to victims on request. If the victim would like support in making a complaint, the service Contractor will provide access to advocacy.

7.3 Managing Complaints

- 7.3.1 The Commissioners' Contract Manager(s) and the Provider(s)' Contract Manager shall agree on a clearly defined complaints procedure, and an up-to-date register of all complaints received, which sets out the action(s) that will be taken in the event of an error or complaint and the outcome of any investigation.
- 7.3.2 The Provider(s) will inform the Commissioner of any complaint within 24 hours of receipt.
- 7.3.3 The Provider(s) shall be responsible for rectifying any errors they make. Immediately after an error becomes apparent, action must be taken to resolve it within 72 hours.
- 7.3.4 At a minimum, complaints received by the Provider(s) from victims or other agencies must be acknowledged within 24 hours, and satisfactorily resolved within 5 working days (following acknowledgement), unless otherwise agreed with the Commissioners' Contract Manager(s).
- 7.3.5 The Provider(s) shall be required to provide escalation procedures to include the process for reporting of a) new problems which cannot be resolved in the usual manner b) repeat problems. As a minimum the escalation procedure should give access to a senior manager or the next line manager level.

7.4 Staffing Requirements

- 7.4.1 MOPAC believes that TUPE may apply for some existing staff and not for others. Potential Providers must seek their own legal advice on whether TUPE applies to the service and for managing any TUPE implications.
- 7.4.2 It is envisaged that the Provider(s) will need to review the roles and responsibilities across all staff roles to ensure effective and efficient delivery of services.
- 7.4.3 The Provider(s) must ensure effective training and development of all staff and volunteers to enable them to carry out the role at a high-quality of service delivery.
- 7.4.4 All staff, whether paid or unpaid, will be managed with appropriate governance structures, taking account of the need for expert or skilled supervision appropriate to the support needs of staff/volunteers.
- 7.4.5 Adequate and flexible resources must be available to meet demand. The Service must be able to implement a timely response to changes in that demand.
- 7.4.6 All staff and volunteers must be successfully vetted prior to working with the Service (level of vetting to be confirmed).

- 7.4.7 In line with the PCP and Violence Against Women and Girls (VAWG) Strategy, the Mayor has committed to ensuring that victims of domestic abuse have access to an Independent Domestic Violence Advocate (IDVA) support through the Pan-London Domestic Violence Service. To date there has been clear demand for this provision and benefits to the additional 40.5 IDVAs this service provides across London.
- 7.4.8 The Provider(s) must ensure that policies for risk-reporting and whistle-blowing is in place for incidents that arise causing harm or potential harm to victims, staff or volunteers. There is a duty on the Provider(s) to inform MOPAC of anything which comes to light which might impact on the Service or on victims and witnesses in London.
- 7.4.9 The Provider(s) shall undertake to facilitate the appropriate continuing professional development and training for staff providing the service, whether paid or unpaid, to ensure they meet minimum competency standards.
- 7.4.10 The Provider(s) shall ensure that volunteers do not undertake unaccompanied outreach visits.
- 7.4.11 The Provider(s) shall identify lead staff member(s) for safeguarding for the service who shall receive specialist training in accordance with the London Safeguarding Children Board. They will also undertake vulnerable adults training if provided in their locality. The Provider(s) will cooperate with London Safeguarding Children Board and London Safeguarding Adults Board and adhere to relevant Child Protection Procedures and conduct relevant security checks. The Provider(s) shall engage in serious case reviews and domestic homicide reviews as required.

7.5 *Reporting of Management Information*

- 7.5.1 MOPAC will require monthly and quarterly data reports for all funded activities detailed in the contract in a consistent format specified by MOPAC.
- 7.5.2 The data contained within the monthly/quarterly reports will also be consistent and include key information relating to outputs and outcomes.
- 7.5.3 The format, data provided and timing may be subject to change. However, any changes must be agreed and confirmed by MOPAC by email before the submission of the next report.

7.6 *Quality Standards*

- 7.6.1 The provision of victim and witness support services is currently an unregulated 'industry' and training for staff and volunteers is inconsistent at best. MOPAC will build on existing best practice to define the quality standards expected of services and establish an assurance process to ensure providers, their staff and volunteers meet these standards. The Service should demonstrate that quality standards – both organisational (for example PQASSO, ISO9001 or equivalent) and service specific – are being sought, achieved and maintained.
- 7.6.2 The Restorative Justice Provider(s) (whether in-house or sub-contracted) needs to be able to demonstrate that they have achieved, or are working towards, the Restorative Justice Council's Restorative Practice Quality Mark.
- 7.6.3 The Provider(s) for the Domestic Abuse element of the Service will need to demonstrate that staff are SafeLives or Women's Aid accredited or are working towards achieving accreditation within 6 months of their date of employment.

7.7 *Legislative Parameters*

7.7.1 The Provider(s) and all staff members, paid or unpaid, shall be expected to work according to relevant National and local policies (including any amendments arising during the course of the contract), including but not limited to:

- Victims Code of Practice 2015
- Witness Charter 2013
- Domestic Violence, Crime and Victims Act 2004
- Human Rights Act 1998
- Data Protection Act 2018
- Race Relations (Amendment) Act 2000
- Equality Act 2010

7.7.2 The Provider(s) shall be expected to observe relevant local policies such as (but not limited to):

- Local Safeguarding Children Board Procedures and Policies
- Adult Protection and Vulnerable Adults Policy and Procedures
- Commissioner's Information Sharing agreements
- Commissioner's Service Level Agreements

7.7.3 The Provider(s) shall be expected to provide organisational policies covering but not limited to:

- Staff & Vulnerable Adult Safeguarding Policy(ies)
- HR, including equal opportunity, vetting, recruitment and training.
- Diversity and Accessibility, including relevant audits as required
- Complaints process
- Risk Assessment (e.g. Lone Working)
- Business Continuity Plan

7.8 *Information Security*

7.8.1 The Provider(s) must ensure that the Service complies with the requirements of (i) the Data Protection Act 2018; (ii) Regulation (EU) 2016/679 (the General Data Protection Regulation); and (iii) any other applicable privacy and data protection legislation.

7.8.2 The Provider(s) must ensure that the Service handles all data in accordance with the Data Protection Act 2018. Staff and volunteers must, when relevant, introduce the Services to the victim, including any specified wording required to comply with Data Protection and GDPR.

