

Background information for the Police and Crime Committee's report: *Duty of Care: improving support for victims of crime*

This document contains written submissions received for the Police and Crime's Committee's report, *Duty of Care: improving support for victims of crime*.

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Police and Crime Committee

Submission: Review into care and support for victims of crime

The case that I was involved with centred on fraud and deception committed over a sustained period of time. There were a number of victims and it was a sensitive case.

My experience of dealing with the Met and another police service is detailed below and I have noted the positive contacts as well as the ones that can be learnt from.

Details of my experience of the Met

Myself and another victim had an appointment at a Met police station to make a crime report but when Officer A who we were due to see was not there we were turned away. We returned an hour later and the officer was still not available or contactable. It took a phone call from Officer B based in another police service, who had made the appointment and initial enquiries for us, before the front desk understood that we needed to speak to someone that day and agreed to take a statement in the absence of Officer A. Our initial contact was hampered by us not knowing the correct terminology for what we needed to do – ie make an initial complaint and I think the desk would have been able to help us more quickly had we not had that hurdle to get over.

Officer C who took down our statement was sympathetic and professional and assured us that we would be well looked after by the police and that we would be contacted within a few days.

It was 10 days before we heard from Officer D at the Met, who had been appointed as the investigating officer. In the meantime I received a message from Officer A apologising that she hadn't been available for our appointment 4 days earlier and saying we should go to our local police station to make a statement. She was clearly unaware that we had already done so. This 10 day wait was worrying as we were concerned our complaint had not been taken seriously and that no one wanted to take ownership.

There was a further delay of about a week before the investigating officer, Officer D, was able to see me to take a full statement. He had a heavy workload getting to grips with the case. I had a lot of detailed evidence to give and took half a day off work to see him. His approach to the case was to be quite jokey about it and I'm sure it was intended to put me at my ease. Unfortunately I found this distressing because of the nature of my involvement in the case which he wasn't fully aware of at that time. We had only got through the first part of my evidence when we had to finish the meeting. I was quite upset and felt I had to put on a brave front. The officer had a week's leave booked and so there was going to be a further 10 day hiatus in my giving the rest of my evidence. I was extremely anxious and upset about this. His jokey approach made me feel foolish for having become a victim in this case and I dreaded having to speak to him further.

I spoke with Officer E who was based in another force and was also working on the case. I asked whether I could speak to another officer in the meantime. He was kind but discouraged it as it would mean a delay because someone else would have to go over what I'd given already. I continued to feel anxious and spoke with him again and put it in slightly stronger terms but it was clear the preference was for me to speak to Officer D again. The perpetrator of the crime had put me through quite an ordeal and I was unprepared for the stress of dealing with the police in order to

follow through with my complaint. Officers D and E told me that the case may progress slowly and I appreciated them trying to give me an honest appraisal of the process ahead. What I encountered though would not have been anticipated by either of them.

Officer E kept me fully informed of progress on the case during Officer D's absence due to holiday and at that point it was moving at speed. Officer E was a consistent and considerate point of contact throughout the case albeit sometimes I was aware that I had to state my case strongly to be heard. I contacted Officer E a third time and I was quite distressed by this point. I said quite bluntly that I didn't want to speak with Officer D again. He conceded that he knew that's what I had been getting at and allowed that there must be other options available. He spoke to me the next day when Officer D was back at work and gave me a number of options including seeing Officer D again following him having had a word to explain my distress. In the end I chose that option because I didn't want to delay the investigation or cause offence to Officer D who I don't believe had meant to cause any upset.

To Officer D's great credit he was extremely kind and professional when I went to see him to give the rest of my statement. He had taken on the feedback given him via Officer E and I was really grateful for that.

At this point I felt that I had had to battle to be heard by the police but that they had listened in the end and I felt that the officers on the case cared about doing a good job.

I did all I could to assist the Met. I handed over evidence, took a total of two days unpaid leave to give statements and consented to sharing some very personal information.

Officers D and E discussed a number of possible charges with me and their commitment to getting a successful conviction was clear. Unfortunately some months into the investigation Officer D went off sick (and Officer E moved to another service and so off the case) and I heard nothing from the Met for 7 weeks.

I contacted Officer D's office on a number of occasions and spoke to Officer F who was sympathetic but not working on the case. He kindly did what he could to chase up some paperwork I was waiting for from a third party, which was appreciated. On each occasion I contacted Officer D's office no one was able to tell me who was in charge of the investigation in his absence. I knew another department had also been involved in investigating the case but I was also aware that the officer in that department had also gone off sick.

At the point that Officer D went off sick the investigation was incomplete. I had made a request to give a Victim Impact Statement because my witness statement focussed on the facts of the case and only one of 4 potential charges. It was important to me to give a more complete picture to the police including the considerable impact of the perpetrators actions. I was also awaiting the papers previously mentioned, a date to view an ID parade and additionally other investigations were on-going.

The 7 weeks without contact from the Met were incredibly stressful and worrying. I had a stake in a process I had no control over and no access to information on what was going on. It was very disempowering and frustrating. After 7 weeks I was contacted by the person I had made the initial report with and was told they had been contacted by Officer G, who I had had no previous contact with. Officer G had told them that one of the charges could not be pursued as the Met had missed

the statutory deadline to do so. I was stunned that the case seemed to have fallen apart and upset that I had not been contacted directly by the Met.

I contacted Officer G to confirm the situation. I was told I had provided 'excellent evidence' but unfortunately it was indeed the case that the Met had missed the opportunity to make this charge. I asked for clarification of a key part of the legal situation and Officer G was unable to answer the question. They had to find out and call me back. As the Met's inability to make this charge hinged on this legal fact it was damaging to my confidence in the Met that this information wasn't readily available. I was devastated that the case had fallen apart and asked why no one had been watching the clock after Officer D went off sick. Officer G said the deadline had passed before Officer D went off sick. Officer G said it would be unfair to comment on how it could have happened when Officer G wasn't available to respond. This left me not knowing how, what seemed to me to be, a basic error had been made, and with no one taking responsibility.

I asked why I had heard nothing for 7 weeks and was told that the review of the case had begun 2 or 3 weeks previously before Officer G had gone on holiday. I asked why I hadn't been contacted sooner and was told it was because they were waiting for confirmation that the second charge couldn't be made. I didn't think this was a satisfactory or considerate way to have approached the review. I think a courtesy call during Officer's D's absence while they hoped for his imminent return would have been best practice. I also think contact at the beginning of the review by Officer G to find out about the case directly rather than rely on incomplete notes and statements would have demonstrated active ownership of the case, a thorough approach and care for the victims of crime.