7.8.3 The Provider(s) must ensure that the Service has attained, or is working towards, ISO27001/2.

7.9 *Marketing & Publicity*

7.9.1 The Provider(s) must work with MOPAC to promote the Service to Londoners, through the full range of accessible channels including MOPAC's forthcoming Victims' Portal for London (see Dependencies). This is a key objective for the Service (see paragraph 4.2.5).

8. INTEROPERABILITY AND PARTNERSHIP WORKING

8.1 *Interoperability*

- 8.1.1 The Service must be fully inter-operable with nationally and PCC-commissioned services for victims and witnesses, where this is a statutory requirement.
- 8.1.2 The Provider(s) must ensure that the Service:
- works collaboratively and actively supports interoperability arrangements with victim and witness services commissioned and provided nationally, in London and in jurisdictions outside of London including:
 - Specialist victim services in London;
 - Victims services commissioned by Police and Crime Commissioners in England and Wales;
 - Nationally commissioned service for victims, including the Homicide Service commissioned by the Ministry of Justice;
 - The national in-court Witness Service commissioned by the Ministry of Justice;
 - Pre-trial witness services devolved to Police and Crime Commissioners as part of a Ministry of Justice test; and
 - develops information sharing and operational protocols with the Witness Care Units (or equivalent) managed by the Metropolitan Police, City of London Police and British Transport Police. Further protocols will also be required with the Crown Prosecution Service and HM Courts and Tribunals Service.

8.2 *Ecosystem*

- 8.2.1 MOPAC will support the Provider(s) to facilitate effective partnership working with and between providers, statutory partners and agencies involved in the criminal justice system at the local, regional and national level to improve integration and links between different parts of the system. This will include support for putting in place information sharing agreements where necessary to improve referral processes and the exchange of information between organisations, and co-location where appropriate and possible to increase the accessibility of services.
- 8.2.2 Specifically, this will include engaging with the in-court witness service, to ensure a smooth transition for victims and witnesses between pre-trial, in-court and post-trial support, and engaging with the defence community to ensure appropriate support is provided to defence witnesses, alongside victims and other prosecution witnesses.
- 8.2.3 MOPAC requires the Provider(s) to mobilise from January 2019 in order to undertake any necessary planning prior to the new Service launching on 1st April 2019. During this mobilisation phase the Provider(s) must work with statutory agencies, specialist providers and MOPAC to establish the operating model for the Service.
- 8.2.4 There will follow a transition phase lasting 6-8 weeks, for cases to transfer over from the previous provider. The detailed planning for the transition phase must take place during the mobilisation phase, with MOPAC's support.
- 8.2.5 Further, for the Domestic Abuse element, this will include collaborative working with the local authority commissioned and MOPAC funded domestic abuse services, ensuring the work and remit of the team is complementary and does not duplicate provision.

8.3 ***WCU Interaction and pilot***

- 8.3.1 The Provider(s) must work closely with the Witness Care Units of the Metropolitan Police Service, City of London Police and British Transport Police to ensure a coordinated provision of information about when and where the trial will happen to victims and public witnesses, provide pre-trial familiarisation visits, and help the witness attend court and give evidence.
- 8.3.2 MOPAC and the MPS have agreed to develop a pilot to integrate a London Witness Care Unit with victim support services commissioned by MOPAC.
- 8.3.3 The integration may take the form of co-location, enhanced cooperation and collaboration. The Provider(s) must actively support the pilot and contribute to the planning, design and implementation of the pilot, and embed the learning within the service delivery model.
- 8.3.4 This will be a fully evaluated pilot, based in one of London's five Witness Care Units, based on process, impact and value for money. MOPAC and the MPS will continue to work on the development of the pilot and the location should be known by the time the mobilisation phase is due to commence.

9. **MOBILISATION AND TRANSITION**

The mobilisation of the Service and transition from the existing service will take place from the date the contract is signed in January and 31st March 2019. An in-depth transition workshop will be held by MOPAC on 31st January 2019. The successful bidder will need to ensure that all members of their consortium and/or supply chain sub-contractors will be present for this workshop. The successful bidder will need to ensure that all necessary processes, protocols, permissions and systems are in place during this period, which will involve extensive consultation with MOPAC's partner agencies in the criminal justice system.

9.1 ***Service Level Agreements***

The Service will need to have agreements in place with each of the statutory agencies in the criminal justice system in London; with other police force areas to ensure interoperability; and with other major providers of victim support services in London. MOPAC has undertaken initial discussions with statutory partners to pave the way for SLA development. These should be further negotiated and finalised by the contractor during the mobilisation phase, and MOPAC can assist in a convening role.

9.1.1 Metropolitan Police Service (MPS) and Witness Care Units (WCUs)

- a) The bulk of referrals will be received from the MPS, who will, in the majority of cases, be undertaking the criminal investigation. GDPR-compliant data and information sharing agreements must be in place.
- b) There must also be a Service Level Agreement (SLA) detailing how the referral process will work between the MPS and the Service.
- c) There must also be an SLA between the Provider(s) and the Witness Care Units of the Metropolitan Police Service, City of London Police, British Transport Police and Action Fraud to ensure a coordinated provision of information about when and where the trial will happen to victims and public witnesses, provide pre-trial familiarisation visits, and help the witness attend court and give evidence. The SLA with the MPS WCUs must include the pilot to integrate a WCU with the Service in an area to be confirmed (see section 9.2 on Dependencies).

9.1.2 Crown Prosecution Service (CPS) and Her Majesty's Courts and Tribunals Service (HMCTS)

- a) The Service must have an SLA in place with CPS to ensure case updates are able to be promptly and accurately received. There is also scope for the Service to take on the responsibility for taking Victim Personal Statements (VPS) and ensuring the CPS has acknowledged receipt of these where appropriate.
- b) Providers should note that MOPAC intends to include an outcome for the Service for supporting victims and witnesses to draft and review their VPS, so the SLA should include arrangements to facilitate this.
- c) The SLA with HMCTS should cover the work of the Pre-trial Witness Service to allow access to court premises.

9.1.3 Court Based Witness Service

The SLA with the current Court Based Witness Service should embed a smooth referral pathway with the pre-Trial Witness Service element so that witnesses attending trial feel cared for and expected when they arrive to give evidence.

9.1.4 National Probation Service – Victim Contact Scheme

The SLA with the National Probation Service should ensure that victims are made fully aware of the benefits of joining the Victim Contact Scheme. Furthermore, the SLA should preserve the single point of contact attribute of the caseworker.

9.1.5 Victim Support

Victim Support is a national charity that holds the current contracts for both the Multi-Crime Service and the Pan London Domestic Violence Service. As such, should this SLA be necessary, it should cover all transition arrangements and ongoing referral pathways.

9.1.6 Other

This list is not exhaustive. There are other agencies involved in criminal justice processes and in supporting victims in London and the contractor will need to consider where SLAs are necessary. Again, MOPAC can assist with this process during the mobilisation phase.

9.2 ***Dependencies***

9.2.1 Devolution

In March 2018, a new agreement to reduce reoffending and provide a more integrated approach to victims of crime in London was announced by the Justice Secretary and the Mayor of London. They will work alongside local councils towards justice devolution and explore how to better join up local criminal justice services in the capital.

As part of the [Working Towards Justice Devolution to London memorandum of understanding \(MoU\)](#), MOPAC, the Ministry of Justice and London Councils have committed to work together to with the aim of improving the experience for victims and witnesses from the point a crime is reported to the criminal conviction and beyond.

The IWWS has been designed to help establish an integrated and end-to-end service for victims and witnesses in London, enabling victims to be assessed once (rather than several times),

receive care and support from a single person (rather than being passed between agencies) and have consistency in terms of information communicated.

The key commitments for victims and witnesses are:

- a) MoJ to devolve the pre-trial and outreach support for witnesses in London by April 2019, and to work with London Councils and MOPAC to improve the provision of support and delivering entitlements for victims and other witnesses through the court process more widely.
- b) MOPAC, London Councils and MoJ will cooperate on developing an integrated service delivery model for victims and witnesses in London and improving their experience of the CJS, exploring opportunities for further devolution.
- c) MoJ and MOPAC to work towards agreeing multiyear funding arrangements.
- d) MOPAC, London Councils and MoJ to conduct work on aligning the development and funding of services to support victims of sexual violence.
- e) MOPAC, London Councils and MoJ will work together to use the findings from the MOPAC-commissioned review of compliance with the Victims' Code of Practice and the provision of victim services in London to improve accountability, including compliance, and to inform local, regional and national policy and commissioning.
- f) MoJ, MOPAC and London Councils to engage with NHS England, to work collectively to improve the referral pathways for statutory and VCSE (voluntary, community and social enterprise) providers and for victims in need of psychosocial interventions, building on national cross government work already taking place.
- g) MoJ, London Councils and MOPAC to collaborate on developing the response to victims of terrorism and other major incidents that resulting in mass victimisation in London.

This memorandum of understanding is regularly reviewed to ensure the commitments are still relevant and desirable in response to national and local policy changes. A refreshed Justice Devolution MoU will be published in spring 2019.

The Provider(s) will be expected to actively support the commissioner and its partners in achieving the commitments of the current and subsequent Justice Devolution MoUs.

9.2.2 Victims' Online Portal

MOPAC is developing an online portal for victims and witnesses of crime in London to provide a digital support offer. The portal will provide:

- information on victims' rights and entitlements
- information on what to expect from the CJS – for victims and witnesses
- a searchable database of support services (including both MOPAC-commissioned and other available services in London)
- information on restorative justice
- links to other sources of information, advice and help in London

A web developer has been appointed and the discovery phase is underway. The portal is expected to launch in Spring 2019 to coincide with the launch of the new Service. The portal will remain as a MOPAC-owned site, but sections of it will pertain to the new Service and, as such, will be co-developed with the Provider(s).

The portal will facilitate signposting to the Service but will not include the functionality for online referrals and will not capture individual victims' data.

MOPAC will determine the branding of the portal and the 'look and feel' of the site, in order to ensure that Londoners have a sense that the portal is the right place to find help when a victim of, or witness to, crime. It is the digital service to victims operating alongside IVWS.

9.2.3 Review of VCoP Compliance and Needs Assessment

As highlighted in paragraph 3.2.6, MOPAC has commissioned a review of VCoP compliance and a needs assessment for victims' services in London. This is due to be published in January 2019.

The report will make recommendations on improving compliance with VCoP and highlight any gaps in victims' services in terms of social groups and crime types.

The Provider(s) must take the findings into account for the development and improvement of the Service.

10. KPIs, OUTPUTS AND OUTCOMES

10.1 The Key Performance Indicators (KPIs) Is in the table below will be included in the contract.

10.2 The performance of the contract will be assessed against a number of key outcomes, which are set out in the table below. The outcome payments will be made based on the Provider(s)' performance against these KPIs. These are linked to the overall objectives for the service.

10.3 There is an additional KPI linked to compliance with the minimum requirements within the contract relating to the allocation of funding across the different elements of the service.

10.4 Performance against individual outcomes will begin to be assessed at different points in the contract. This is due to the length of time that will need to elapse before some outcomes can be achieved. In some instances, performance will only be assessed in year 2 of the contract, as data will need to be collected in year 1 to identify the performance baseline. Improvement targets will then be set for year 2.

10.5 Outcomes Table

Outcome Description	Measurement	Frequency	Target
More victims and witnesses accessing the service	<ul style="list-style-type: none"> Referral and self-referral levels are maintained or increased Percentage of people referred who take up the service 	Quarterly <ul style="list-style-type: none"> from the first quarter 	<ul style="list-style-type: none"> Referrals remain at least at baseline levels, or increase (baseline defined as average quarterly referrals in 18/19) Percentage of people who take up the service increases
Ensure the service is equally accessible to all demographic groups in London	Engagement levels with the service across different groups reflect the demographics of victims and witnesses in London	Quarterly <ul style="list-style-type: none"> from the first quarter 	<ul style="list-style-type: none"> Engagement levels with the service reflect the relevant demographics Actions in place to address underrepresentation of individual groups
High quality of service delivered to victims and witnesses	User satisfaction survey	Quarterly <ul style="list-style-type: none"> from the second quarter 	<i>Key data to be collected to be agreed with Provider(s) during mobilisation</i>