Officer G apologised for the situation, though I was too stunned for that to mean anything at that point and told me in more detail that the second charge being considered could not be pursued due to legal reasons, specifically relating to other convictions having been over-turned on appeal. I understood what she was saying but could not understand how this had only come to light many months into the investigation. The Met had had all the pertinent information for months. Officer G told me I would have to get my satisfaction from charges relating to other victims. I asked if I could be kept informed of the case and was told that would be difficult as it was being handled by the other force. I asked how I could get satisfaction from the result if I didn't know what that result was and said that it was due to the Met's actions that I was in this position. Officer G reluctantly agreed to try to keep me updated and told me I could call back with any further questions.

The news sank in over-night and I wasn't fit to work the next day. I left my office at lunchtime after becoming really upset. I called Officer G to discuss things further but she wasn't available. I tried again the next day and was told she would be unavailable for a week. I left a message asking for a copy of my statement.

I heard nothing from the Met for a couple of weeks and didn't know if I should expect some kind of formal communication that the case relating to me was closed. I realised then that Officer G had only mentioned two of the charges that had originally been considered and that she had not mentioned the other two originally discussed. I realised that she had only reviewed the case as far as Officer D had taken it and that his notes may not contain all the information gathered.

I called Officer G and first of all asked about my statement. She told me I should have emailed her but she would send it. It's worth noting that when someone is going through a traumatic experience it's really difficult to communicate in writing because it demands clear, rational thought that,

unfortunately, is hijacked by intense and powerful emotions. I was experiencing anger, shock and loss at what had happened with the case on top of having experienced the crime itself.

I then asked about the other two charges and she had no idea what I was talking about. I explained that I had shown Officer D two good examples of evidence that would support one of the charges but he had not taken it into evidence saying he would do it later. Further, I said how hard it was to come to terms with both the Met having failed to make one charge in time and their conclusion that the other charge could not be made. I queried this decision as Officer D had been so convinced it could work. I did not have faith in Officer G's work in reviewing the case as she was Officer D's senior officer and so ultimately responsible for his cases being correctly handled and for keeping me informed during Officer D's sick leave. Neither of those things had happened.

Officer G implied that we had had many discussions about this already and made it clear that she felt I was being a nuisance. I pointed out that this was only our second conversation, many months into a case that had recently fallen apart and that it was not unreasonable of me to want to discuss it further. Officer G conceded this. I tried to explain why I found the situation particularly distressing and mentioned a key fact of the case and Officer G interrupted me and flatly contradicted me, arguing this fact wasn't true. I was stunned that in looking for some understanding I instead found an officer arguing with me. It also highlighted her lack of familiarity with the case she had reviewed because this fact was on page one of my statement and was supported by a quantity of other evidence in the police's possession.

At the conclusion of our conversation Officer G asked me to send her evidence supporting the potential charge I had previously discussed with Officer D and told me she would look into this and one final charge. I had always thought this last charge would be tenuous but I wanted to walk away from the case knowing all that could be done had been done and that everything had been considered thoroughly. At this point I did not believe that to be the case.

I subsequently sent Officer G some of the evidence I had shown to Officer D as discussed. It was a small proportion of what I had available and I knew that another force had had the full scope of this evidence for many months so I had fully expected the Met to request it from them. Indeed I had had a number of conversations about this with Officers D and E.

I felt pretty battered by the conversation I had had with Officer G and so did not want to open up to someone who I felt was not sympathetic to my situation and whose skills I did not have faith in. Unsurprisingly what I sent was not enough on its own to make a charge and after a week's consideration I chose not to send anything further. The police had had access to this evidence for many months and I had no faith that by me helping further that I would not be put through more distress for ultimately the same outcome. I decided to cut my losses and walk away.

I had sought legal advice on whether I needed to do anything to disentangle myself from the case and was advised to ask a number of questions relating to the case to ascertain if I might be called as a witness if there was a trial. I emailed Officer G and explained the situation. I was told that Officer H in another force would have to be consulted to get the answers and Officer G would get back to me. I received an update two weeks later saying that Officer G would have to speak to Officer H directly at a meeting scheduled in a further two weeks-time so I responded saying I looked forward to the information then. It wasn't until two weeks after the meeting that I received an email.

It took 6 weeks from my initial request to receive that email and the information it contained was incorrect and incomplete. I used Google in the meantime to look for information on the case and found a recent court date. The court had then given me further details and what Officer G had sent did not tally with the courts information.

I tried to contact Officer G a few days later after an incident relating to the case and was unable to get in touch with her as she worked part time. No one else had access to details of the case, an issue I had encountered before. The Officer I spoke with, Officer F was, again, very kind and sympathetic but unable to do anything other than listen. I found his professionalism and compassion to be of comfort during a very trying time.

Officer G contacted me 5 days later and I explained that I was cross that the information I had received from her had taken 6 weeks to materialise and was incorrect. She was very defensive and didn't believe me even when I said I had the correct information from the court and directly from Officer H from speaking with him a few days earlier. I said I couldn't understand why she hadn't emailed the request for information to him and why she had insisted on a face to face meeting as it would have speeded up both the response time and accuracy to have done it this way. I found myself once again arguing with Officer G about the situation and I closed it by saying we'd just have to agree to disagree, because it was clear she wasn't hearing me. I asked if someone could keep me informed as I was aware of an imminent court appearance and I wanted to know the outcome. Officer G said I wasn't a victim in the case and so couldn't expect to be contacted. I pointed out that while that was technically correct it was due to the Met's actions. I had already realised that I was getting no support from the Met and I resolved to contact the courts myself. This was the third and final conversation I had with Officer G.

I was upset that the Met hadn't been able to help during the latest incident relating to the case and that my experience of them had been so far below what I would imagine to be the Gold standard. Some weeks earlier I had dismissed the idea of making a formal complaint as it sounded like the process of having a complaint investigated would put me into very much the same situation as I had been trying to escape for some time. I did not want to hand over control of the situation to people who would only update me at their convenience and who could not guarantee me any kind of satisfaction at the end of the process. I did not want to prolong my experience of feeling like a victim; it is a very disempowering label to wear and I wanted to shed it and get on with my life.

I phoned the Met to see whether I could instead arrange a face to face conversation with someone senior to share my experience and provide some feedback that could be used constructively going forward and provide me with a sense of resolution. I spoke with Officer K and explained the case and my situation in brief. He agreed to try to accommodate my request and asked if I could email him the details. I did so and after I had sent it I realised what a difficult position he was in because some of my feedback was about the officer he reported to, Officer G.