Outcome Description	Measurement	Frequency	Target
Victims better able to cope & recover	<p>Victims and witnesses demonstrate improvement in the key categories of need identified at needs assessment.</p> <p>Key categories are:</p> <ul style="list-style-type: none"> • better informed about how to cope with the impact of crime; • health & well-being; • feeling safe; and • ability to manage aspects of everyday life 	<p>Quarterly</p> <ul style="list-style-type: none"> • from the second quarter 	At least 95% of victims state improvements in each of the 4 categories.
Witnesses able to give their best evidence	<p>Percentage of witnesses referred to the service who attend court and give evidence</p> <p>Note: wording may change following feedback from judiciary on defining appropriate measurement</p>	<p>Quarterly</p> <ul style="list-style-type: none"> • from year 2 	<i>Data will be collected in year 1 to identify the baseline rates and an improvement target will then be identified for year 2</i>
Improved support for priority target groups	<p>Increase in the proportion of victims and witnesses receiving support from the service who come from the priority target groups</p> <p>Priority groups are:</p> <ul style="list-style-type: none"> • Victims with Enhanced Entitlements under VCoP • Vulnerable and intimidated witnesses 	<p>Quarterly</p> <ul style="list-style-type: none"> • from year 2 	<i>Data will be collected in year 1 to identify the baseline rates and an improvement target will then be identified for year 2</i>
Evidence of reduced repeat victimisation	<ul style="list-style-type: none"> • Fewer victims who are repeat victims of crime are accessing the service 	<p>Quarterly</p> <ul style="list-style-type: none"> • from year 2 	<i>Data will be collected in year 1 to identify the baseline rates and an improvement target will then be identified for year 2</i>
More victims and witnesses receiving VCoP & WC entitlements	<p>Increase in the proportion of victims and witnesses who are receiving their VCoP & WC entitlements (<i>note: those within the control of the service</i>)</p>	<p>Quarterly</p> <ul style="list-style-type: none"> • from year 2 	<i>Data will be collected in year 1 to identify the baseline rates and an improvement target will then be identified for year 2</i>
Work in partnership with the Police and CPS to increase knowledge and use of Victim Personal Statements	<p>Increase in the proportion of victims who are making Victim Personal Statements</p>	<p>Quarterly</p> <ul style="list-style-type: none"> • from year 2 	<i>Data will be collected in year 1 to identify the baseline rates and an improvement target will then be identified for year 2</i>

Outcome Description	Measurement	Frequency	Target
Effective and meaningful engagement with London partners and national agencies to support the successful delivery of the Service	<ul style="list-style-type: none"> • feedback from LAs on how Provider(s) is working with local DA services • feedback from MPS on how service is engaging with WCUs and others as necessary • effective referral arrangements in place with statutory agencies and other key London partners 	Quarterly <ul style="list-style-type: none"> • from second quarter 	<i>To be discussed and agreed with the Provider(s) during mobilisation, once further discussions have taken place with key London partners on the detailed operational arrangements.</i>
Key Performance Indicator – Contract Compliance			
Minimum commitment for the specialist domestic abuse support element of the service is met	Provider(s) able to evidence that they are at least maintaining the current levels of IDVA provision funded by MOPAC.	Quarterly (aligned with the payments for the service fee) <ul style="list-style-type: none"> • From the start of the contract 	<ul style="list-style-type: none"> • At least 40.5 FTE IDVAs in post

10.6 In addition to the KPIs detailed above, the Provider(s) will also be monitored against a number of secondary performance indicators. These will reflect the key outputs that the Provider(s) will be expected to deliver in order to demonstrate that they are meeting key minimum service requirements within the specification. Payment of the Service Fee element of the contract will be dependent on the Provider(s) being able to demonstrate that they are meeting these performance indicators. These performance indicators are will include measures such as:

- accessibility of the service: hours that it is available, across different delivery channels;
- set timescales for making contact with victims and witnesses (72 hours from referral);
- that all people accessing the service have had a needs assessment completed within 24 hours of contact being made;
- that all people accessing the service have been allocated a named caseworker within 24 hours of the initial needs assessment;
- that all people accessing the service have an agreed care plan within 72 hours of the initial needs assessment; and
- Effective and fair supply chain management arrangements in place

Appendix 1: Glossary of Terms

- ASB - Anti social behaviour
- BAMER – Black and Minority Ethnic and Refugee
- BCU areas – Borough Command Unit areas which are replacing the former single borough policing model of the Metropolitan Police beginning in February 2018
- DASH – Domestic Abuse Stalking and Honour based violence checklist
- CBWS – Court Based Witness Service
- CJS – Criminal Justice System
- Complainant – victim of crime engaging with the pre-Trial Witness Service
- CPS – Crown Prosecution Service
- Cracked/ineffective trials - A trial that has been listed for a not guilty hearing on a particular day but does not proceed, either because the defendant pleads guilty to the whole or part of the indictment, or an alternative charge, or because the prosecution offer no evidence
- Devolution - the transfer or delegation of power to a lower level, especially by central government to local or regional administration
- GDPR – General Data Protection Regulations set out in the Data Protection Act 2018
- High harm crime – crimes where the action incurs significant adverse impact, whether physical, emotional or financial, upon individuals or the wider community
- HMCTS – Her Majesty's Courts and Tribunals Service
- HASC – Humanitarian Assistance Steering Group
- IDVA – Independent Domestic Violence Advisor
- LGBT – Lesbian Gay Bisexual and Transgender
- London Borough Resilience Forums - The London Resilience Forum ensures London's preparedness in the event of emergencies and coordinates the activities of a wide range of organisations to achieve this
- MCI – Major Crime Incident
- MCVS – Multi Crime Victim Support: Service currently provided by Victim Support
- MoJ – Ministry of Justice
- MoU – Memorandum of Understanding
- MPS – Metropolitan Police Service
- Multiple Management Information System
- Outreach Witness Service – support to witnesses who feel vulnerable or intimidated provided in a safe place such as their home, a school or community centre
- PCC – Police and Crime Commissioner: an elected official in England and Wales responsible for securing efficient and effective policing of a police area
- PCP – Police and Crime Plan (2017-2021) sets out the Mayor's priorities for making London a safer city
- Provider(s) – the successful bidder(s) to this tender opportunity
- RJ Councils Restorative Practice Quality Mark – The RSQM is an independent assessment of an organisation's restorative service against the Restorative Service Standards by the leading professional body in the field
- Special measures - The Youth Justice and Criminal Evidence Act 1999 (YJCEA) introduced a range of measures that can be used to facilitate the gathering and giving of evidence by vulnerable and intimidated witnesses. The measures are collectively known as "special measures"
- Serious crime – defined in the VCoP as being; murder, manslaughter, domestic violence, hate crime, terrorism, sexual offences, human trafficking, attempted murder, kidnap, false imprisonment, arson with intent to endanger life and wounding or causing grievous bodily harm with intent.
- SPOC – Single Point of Contact