His reply when I received it was sympathetic and explained he had spoken with Officer G and Officer L (Officer G's boss). It said he had been informed that much time had been spent talking over my concerns on the telephone and so nothing further could be done to facilitate my request. His message said that he would phone me to confirm this.

When Officer K phoned me he was sympathetic and professional. I explained that I was disappointed with the result but not surprised that Officer G had a different view of our conversations to mine.

I found it concerning that Officer L didn't think it important to find out what I had to say given that the person I had spoken to about my concerns was the person whose behaviour I was concerned about; or think that, considering the seriousness of the issues, speaking with me might be a compassionate response that could improve the image of the Met and potentially avoid the time, expense and disruption of a public complaint. By responding the way they did they reinforced the impression that the Met is not accountable or transparent.

Officer K in contrast behaved with great professionalism and compassion. I only spoke with him twice and his approach and kindness did much to restore my faith in the Met. He was the consummate professional, making no comment about his colleagues' behaviour; instead he listened to what I had to say, took it seriously, believed me and did what he could to facilitate my request. He treated me as an individual, with kindness and respect and I am very grateful to him.

Officer K closed the call saying that he thought I would be kept up to date with the progress of the case though sadly by this stage I thought that was unlikely. Officer G had sent brief update emails following our second conversation but while I appreciated her efforts, the time delay due to her part-time shift patterns meant I found out the information for myself from the courts before I received her messages.

I heard nothing from the Met after the final sentencing. The perpetrator was convicted on a considerable number of charges which was a relief and a positive outcome.

Officer H (from another force) contacted me 5 days after the sentencing and asked how I was. I said I was relieved and glad that the sentence was substantial and thanked him for the work he had put in. Officer H asked if I would mind sending an email if I was satisfied with the service and mentioned that his superiors had asked him to speak to the press and that an article would be coming out shortly. I thanked him for the heads up and said I was satisfied. I saw an article about a week later and there was little information I wasn't already aware of. I was pained though to see that Officer H had made a comment on what he believed to be the benign intentions of the offender which I thought was unnecessary and insensitive.

I called Officer H a couple of days later to pass on my thoughts and his colleague Officer M told me he was on leave for over a week. I hadn't expected that and stayed on the phone a moment while I considered what to do. I desperately wanted to draw this to a close, pass on my comments and leave it behind. Officer M pressed me on why I was calling and, to my regret, drew it out of me.

I was very even handed and said I thought Officer H's comments were probably intended in the widest context and no harm would have been meant but they were painful to read as I felt that he should appreciate the sensitivities of the case. Officer M said that Officer H was best placed to judge the situation and I found the implication that he was more qualified in his opinion than I was offensive. The injured parties in a case are in a unique position to assess the behaviours they were subjected to as they have both first-hand experience and the benefit of information and insight after the fact.

Officer M went on to quote some of the defence case to me to support her argument, which I thought highly inappropriate. Her comments undermined the hard work done to achieve a conviction and also undermined the sense that the police are on the side of the injured parties. Officer M made me very apprehensive about speaking with Officer H, as she then said he may not say what I wanted him to say. I was really shaken; I had called to seek some understanding and this comment felt less about managing my expectations and more a way of asserting authority over me. I was very upset after the call which I thought was handled exceptionally poorly.

I emailed Officer H to both thank him in writing and to flag my response to his comment so the message would arrive as intended rather than via a third party. He is a committed and diligent officer and I'm sure he will have understood.

Improvements the Met could make:

- 1) Commit to keeping victims updated fortnightly in sensitive cases. Regular updates make a huge difference to how victims view the police and they also aide the recovery process as the focus becomes about the future and getting to a point of resolution.
- 2) Ensure that officers liaising with victims have the appropriate skills to behave compassionately. Some officers are naturally better at this than others and those who are less skilled should receive additional training or deal with less sensitive cases.
- 3) If an officer has negative news, ensure it is delivered by the police and not someone else connected to the case. Deliver it promptly, have all the facts, be available to answer questions, be honest if they don't know the answers.
- 4) If a new officer is assigned to a case the officer should speak to the victims to introduce themselves as the point of contact going forward and provide their contact details. This would help address how impersonal the process can feel.
- 5) If an officer works part time then their files should be available for other officers to access when they are unavailable or alternatively a job-share working pattern should be facilitated. Likewise if an officer is off sick or on holiday their workload should be covered and the victims kept updated. The modern police service should enable officers to have a work life balance while also fulfilling their commitment to the job.
- 6) If an officer needs to step into a case and review it, they should speak to the victims early on. This is important to gain their trust and to accurately assess the case.
- 7) Ensure that if a case is reviewed before it has been completed that all avenues are followed up thoroughly and the case is completed by the reviewer.
- 8) Ensure that the legal constraints of charges are considered at the beginning of the investigation. It is very distressing to see a case collapse because of basic errors, which erode public confidence.
- 9) Ensure all police staff and officers are trained in National Call Handling Skills. The officers who did a good job of representing the Met and the other forces demonstrated these skills. Those who didn't left me feeling worse than when I first contacted them. Addressing these communications skills would have an enormously positive impact on public perception of the police.

- 10) When the Met fails to deliver the expected standards officers should take responsibility and aim to repair the damage to their relationship with the public. If the Met receive a request to resolve an issue directly rather than via a public complaint this should be accommodated if at all possible and the process handled with transparency. It is an opportunity for the Met to learn and is a sign that the public want to engage in a constructive dialogue. Officers who try to support these actions should be empowered to do so. The rank structure of the police is clearly a strength however its risks need to be managed so that officers who value excellence can put these values into action whatever their position within that structure.

I feel I experienced a wide range of behaviours across the Met and the other force involved. I found that the quality of care victims of crime receive is a lottery; it varies even within a department and rank is no guarantee of quality of service.

At present if someone reports a crime to the Met they may need to steel themselves for a slow, frustrating, disempowering process that may not lead to the desired result. On the other hand they may encounter officers who care a great deal about seeking justice and about treating the injured parties with dignity and respect. I came across both. I hope the Met takes an approach of focussing on rewarding and supporting the latter and training officers and adjusting processes and procedures to address the former.

CPS LONDON RESPONSE TO MOPAC VICTIM CARE REQUEST

WHAT ROLE DOES THE CPS PLAY IN SUPPORTING VICTIMS OF CRIME THROUGH THE CRIMINAL JUSTICE SYSTEM?