- Survivors – term used primarily to describe individuals having suffered domestic or sexual crimes
- VCoP – Victims Code of Practice, published in October 2015, sets out the services that must be provided to victims of crime by organisations in England and Wales
- VCS – Victim Contact Scheme provided by the National Probation Service in order to keep victims informed about the perpetrators progression throughout their sentence
- VCSE – Voluntary Community and Social Enterprise sector
- VTU – Victims of Terrorism Unit
- Victim Personal Statements (VPS) - Victims of crime are invited to make a statement, which provides victims with a formal opportunity to say how a crime has affected them
- Vulnerable victim – defined in the Victims Code of Practice (2015)
- 'Warm' referral – a supported, detailed and fully consensual onward handover referral to specialist services
- Witness Charter – Published December 2013 The Witness Charter sets out the standards of care you can expect if you are a witness to a crime or incident in England and Wales

Appendix 2: Current victims' commissioning landscape in London

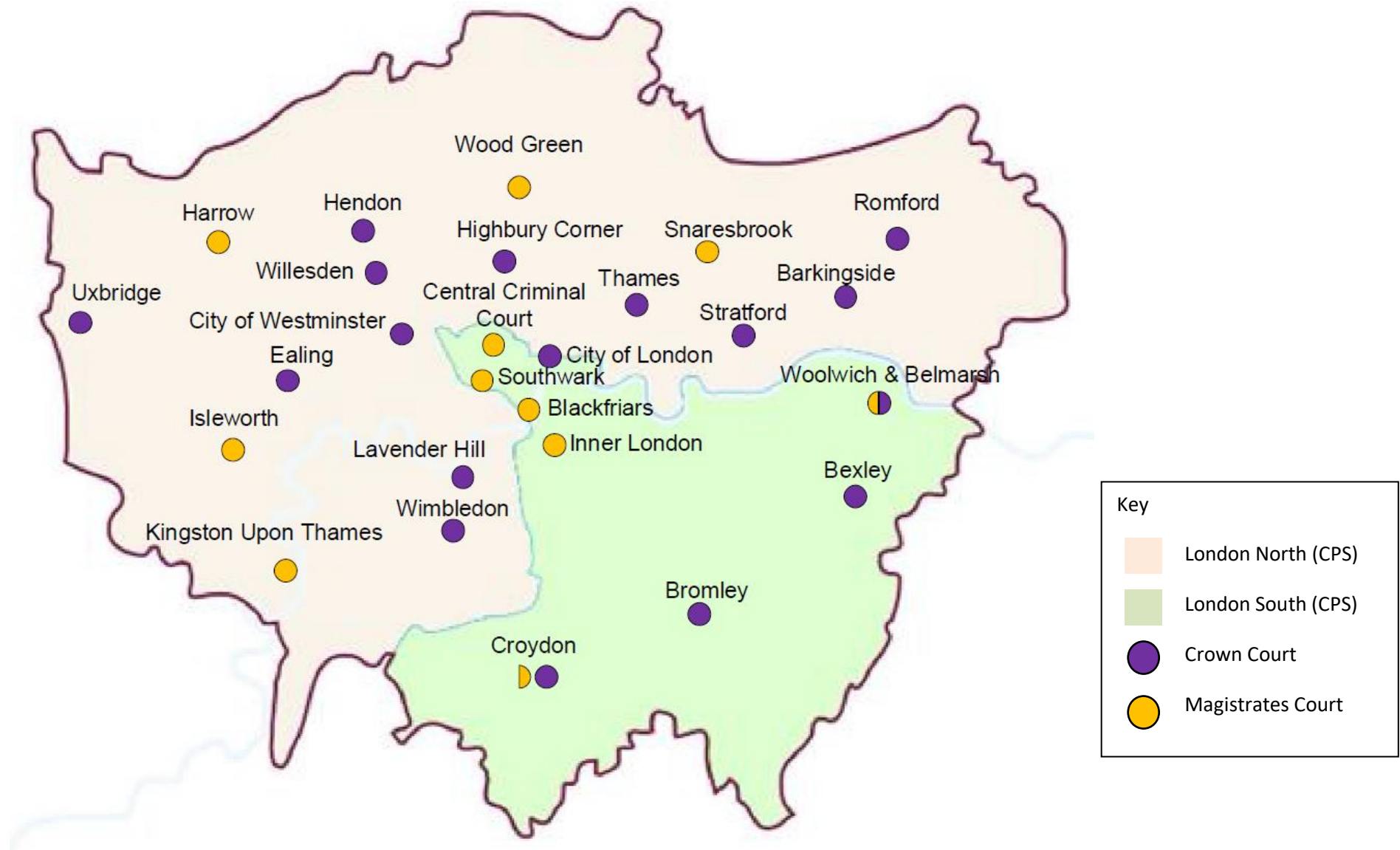
MOPAC-Commissioned Services		
Details / Provider		Purpose
Service covered in this tender	<u>Multi-Crime Service</u> Victim Support	<ul style="list-style-type: none"> • Universal access to support for those who report their crime and for those who do not; • Enhanced support to priority referrals; and • Raise victims' awareness of their rights and entitlements under VCoP.
	<u>Domestic Violence Service</u> Victim Support	<ul style="list-style-type: none"> • Maintain provision of additional 40.5 IDVAs across the capital; • IDVA support to high risk victims of Domestic Abuse; and • Effective safety planning and risk management for service users.
	<u>Restore:London</u> Catch-22	<ul style="list-style-type: none"> • Develop and run a pan-London Restorative Justice (RJ) model that delivers victim-led RJ provision and casework
Domestic Violence	Solace Women's Aid	<ul style="list-style-type: none"> • Youth IDVAs in the four Major Trauma Centres in London working with young people up to the age of 25
	London Boroughs	<ul style="list-style-type: none"> • London Crime Prevention Fund - awarded to London Boroughs for the provision of locally-determined Violence Against Women and Girls victim projects and services
	London Community Foundation	<ul style="list-style-type: none"> • Linked to VCSE capability and capacity building. Seven beneficiaries funded through the Small Grants Fund to deliver a range of projects to support victims of domestic violence - See LCF Projects tab
Sexual Violence	<ul style="list-style-type: none"> • Women and Girls Network • Rape and Sexual Abuse Support Centre • Solace Women's Aid • Nia 	<ul style="list-style-type: none"> • Rape Support Centres - provide free, confidential specialist help for women and girls over the age of 13 who have been raped or experienced any other form of sexual violence. The services support women and girls whatever the assault and whenever it occurred.
	Survivors UK	<ul style="list-style-type: none"> • Support for male survivors of rape and sexual violence and abuse
	London Havens	<ul style="list-style-type: none"> • Havens Sexual Assault Referral Centre (SARC) – a network of three specialist SARCs located across London providing forensic medical examination and support including counselling, tests and treatments.
	Galop	<ul style="list-style-type: none"> • Support for LGBT victims of sexual violence and abuse
	London Community Foundation	<ul style="list-style-type: none"> • Nine organisations funded to deliver a range of projects to support victims of sexual violence as part of MOPAC's Small Grants Fund.