Introduction

The Crown Prosecution Service (CPS) in London is committed to supporting victims and witnesses through the prosecution process and seeks to constantly improve the service it provides to them. It does this in close liaison with the police and this commitment is demonstrated at every stage of the prosecution process. This is explained in detail below.

It is our experience that victims and witnesses that are engaged in a process which is speedy and effective are more likely to support the prosecution and they will have greater confidence in the criminal justice system as a whole. Greater confidence in the system, by extension, will lead on to better reporting of crimes.

The prosecution process

The CPS is responsible for prosecuting criminal cases investigated by the police in England and Wales and its duties include:

- advising the police in relation to investigations which may lead to prosecutions
- reviewing cases charged by the police
- determining whether to charge suspects in more serious or complex cases
- preparing cases for court
- presenting cases at court.

Criminal cases begin with an investigation by the police. The police are responsible for keeping victims and witnesses informed about the progress of this investigation and the CPS will often begin working with the police at this early stage, **providing pre-charge advice**.

The CPS will make a **formal charging decision** once it receives a full file of evidence from the police following this investigation (the police will also make charging decisions in less serious cases).

When the **CPS decides on whether to charge a case or not** the police will inform victims and witnesses of this decision. If cases are charged the police will notify them if they need to attend future court hearings through the police led Witness Care Unit (WCU).

If the CPS takes a **decision not to prosecute** following charge of where it has then substantially altered the charges, it is the responsibility of the CPS to inform the victim of its decision within a prompt and specified timescale. In certain cases, such as cases involving a fatality or sexual offences, the CPS must offer to meet the victims to explain the decision.

When making a charging decision, the CPS can take the decision, where the public interest (taking into account the views of the victim – if provided by the police) is served by authorising an **out-of-court disposal** such as a conditional caution, to obtain proportionate and speedy reparation for victims. The police will notify victims of this decision.

The CPS will **oppose bail** where there are substantial grounds for believing that the defendant may interfere with a victim and/or commit further offences against them (this information is received from the police). This information is supplied by the police.

The police will carry out **victim needs analysis** to identify particular vulnerabilities. The CPS will carefully consider these and make timely and informed decisions about whether to apply for **special measures**. Special measures are intended to ensure that the quality of a vulnerable or intimidated witness' evidence is not diminished and means that such a victim could, for instance, give evidence from behind a screen or on TV link or through an intermediary. These measures may also include applications for anonymity.

The CPS will identify which witnesses to call to give evidence. Dates for trial will be fixed taking into account dates to avoid supplied by the police and then police WCUs will then inform the witnesses.

At hearings, The CPS is responsible for **meeting victims and witnesses at court** and explaining proceedings to them, in particular the time they are likely to need to wait to give evidence and to explain any delay.

In **deciding whether to accept an offer of a plea**, where possible the CPS will consult the victim in deciding whether it is in the public interest to proceed with a charge.

The CPS is responsible for putting the impact of a criminal offence on a victim before the court in the form of a **Victim Personal Statement**, which is obtained by the police. If the defendant's mitigation is not consistent with the victim's account and/or is derogatory, the prosecutor will challenge this. Where appropriate, an application for compensation and/or a restraining order will be made.

The CPS is also responsible for paying **witness expenses** in accordance with the witness payment scheme, a statutory instrument which sets out the witness reimbursement rates, and for responding to enquiries about sentence or from the Criminal Injuries Compensation Authority.

The CPS support of victims and witnesses extends to direct engagement events. These have included raising awareness of rape myths (which research shows can affect jury decisions, impact on media reporting and stop victims coming forward to report crimes), and raising the issue of violence against girls in gangs. These targeted events are supported by media campaigns and are in essence about delivering justice for victims and raising confidence.

This roles and responsibilities of the CPS towards victims, and the expectations placed on the CPS in discharging these, are set out in:

- The Code for Crown Prosecutors
- The CPS Core Quality Standards
- The Victim's Code
- The Prosecutor's Pledge
- Direct Communication with Victims
- Victim Focus Scheme.

See Annex A below for full details.

WHAT ASPECTS OF THE CPS' APPROACH TO VICTIM CARE ARE CONSIDERED TO BE GOOD PRACTICE?

CPS London has a Homicide Team (including fatal road traffic accidents) and a Rape and Serious Sexual Offences Team. This concentrates our focus and expertise in dealing with the particular needs and requirements of victims and/or their families in these difficult and sensitive cases.

CPS London will, where appropriate, not only meet victims and bereaved families where required by the Victim's Code but also do so in other cases where a face-to-face explanation would be better than the written handling of their complaint or enquiry. Should CPS London not proceed with a prosecution, prosecutors will contact victims and/or bereaved family members directly and explain this decision.

If the CPS charges, prosecutors will meet with victims and/or their families with the police Family Liaison Officer on the morning of the plea hearing and again (in the event of a not guilty plea) prior to the start of a trial to explain the court process and discuss the evidence being shown, in case it was likely to be traumatic to them. Following the outcome of the trial the CPS will meet with the victim or family and this will be followed up by written correspondence.

CPS London carries out quarterly reviews of victim and witness practice in each of its geographical Districts to drive performance improvements. Each District has an action plan in place to improve, for instance, performance in Direct Communications with Victims (see Annex A), and aims to reduce witness attrition rates (where they no longer support a prosecution). Actions include feeding back to charging teams any bad practice (i.e. flawed charging decisions), ensuring special measures or witness summons are made within 48 hours of receipt of information and ensuring timely responses to all witness correspondence.

CPS London has responded to the magistrates' court initiative "Stop Delaying Justice", which aims to provide a more robust approach to hearings in order to ensure that all contested cases are case managed at the first hearing and disposed of at the second hearing, by placing greater emphasis on case management. This means that special measures are far more likely to be resolved at the first hearing in magistrates' court cases and victims will know the position ahead of trial. Witness requirements are receiving greater attention meaning unnecessary attendance will be

avoided wherever possible. This aim is challenging as it requires good quality and timely files at an early stage.

CPS London will hold weekly meetings with police Witness Care Units to ensure that issues concerning victims are identified and resolved.

HOW DOES CPS LONDON WORK WITH THE METROPOLITAN POLICE SERVICE ON THE PROVISION OF SUPPORT FOR VICTIMS?

This is detailed above, but in summary, CPS lawyers and caseworkers engage with both police officers and Witness Care Officers throughout the prosecution process to ensure that victims and witnesses are effectively supported.

This engagement is done both on an issue-by-issue basis when victims raise concerns, and when communicating decisions, obtaining necessary material (special measures; victim personal statements; compensation/restraining order material) and meeting the obligations set out in Annex A below.

In addition, the CPS meets with the unit on a regular basis to improve witness care.

WHAT ELSE COULD THE MPS DO TO IMPROVE VICTIM SATISFACTION RATES?

The Criminal Justice System in London must work together to improve victim and witness satisfaction. This cannot be delivered in isolation. The CJS needs to ensure that more of our prosecutions are effective, that cases are progressed efficiently through the courts and that victims are more engaged in the process and receive speedy justice.

CPS London has been looking closely at this issue with its partners on the London Criminal Justice Partnership (including the MPS) and has been working jointly to deliver improvements, in particular by reducing cracked and ineffective trials, which waste time and money and cause distress to victims and witnesses.

Note:

- **Cracked trial** occurs when a case is concluded on the day of the trial without the scheduled trial taking place, for example because the defendant pleads guilty or the prosecution drop the case.
- **Ineffective trial** occurs where a trial is postponed on the day it was scheduled to go ahead.

CPS London and other partners have been working closely with Victim Support, which has been providing feedback from victims and witnesses and showing what they think about the current service being provided. We will be providing refresher face to face training with prosecutors about what their obligations are towards victims and witnesses. The major ongoing theme coming out of the feedback is communication.

Informed communication is undoubtedly at the heart of victim satisfaction within the CJS: ensuring that a victim receives both prompt notification of developments in their case but also a full explanation of proceedings where appropriate. The work the CPS does with the MPS on delivering the Electronic Case File plays an important role in ensuring that all case information is in one electronic file which can be accessed and is promptly updated and contains relevant information. For example, whereas a paper file would contain an endorsement explaining what happened in court (which may be of great significance to a victim), and that paper file would be at court and then transported back to the CPS office, the electronic file will mean that as soon as the endorsement is electronically recorded it will be available to the MPS (at the least through the Witness Care Units).

Witness Care Units deal with a significant number of communications and concerns from the victims of crime but also from other witnesses, a great number of which are police officers. The CPS is ensuring that there is a greater focus on avoiding unnecessary police attendance at trials but the police may also wish to consider whether police witness issues could better be dealt within the police supervision structure, which could enable Witness Care Units to focus on civilian witnesses and in particular victims.

Contact with victims and engagement in the criminal justice system is important and the MPS may want to focus on improving the frequency of contact with victims – to prevent disengagement with the prosecution process and as a regular point of

contact for any concerns they may have – where possible and also prioritising certain key categories, for instance victims of domestic violence. As part of that prioritisation, Witness Care Units may want to develop a specialism and expertise in these categories and focus on the quality of contact with these witnesses.

The work of the MPS is often complementary to the work of voluntary or third sector organisations, for instance Independent Domestic Violence Advocates. We know that these advocates make a significant difference to victims and witnesses attending court and to supporting a prosecution. MOPAC may wish to ensure consistent provision of such services across London to support the MPS in every borough.

HOW SHOULD MOPAC HOLD THE MPS TO ACCOUNT ON VICTIM CARE?

Victims and witnesses want their cases thoroughly reviewed, cases built thoroughly and justice. This is not just the responsibility of the police but of the entire Criminal Justice Service in London. MOPAC should hold the MPS to account based on these key tenets.

HOW SHOULD MOPAC ENSURE VICTIMS' COMPLAINTS ARE HEARD AND MONITORED?

- MOPAC may wish to set up a complaints service similar to that currently used by the MPS and the CPS.
- MOPAC may wish to use current surveys delivered by the MPS to garner the views of victims.
- MOPAC may wish to make contact with Victim Support and use the anonymous data and feedback to shape their response to victim care.

ANNEX A

The Code for Crown Prosecutors

The Code governs how the CPS takes the decision to prosecute and victims are provided for in the following ways:

- The victim's views should be taken into account when considering whether to accept pleas; whether an out-of-court disposal is appropriate; when addressing the court at sentence through a Victim Personal Statement;
- The following are public interest factors tending towards a prosecution:
 - The offence was motivated by, or the offender showed, hostility based on the victim's ethnic or national origin, gender, disability, age, religion or belief, political views, sexual orientation or gender identity;
 - The vulnerability of the victim;
 - The victim's age;
 - Whether the victim was corrupted by the crime;

The Code specifically provides:

"In deciding whether a prosecution is required in the public interest, prosecutors should take into account any views expressed by the victim regarding the impact that the offence has had. In appropriate cases, for example, a case of homicide or where the victim is a child or an adult who lacks capacity as defined by the Mental Capacity Act 2005, prosecutors should take into account any views expressed by the victim's family.

"However, the prosecution service does not act for victims or their families in the same way as solicitors act for their clients, and prosecutors must form an overall view of the public interest.

“Where prosecutors have a responsibility to explain their decision to the victim, for example, when they stop a case or substantially alter the charge in a case, they must comply with the Code of Practice for Victims of Crime and all relevant CPS Guidance.

“Prosecutors must follow any agreed procedures, including abiding by any time period within which such decisions should be notified to the victim.”

The CPS Core Quality Standards (CQS)

The CPS delivers a public service in accordance with a set of publicly facing Core Quality Standards that lay down the quality of service that the public are entitled to expect from those who prosecute on their behalf. They apply to all those who deliver the prosecution service.

CQS confirms that “the fundamental role and purpose of the CPS is to protect the public, support victims and witnesses and deliver justice”.

The key standards for victims of crime are:

Standard 3: We will use out-of-court disposals as alternatives to prosecution, where appropriate, to gain speedy reparation for victims and to rehabilitate or punish offenders.

This means taking into account the views of victims on the proposed disposal.

Standard 4: We will oppose bail for defendants where appropriate, taking particular account of the risk posed to victims and the public.

This means taking into account the views of victims when considering the risks posed by a defendant.

Standard 7: We will assess the needs of victims and witnesses, keep them informed about the progress of their case and seek appropriate support to help them to give their best evidence.

This means particularly our work through Witness Care Units to provide support, including where appropriate special measures, to the victims of crime.

Standard 8: We will explain our decisions to victims when we stop cases or substantially alter the charge.

These obligations are set out in the Victim's Code.

The views of victims, when considering the acceptability of pleas or communicating the impact of crime through a Victim Personal Statement, are also set out in the CQS.

The Victim's Code

Section 7 of the Code of Practice for the Victims of Crime relates to the Crown Prosecution Service and provides for the following obligations:

7.2 It is the duty of the CPS to ensure that victims are informed of charging decisions taken by the CPS. In cases where, following discussions between an investigating officer and a Crown Prosecutor, the decision is taken that there is insufficient evidence to bring any proceedings for a relevant criminal offence it will be the responsibility of the police to notify the victim of this fact.