Hate Crime	Galop	<ul style="list-style-type: none"> Part time caseworker supporting LGBT hate crime
	Community Security Trust (CST)	<ul style="list-style-type: none"> Monitoring of anti-Semitic incidents and support for victims of anti-Semitic hate crime
	CATCH	<ul style="list-style-type: none"> Consortium of victim support organisations providing advocacy for hate crime victims
	London Community Foundation	<ul style="list-style-type: none"> Linked to VCSE capability and capacity building. 15 beneficiaries funded through the Small Grants Fund to deliver a range of projects to support victims of crime
Children & Young People	Children & Young People's Service Victim Support	<ul style="list-style-type: none"> To provide support for child and young victims of crime whether or not they choose to report, in order to help them cope and recover from their experience; and To raise young victims' awareness of their rights and entitlements under VCoP.
	University College London Hospitals NHS Foundation Trust	<ul style="list-style-type: none"> Two-year Child House pilot in London providing support for victims of CSA and CSE.
	London Boroughs	<ul style="list-style-type: none"> London Crime Prevention Fund – awarded to London Borough for the provision of locally-determined child sexual exploitation victim projects and services
	Safer London	<ul style="list-style-type: none"> Support programme – Empower – addressing young women's experiences of sexual violence and exploitation, primarily through gangs.
	London Community Foundation	<ul style="list-style-type: none"> Linked to VCSE capability and capacity building. Two beneficiaries funded through the Small Grants Fund to deliver projects to support victims of CSE/A
Other	City of London Police Economic Crime Victim Care Unit	<ul style="list-style-type: none"> Practical and emotional support for vulnerable victims of fraud. Crime prevention advice to enable risks to be identified and victimisation to be reduced.
	<u>Redthread</u>	<ul style="list-style-type: none"> Clinically embedded youth workers in London's 4 Major Trauma Centres working with young victims of violence up to the age of 25
Nationally-commissioned services		
Court Based Witness Service - Citizens Advise		<ul style="list-style-type: none"> Support at court on the day(s) of the trial for prosecution and defence witnesses
Homicide Service - Victim Support		<ul style="list-style-type: none"> Support to families bereaved by homicide
Local Authority Support		
<p>There are varying levels of IDVA provision funded and commissioned by local authorities. These are mostly provided by VCSE sector organisations, with a few boroughs opting to retain the service 'in-house'. All borough provision includes a degree of co-location in police stations, healthcare settings, children's services and may also include co-location with courts, drug and alcohol services, mental health services and housing services. All boroughs have established referral pathways.</p>		

Appendix 3: Metropolitan Police Service Basic Command Units



Appendix 4: Criminal Courts in London



Appendix 5: Victims and witnesses with priority status

As defined by the Code of Practice for Victims of Crime⁴:

Victims of the most serious crime are eligible for enhanced entitlements under the Victim Code, also a close relative bereaved by criminal conduct. Includes victims of domestic violence, hate crime, terrorism, sexual offences, human trafficking, attempted murder, kidnap, false imprisonment, arson with intent to endanger life and wounding or causing grievous bodily harm with intent. Additional enhanced entitlements available for bereaved close relatives are identified separately at various stage of the Code;

Persistently targeted victims are those that have been targeted repeatedly as direct victims of crime over a period of time, particularly those that have been deliberately targeted or are a victim of a sustained campaign such as harassment or stalking. Victims who have been a victim of any crime three times in 12 months will be within this category. This may also include those subject to anti-social behaviour; and

Vulnerable and/or intimidated victims are all those persons under the age of 18 at the time of the offence, or whose quality of evidence is likely to be affected because they suffer from a mental disorder under the Mental Health Act 1983, or have a significant impairment of intelligence or social functioning, or have a physical disability or are suffering from a physical disorder. A victim is entitled to enhanced support if the Service Provider considers the quality of evidence will be affected because of fear or distress about testifying in court. When assessing whether a victim is intimidated the Service Provider must take account of;

- Any behaviour towards the victim on the part of the accused, members of their family or associates or any other person who is likely to be an accused or a witness in a potential court case;
- The nature and alleged circumstances of the offence to which a potential court case relates. Victims of a sexual offence or human trafficking will automatically be considered to be intimidated; and
- The victims age and, if relevant, the victim's social and cultural background, religious beliefs or political opinions, ethnic origin, domestic and employment circumstances

Witness Charter:

Definition: Vulnerable and Intimidated Witnesses (VIWs) - Youth Justice and Criminal Evidence Act 1999

Vulnerable witnesses (Section 16)

- All child witnesses – defined as a witness aged 17 years and under (at the time of a relevant hearing). This group contains a subgroup known as 'child witnesses in need of special protection' for whom the strongest measures are available.
- A witness, whose quality of evidence would, in the opinion of a court, be diminished by reason of a mental health disorder, or significant impairment of intelligence and social functioning (learning disability), or a physical disability.

Intimidated witnesses (Section 17)

- All complainants in sexual offence cases – unless they say that they do not want to be so categorised.

⁴ Please note that, although those under 18 years of age at the time of the offence are automatically classed as vulnerable, they are out of scope for this Service. There will be a separate dedicated Service for young victims and witnesses.

- A witness, whose quality of evidence would, in the opinion of a court, be diminished by reason of their fear and distress in connection with testifying. The factors which should be taking into account include:
 - (i) the social and cultural background and ethnic origins of the witness,
 - (ii) the domestic and employment circumstances of the witness, and
 - (iii) any religious beliefs or political opinions of the witness;
- any behaviour towards the witness on the part of
 - (i) the accused,
 - (ii) members of the family or associates of the accused, or
 - (iii) any other person who is likely to be an accused or a witness in the proceedings.

Appendix 6: Local Authority recommendations for service delivery

This proposal has been formulated by Local Authority representatives.

Service design:

- Principle case worker model from start to finish, particularly if the victim/survivor is engaged with the CJS.
- Co-located service is required
- DA case allocation to the service needs to be based on need/vulnerability rather than solely risk as per the DASH assessment.
- Survivor choice needs to be paramount. Notwithstanding eligibility criteria, should a survivor make direct contact with a service, a service should be provided – irrespective of where and how the referral/contact was made.
- The locally developed pathways need to be maintained and should be the main source of reference from key stakeholders in all cases except where an IDVA is embedded within a location. For example, when a 'MOPAC' IDVA is 'on duty' with a specified police station, that IDVA will work with any presenting cases. Outside this 'on duty' time, local referral pathways should be used. These local services will make referrals to the MOPAC provision.
- A regular, formalised feedback loop from the local authorities needs to be scheduled to support contract management.

Minimum service:

- IDVA allocation across London: The suggestion is for an equal ratio of boroughs to IDVAs per BCU area to be allocated, i.e. if a BCU area has three boroughs, three IDVAs to be assigned to that geographical area, plus 0.5 IDVA to be assigned to the City of London.
 - The remaining eight IDVAs either being allocated as per need or specialising in a particular area such as courts or hospitals. These may be senior IDVAs and have responsibility for line management of IDVAs. Specialisms should include courts/CJS, healthcare, BME, LGBT and disabilities.
 - The Community Safety Partnerships or equivalent group for across the BCU geographical areas will make recommendation for where their assigned IDVAs should be placed. It is very clear that should these proposals be accepted, these IDVAs would not 'belong' to the BCU areas and that the staff allocation will need to be flexible according to the needs presented by London.
- 30 cases per year to be allocated as a minimum provision to each borough. It was recognised that while this would be the ambition, should the demand exist where there may be capacity because a borough has not used its 'allocation' the survivor's needs would come first, and they would not be turned away on the basis of their residency.
- The Community Safety Partnerships or equivalent group for across the BCU geographical areas will commit source and support arrangement for co-located venues.
- MOPAC and local authorities will make mutual commitments in grant agreements and contracts that the services provided locally and those provided pan-London will be expected to work together harmoniously.

Appendix 7: Potential additional requirement

Provision of direct services for children and young people who have been exposed to domestic abuse (DA).

The funding available for this potential element of the service is up to a **maximum** of £2,032,700 in the first year of the contract only (FY2019-2020). This amount is **included** within the total contract value. Further information and confirmation about this service will be provided prior to the award of the contract and details will be negotiated during the mobilisation and transition phase.

Background

The presence of children, and their witnessing of abuse, has been found to positively influence the likelihood of police reporting (Bachman and Coker 1995, Mirrlees-Black 1998, Akers and Kaukinen 2009). It is likely that the presence of children increases the probability of reporting to the police and it is evident that the child(ren) are not the prime focus of the response to the violence by the officer. There is currently no direct service provided to those witnessing abuse. Services may be in place for some children however, their primary intervention will not be focussed on addressing the impact of DA. This service will address this and provide quality care at this crucial moment, highlight any additional risk and resilience measures that need to be in place and, significantly, provide direct and tailored support for the child.

A MPS pan-London dip sampling of DA investigations examining the response to children following an incident found that while Merlin report was created in 85% of audited cases, officers only spoke directly to the child(ren) in 65% of cases. Although compliance for Merlin completion seems positive, this needs to be considered within the context of circa 75,000 DA crimes and 85,000 DA non-crime incidents every rolling 12 months.

Findings from recent UK-based analysis (Bradford et al. 2009) suggest that positive attitudes towards the police, or high levels of trust and confidence in police procedural justice and effectiveness, are associated with increased rates of victim reporting (MacDonald 2001, Bradford and Jackson 2011). It is anticipated that this approach will lead to greater victim satisfaction due to the holistic service provided and, should the family associate this caring and compassionate approach with the CJS, it will increase positive attitudes towards the police. Further, as this service will be aligned to the IVWS there will be continued support, which further increase levels of trust and confidence. The co-location element of this service will enable the learning from this project to be embedded in real-time into local systems and processes.

Howarth et al 2016⁵ state children experiencing DA “are more likely to experience emotional and behavioural problems in childhood, adolescence and adulthood” compared to those who did not. While this is generally understood, there is no determined cost associated to these. MOPAC will conduct an evaluation to establish costs for the cohort worked with in London, and identify costs associated as far as practicable. This will be quantified following further investigation and designed to compare the costs of the interventions with costs related to:

- impact on quality of life,
- health and the CJS
- human and emotional suffering.

⁵ Howarth et al (2016) Improving Outcomes for children exposed to domestic Violence (IMPROVE): an evidence thesis. Public Health Research, 4(10). Pp 1-342. ISSN 2050-4381

Requirements - Service Overview:

Provision of direct services as part of the Integrated Victims and Witness Service (IVWS) for London, for children and young people who have been exposed to domestic abuse in their home. The service will

- employ a London-wide team of family caseworkers, who are able to respond to the immediate needs of a child/young person following domestic abuse identified by the police, healthcare establishments or other service provider;
- provide direct interventions with children/young people targeted for those aged 6-13* years to address harm caused, safeguarding issues and to build their personal resilience;
- provides additional resource for local safeguarding and multi-agency arrangements (e.g. MARAC, MASH)
- support children/young people who may be witnesses and/or during their parent(s) engagement with the criminal justice system where there is domestic abuse present in the home,
- support children/young people where there may be civil court engagement or custody arrangements to be made, and;
- enhance the local service and schools' knowledge-base in identifying and response to children/young people where domestic abuse is present.

The caseworker will undertake two main roles;

To provide immediate safety planning and triage to appropriate services, and;

To deliver interventions and provide advocacy for the 6-13yr cohort.

The service will be fully integrated with the London-wide victims offer within the context of IDVA provision for the non-abusive parent (including co-locations), ensuring that a whole family approach is adopted. Referrals will be received from the IVWS and from the co-location sites.

The service will provide additionality to Operation Encompass; once the school is notified of an incident of DA, they will be supported to address the issues with awareness and provide interventions that are appropriate.

The service will work in harmony with and enhance locally managed DA services by providing support/training in identifying the needs of their client's children. The local offer will include elements of co-production in the training required for schools, safeguarding teams, behaviour and attendance services, and the MPS. The service will also seek to improve and address schools' approach to DA, including providing interventions to address healthy attitudes to relationships and gender within the school environment.