7.3 Where a Crown Prosecutor takes the decision that there is insufficient evidence to bring any proceedings following receipt of a full evidential report and other than during a discussion with the investigating officer, it will be the responsibility of the CPS to notify the victim of this fact within one working day for vulnerable or intimidated victims and within five working days for all other victims.

7.4 If, after an offender has been charged and following a case review, the CPS takes a decision to substantially alter or drop any charge, the CPS must notify the victim within one working day for vulnerable or intimidated victims and within five working days for all other victims. In all other circumstances, the police will be responsible for notifying victims of decisions in cases.

7.5 The Prosecutor may decide in accordance with CPS guidance that it is inappropriate or unnecessary in the particular circumstances to notify the victim, or

that for legal reasons, no explanation beyond setting out the tests in the Code for Crown Prosecutors can be given. In such cases the reasons for providing no information or only limited information must be recorded.

7.6 The CPS has an additional obligation set out in paragraph 7.7 below in relation to cases involving a death allegedly caused by criminal conduct, such as murder, manslaughter, dangerous driving or careless driving, cases of child abuse, sexual offences, racially and religiously aggravated offences and offences with a homophobic or transphobic element.

7.7 The CPS must offer to meet the victims of the types of cases identified in 7.6 to explain a prosecution decision in the following circumstances:

7.7.1 where the Prosecutor decides not to bring any proceedings in respect of criminal conduct, following the provision of a full evidential report by the police to the CPS for a CPS decision on charge (in accordance with guidance issued by the Director of Public Prosecutions, and other than during a face-to-face consultation with an investigator);

7.7.2 where a decision is made to drop or substantially alter charges in respect of relevant criminal conduct; unless the Prosecutor concludes that in all the circumstances a meeting ought not to take place in which case he or she must record in writing the reason for that conclusion.

7.8 Where a victim who is to be called as a witness in criminal proceedings in respect of relevant criminal conduct, has been identified as potentially vulnerable or intimidated, the CPS must have systems in place to assist prosecutors in considering whether or not to make an application to the court for a special measures direction under Chapter I of Part II of the Youth Justice and Criminal Evidence Act 1999. The outcome of that consideration must be recorded.

7.9 The CPS must ensure that, where circumstances permit, Prosecutors or, if Prosecutors are unavailable, other representatives of the CPS introduce themselves to victims at court. When meeting victims, Prosecutors or their representatives must answer any questions victims may have about court procedures and give an indication where possible of how long they will have to wait before giving evidence.

7.10 In the event of delays to criminal proceedings in respect of relevant criminal conduct, the CPS must, wherever possible, explain the reason for the delay and, wherever possible, tell the victim how long the wait is likely to be.

7.11 The CPS must pay expenses that the CPS has decided are due to the victim, in accordance with the Crown Prosecution Service (Witnesses' etc. Allowances) Regulations 1988 not later than ten working days after the day the CPS receives a correctly completed claim form.

Over the last 12 months, CPS London paid witness expenses in 99% of cases within 10 working days.

7.12 The CPS must answer any questions the victim has about the sentence in their case if the victim is referred to the CPS by the joint police/CPS Witness Care Units as at paragraph 6.8.

7.13 The CPS must provide the joint police/CPS Witness Care Units with copies of the List of Witnesses Attending Court as soon as these are finalised to enable the joint police/CPS Witness Care Units to notify victims if they are required to give evidence.

7.14 The CPS must respond to requests for information from the Criminal Injuries Compensation Authority or the Criminal Injuries Compensation Appeals Panel no later than 60 working days after the day on which the CPS receive the request.

The Prosecutor's Pledge

The Prosecutor's Pledge commits the CPS to providing 10 assurances to the victims of crime. The CPS will:

1. Take into account the impact on the victim or their family when making a charging decision;
2. Inform the victim where the charge is withdrawn, discontinued or substantially altered;
3. When practical seek a victim's view or that of the family when considering the acceptability of a plea;

4. Address the specific needs of a victim and where justified seek to protect their identity by making an appropriate application to the court;
5. Assist victims at court to refresh their memory from their written or video statement and answer their questions on court procedure and processes;
6. Promote and encourage two-way communication between victim and prosecutor at court;
7. Protect victims from unwarranted or irrelevant attacks on their character and may seek the court's intervention where cross-examination is considered to be inappropriate or oppressive;
8. On conviction, robustly challenge defence mitigation which is derogatory to a victim's character;
9. On conviction, apply for appropriate order for compensation, restitution or future protection of the victim;
10. Keep victims informed of the progress of any appeal, and explain the effect of the court's judgment.

Direct Communication with Victims (this relates to pledge 2 of the Prosecutor's Pledge above)

The DCV scheme means:

- The CPS will communicate any decision to discontinue or substantially alter the charge direct to the victim rather than via the police;
- As much detail as possible of the reasons for the decision will be given, bearing in mind that issues of a sensitive or confidential nature may restrict the amount of information that can properly be given;
- A meeting must also be offered to the victim in the following cases: cases involving a death; child abuse; sexual offences; the offence was aggravated by hostility based on disability; racially/religiously aggravated offences; cases with a homophobic, transphobic or sexual orientation element; the offence was motivated by hostility based on age; or in any other case in which the reviewing lawyer considers it appropriate.

CPS London Districts each have action plans to improve direct communication with victims. And as a result aim to reduce witness attrition rates. Actions include feeding back to charging teams any bad practice (i.e. flawed charging decisions), ensuring

Special Measures, witness summons or Section 36 applications (which ensure where appropriate the victim isn't cross examined by an alleged assailant but by a court appointed advocate) are made within 48 hours of receipt of information and ensuring timely responses to all witness correspondence.

Victim Focus Scheme

This was launched by the CPS on 1 October 2007 and extended (see below) in December 2011. The scheme provides bereaved families with the opportunity to meet the CPS prosecutor post-charge in homicide cases heard in the Crown Court, to discuss processes and procedures and to ensure that their voice is heard where a sentencing hearing takes place by making a Victim Personal Statement. A meeting will also be arranged with the trial advocate.

The CPS will offer a meeting with the bereaved family following a decision to substantially alter or stop a case, or following acquittal by a jury, to explain as fully as possible the reasons for this outcome.

The CPS will meet with the bereaved family following conviction and also following sentence or otherwise respond to enquiries about sentence, including the unduly lenient sentence provisions.