The service will form strong links with youth offending services and restorative justice provisions (such as family group conferencing) with a view to re-connect the family without the abusive parent within the household.

The service will work with the non-abusive parent to support them with parenting challenges. The service will also be expected to work in partnership with the parents and children engagement to develop the service offer to ensure it is meeting the needs of the clients.

This service is being commissioned alongside the wider IVWS which includes the London-wide DA service. This service will ensure a response for all referrals, a holistic, whole family response can be provided and overall family outcomes achieved are enhanced.

Requirements - Service Structure

The service is structured to mirror MOPAC's IDVA investment on a 1:1 ratio – there will be a child and family DA caseworker for every MOPAC funded IDVA and 6 senior officers. This service will be available for all children associated with the MOPAC DA caseload.

Due to the level of co-location and independent working, the person specification will mandate strong, knowledgeable caseworkers with significant interpersonal skills, with skills to engage children and young people within the context of DA. Secondments from existing services such as youth offending, children's safeguarding and youth services are encouraged.

A training package to increase practical knowledge of the impact of DA on children, safeguarding, criminal justice processes, police investigations and victim services is required.

Service Outcomes and Outputs

The service will:

- Increase feelings of safety
- Better health and wellbeing
- Improve experience of and trust in CJS
- Address issues presenting following exposure to domestic abuse preventing or reducing further trauma
- Better engagement with education provision

Outputs to be collected (indicative):

- Number of MPS calls attended
- Number of children present
- Assessment of need/vulnerabilities/presentation of symptoms
- Immediate support provided and type
- Mid-term support provided and type (including support with CJS)
- Supported referrals to other services and take up therein
- Known to other services
- Engagement with/attendance at education establishments
- Impact on school response to DA (awareness and confidence of staff addressing DA)
- Increased partnership working with schools via Operation Encompass
- Measurement of distance travelled following intervention

Deliverables

Progress will be monitored for the service itself and in the context of the wider IWWS. This service will be expected to report to MOPAC on a monthly basis and contract management will involve outcome-based payment elements.

Key success indicators include:

- Self-reported increased feelings of safety
- Self-reported better health and wellbeing alongside perceptions by key individuals
- Sustained engagement with CJS process
- Self-reported better able to cope with life
- Improved engagement with education provision as reported by the respective education establishments

Routine data to be collected includes:

- Referrals and engagement thereafter (to include where referrals are from)
- Demographics
- Ethnicity and protected characteristics

- Initial, mid-way and completion assessment scores (as appropriate)
- 360 assessment of child including engagement with education, health, CJS etc in order to baseline and measure distance travelled
- Attrition from service
- Numbers engaging with civil or criminal justice services (with detail as appropriate)
- Engagement with statutory services
- User Satisfaction with service

Lessons learned and reflective practice will feature on the monitoring form and be reviewed on a monthly basis. The service is expected to evolve organically and make changes to its operating model as appropriate (following sanction by MOPAC). Good practice will be shared as part of the local agreements within the operating model and the service is expected to 'upskill' all partners engaged throughout this process. This is anticipated to take place through peer mentoring, informal and formal training and providing robust and healthy challenges to partner services practices and procedures. Learning will be shared on both a local and regional level through both VAWG and tackling youth violence platforms.

Data will be captured on a secure database that is compliant with GDPR/data protection legislation and submitted to MOPAC on a monthly basis. Lessons learned will be applied dynamically and may include changes to the operating model as the programme progresses.

An evaluation will be conducted after a year of service operation. The programme success will be evaluated by MOPAC Evidence and Insight team. They will be engaged from programme inception to ensure data collected can facilitate an informative evaluation.

Partnership

The successful provider will be required to deliver this service within the IVWS, details of which will be determined with the successful provider. Relevant protocols and agreements for the service provision including data sharing and safeguarding will need to be in place. The service will also be co-located in other settings dependent upon need as per the IDVA provision within the IVWS and is likely to include Met Community Safety Units and local MASH provision.

Maximum Budget Available: £2,032,700

Should funds become available for this programme, a maximum of £2,032,700 will be available for the financial year 2019-2020 only.

Appendix 8: Further Reading

MOPAC Crime Dashboards: <https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/data-and-statistics/crime-data>

Mayor's VAWG Strategy: <https://www.london.gov.uk/mopac-publications/mayors-violence-against-women-and-girls-strategy-2018-2021>

MOPAC Victims Decisions:

<https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/governance-and-decision-making/mopac-decisions-395>

[https://www.london.gov.uk/sites/default/files/pcd_377 - part 1 - review of integrated victim and witness plan.pdf](https://www.london.gov.uk/sites/default/files/pcd_377_-_part_1_-_review_of_integrated_victim_and_witness_plan.pdf)

Criminal Procedure Rules and Practice Directions 2015: <https://www.justice.gov.uk/courts/procedure-rules/criminal/rulesmenu-2015>

Achieving Best Evidence in Criminal Proceedings:

https://www.cps.gov.uk/sites/default/files/documents/legal_guidance/best_evidence_in_criminal_proceedings.pdf

Safelives training: <http://www.safelives.org.uk/training>

Women's Aid training: <https://www.womensaid.org.uk/what-we-do/training/qualifications/tackling-preventing-domestic-abuse-certificate/>

Imkaan training: <https://www.imkaan.org.uk/training>

VAWG Sector Sustainability Shared Standards -

<http://safelives.org.uk/sites/default/files/resources/Shared%20Standards%20Whole%20Document%20FINAL.pdf>

Getting it Right for Victims and Witnesses (Government Response):

<https://www.gov.uk/government/publications/getting-it-right-for-victims-and-witnesses-the-government-response>

Out of the Shadows: <http://eprints.bbk.ac.uk/13550/>

R v Momodu; 2 February 2005, Appeal court judgement: <https://lexisweb.co.uk/cases/2005/february/r-v-momodou-and-another>

Remote sites protocol: <https://intranet.justice.gov.uk/documents/2016/10/remote-sites-protocol.doc>

Young witness protocol: <https://www.judiciary.uk/wp-content/uploads/2015/03/police-cps-hmcts-ywi-u10-protocol-20180711.pdf>

NatCen Social Research Evidence and Practice Review of Support for victims and outcome measurement: https://www.sericc.org.uk/pdfs/3138_evidence-practice-review-support-for-victims-outcome-measure.pdf