ENDS

From: Jude Sequeira [mailto:Jude.Sequeira@mopac.london.gov.uk]
Sent: 13 September 2012 14:03
To: Matt Bailey; Susannah Drury
Cc: Thomas Foot; John Crompton; DoRMailbox-.StrategyUnit@met.pnn.police.uk
Subject: MOPAC response to PCC investigation into Victim Care

Dear Susannah,

Please see below the response from MOPAC to your questions. We hope this is helpful. I'll send you a formal response by letter.

Jude

- **Why do you think victims are less satisfied with the MPS than with other forces, especially disabled and BME victims?**

MOPAC RESPONSE

There are many different factors which contribute to the level of satisfaction in London and very often those factors are not mutually exclusive. In general, the levels of satisfaction are lower overall in the MPS compared to other forces for BME and non-BME communities. The national average for the BME satisfaction gap sits at 5% and the MPS' current position is comparable to this. A white/BME satisfaction gap is a common phenomenon across public service providers. For example, the NHS and local authority service provision also experience this. However, given the importance and complexity of policing in London, which is the most ethnically diverse city in the country, any satisfaction gap is a cause for concern. There are many factors, which could contribute to the MPS having a greater satisfaction gap than other force areas, particularly related to social and economic diversity.

Research carried out suggests that satisfaction levels are very much affected by general wellbeing as well as actual service provision, with a lower level of life satisfaction tending to impact negatively on how people rate services.

According to research carried out by Michael Keenan(2009) *Please mind the gap: satisfaction with the police within London* in Policing Volume 3 (4):

- Research conducted mainly in the USA has found that non-whites, particularly Black groups, hold less positive views of the police than white people. It has been posited that perceptions of mistreatment spur negative perceptions both in the individual and local community and in areas of higher ethnic diversity these bad news messages spread more quickly.
- Analysis of the MPS User Satisfaction Survey (USS) indicates that younger respondents report proportionately more negative views of the police and younger non-white respondents report the most negative views, with a much higher proportion reporting that their view of the police before their encounter was 'generally low'. These opinions mean that many young non-white individuals go into encounters with the police in a more defensive or negative stance and because they expect poor treatment, they are more likely to perceive that they have received it.

- There is a relationship between satisfaction and the way that a victim reports their incident to the police. Front counter reporting produces the lowest levels of satisfaction, largely related to waiting time, a lack of provision about what to expect when reporting and general disorganisation in these locations. A high proportion of non-white groups use this method of contact.
- Areas in which non-white respondents live (which are often some of the most economically deprived) are associated with a high demand for policing and, when response times increase as a result of this, it consequently generates lower levels of satisfaction. Black and mixed race groups show a far higher level of deprivation than either the white or any other non-white group and also report the lowest levels of satisfaction.

The disability gap is a relatively recent emerging phenomenon within the MPS compared to the white/BME gap (2008 to present). Recent work has identified general wellbeing as a key component of dissatisfaction for this group, particularly amongst those who report a mental health disability. Over the last 4 years the proportion of respondents within the survey reporting a mental health disability has increased, which may to some degree explain an emerging satisfaction gap over this timescale. There is no national comparison for this figure.

MOPAC recognises the importance of confidence and satisfaction in the MPS and has set a challenging target for public confidence of 75% (by the end of the Mayoral term) and is represented on the MPS' Confidence and Satisfaction Board, which is driving the improvement programme. The MPS has implemented a range of activities intended to improve confidence and satisfaction and further work is planned including a re-design of the MPS' victim advice web pages and improvements to the facilities for online crime reporting. If these prove effective, one would expect them to have a positive effect on the BME satisfaction gap also.

- **How will you hold the MPS to account on improving victim care and satisfaction?**

MOPAC RESPONSE

The Deputy Mayor for Policing and Crime has been clear that one of his main priorities is to improve confidence in policing, and ensuring victims get the service they deserve is key to this. He has set improvement targets in this area and will be holding the Commissioner to account for delivering on this. Furthermore, his first MOPAC Challenge was focused on achieving 'swift and sure justice' for victims. In due course, the Police and Crime Plan will give more detail on our priorities in this area.

Holding to account covers the monitoring of top level strategic performance measures such as victim and witness satisfaction and London-wide confidence and the monitoring of specific service provision performance such that of victims of hate crime or rape.

MOPAC will work with the MPS to ensure that measures such as sanction detection rates or efficiency do not result in the exclusion of the customer experience when assessing efficacy of service. Analysis of victim care and satisfaction related performance will be produced by MOPAC, drawing on data from MPS systems such as complaints and crime data, on mystery shopping and performance reviews and on the Public Attitude Survey.

- **How do you plan to engage with victims in the development of your Police and Crime Plan?**

MOPAC RESPONSE

The Deputy Mayor for Policing and Crime has been clear that one of his main priorities is to improve confidence in policing and ensuring victims get the service they deserve is key to this. He has set improvement targets in this area and will be holding the Commissioner to account for delivering on this. Furthermore, his first MOPAC Challenge was focused on achieving 'swift and

sure justice' for victims. In due course, the Police and Crime Plan will give more detail on our priorities in this area.

- **How do you envisage Safer Neighbourhood Boards taking forward their role of hearing and monitoring victims' complaints?**

MOPAC RESPONSE

The Mayor's election manifesto set out his plans for a greater London and also set out his intention to establish a Safer Neighbourhood Board in every borough giving local Londoners and victims a greater voice.

The role of these Boards will be to establish local policing and crime priorities and to fulfil a range of important functions, including a duty to hear and monitor complaints from victims of crime.

Safer Neighbourhood Boards are in the very early phases of development. Although there has been some informal discussion with relevant partners, such as Victim Support London, who have indicated that they would be willing to work with MOPAC to develop the processes, the formal consultation that will inform the final thinking has yet to begin. Members of the Police and Crime Committee will, of course, be invited to contribute to that process and I would welcome your views.

- **How do you plan to take forward your responsibilities for commissioning support services for victims?**

MOPAC RESPONSE

On 2 July 2012 the Government published its response to the consultation "Getting it right for victims and witnesses", it announced that Police and Crime Commissioners across England and Wales will be given the power and budget to determine local victims' services. The Government response also said that certain services will continue to be commissioned at national level.

The Government are yet to confirm whether the arrangements for local commissioning will come into place for 2014/15 or 2015/16. The Ministry of Justice (MOJ) plan to produce a commissioning framework prior to PCCs taking formal responsibility for commissioning victims' services. I look forward to working closely with MOJ in ensuring an effective transition of the commissioning of victim services.

Over the next year we will be developing local arrangements for MOPAC's role in the delivery services for victims. This is part of our business plan and will feature significantly in the Policing and Crime Plan which is due to be published by the end of the financial year.

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Joanne McCartney AM
Chair of the Police and Crime Committee
London Assembly
City Hall
The Queen's Walk
London
SE1 2AA

September 6, 2012

Dear Joanne,

Re: Call for views and information: Improving care and support for victims of crime in London

As the UK's leading bereavement care charity that responds to over 100,000 enquiries each year and works face-to-face with over 70,000 bereaved people, we were pleased to be asked to respond to the call for views.

A significant proportion of those supported by Cruse Bereavement Care have been the victims of crime, whether through homicide or culpable road death. Other clients come into contact with the police because a death has been sudden and traumatic. Cruse is on the commissioned service provider list for the Ministry of Justice.

As Louise Casey pointed out in her report - *Meeting the Needs of Families Bereaved by Homicide*, although 'the number of families affected by homicide may be relatively small, these families may develop multiple, complex and long term problems which often require specialist support and advocacy to overcome'. She highlighted that families need a minimum level of integrated support in their time of need.

We have focused our response on those questions most relevant to our work:

- **What are the reasons behind low victim satisfaction rates with the MPS?**

Victims need to feel listened to and to have their needs recognised, with an understanding of the emotions involved for them, following bereavement by a homicide, road traffic incident or other traumatic event. Anecdotal evidence would suggest that reasons for low victim satisfaction rates with the MPS include:

- Lack of time spent with each victim
- Perceived or actual lack of sensitivity especially during the initial contact session with the victim
- A lack of engagement with/understanding of the emotional impact on the victim

- A focus on form filling and working through the legal and police processes
- Lack of information provided to the victim on progress of the case/investigation, the next stage in the process, sources of support
- Lack of awareness of the impact of bereavement and trauma in general and the specific impact across diverse sectors of the population

- **What could the MPS do to improve victim satisfaction?**

The victim's first contact with police will be critical, with initial impressions affecting the ongoing relationship and impressions of the service received.

Victims need to have faith in the system. A more overt understanding and appreciation of their needs, running alongside the legal and police procedures, would assist with this.

Allowing more time with the victim would be beneficial – understanding that people have a range of emotions that will unfold over time. Having a system that allows the victim to 'dip in and out' of support systems when they need e.g. when the news is broken and initial investigation undertaken, before/during/after the inquest etc.

Factors which would improve victim satisfaction include:

- Ensuring MPS staff have the time and experience to really 'listen' to what the victim is saying. Training to improve listening skills and develop awareness and empathy would be beneficial.
- Training in bereavement awareness and understanding victim's needs and the impact of traumatic events, so that contact is handled sensitively, using appropriate language, so that it is not seen as a form filling exercise.
- Understanding and knowledge of the range of support services available locally and nationally as some geographic regions are better served than others.
- Awareness that one size does not fit all. The range of support services accessible to victims should include email, website, group support, 1:1 support, advice, information, bereavement support and bereavement counselling. Ensure MPS staff are aware of the range of services.
- Ensuring the victim understands their concerns are taken seriously and they are kept appropriately informed.
- Information provided to all victims should include the emotional impact of bereavement, processes, progress and information about services and sources of support for victims (e.g. a leaflet about bereavement such as 'Has someone died?' or 'Coping with trauma and loss' both published by Cruse, or equivalent. Information distributed needs to be written in a sensitive way. Whilst acknowledging that some victims of crime will receive such material, it is essential that whenever police are dealing with a death, such literature is provided.
- Ensuring the diversity of needs is appreciated e.g. children/young people/ adults. The impact of cultural/faith requirements on death, burial

and bereavement, particularly where legal/police procedures mean that these cannot be followed or are affected in some way.

- **What lessons can be learnt from national and international best practice in victim care?**

Cruse has experience of working following major incidents including in New York following 9/11 and in London following the 7/7 bombings. We are aware of the value of FLOs and the high quality service they provide to victims as part of a multi-agency team.

Where a crime is committed overseas, there is a need to ensure that the same level of service is available for victims of these crimes, with signposting to services and information, together with updated information on any international or joint investigation.

- **How should MOPAC engage with victims in the development of its Police and Crimes Plan?**

MOPAC should ensure that focus groups are appropriately facilitated by people trained in bereavement.

Support should be available before, during and after any such engagement, as participation can be emotionally demanding on individuals, bringing back painful memories and strong feelings and emotions.

- **How should MOPAC ensure victims complaints are heard and monitored?**

MOPAC should ensure that any complaints system is seen to be impartial and independent. To this end, investigations carried out by members outside MPS may offer greater credibility.

- **How could MOPAC take forward its role in commissioning services to support victims of crime?**

We hope that MOPAC will engage with victims, and will use their commissioning powers to improve victim's access to support services. Commissioning such services should be a high priority.

There is clear evidence, from Anna Draper's research that, young people bereaved of a parent under the age of 16 years show far higher levels of delinquent behaviour. This would seem to provide an additional reason for ensuring that young victims of crime are given support for their bereavement.

In commissioning victim services it will be essential to ensure that victims can access tailored support that meet individual needs regardless of where they live or what type of crime they have suffered.

The following actions would facilitate commissioning of services to support victims of crime:

- Ensure that service provision covers practical and emotional support.
- Map existing services. Currently, services vary across the country.
- Ensure services are commissioned that have quality standards in place.
- Require accredited training, robust supervision and monitoring systems for those delivering support to victims.
- Ensure that services are commissioned which can be accessed by victims at different times according to their needs e.g. before, during and after the court case, inquest, or anniversaries.
- Ensure the provision of clear, understandable and sensitively written information about traumatic loss and bereavement is provided to all victims, in addition to factual information about the processes involved and coroner details etc.

I hope this is helpful and would be happy to have further discussion if you felt this was appropriate.

Yours sincerely

Debbie Kerslake
Chief Executive

Request for information ~ Police Crime Committee

Victim Support Response

Q1. What are the reasons behind low victim satisfaction rates with the MPS?

- Victim Support's view is that communication between the MPS and victims has been historically poor. This has contributed to the consistently low victim satisfaction rates for victims of crime in London.
- Victim Support's report, 'left in the dark', highlights that communication between victims and the police is one of the key drivers of victim satisfaction – the provision of information is of utmost importance to victims.
- Victim Support believes that the needs of individual victims must be assessed on a case by case basis. Police forces cannot adopt for a 'one size fits all' approach to communication with victims - it needs to be provided in a manner that works for the individual and best meets their needs.

Q2. Is the MPS Total Victim Care Strategy the right approach to improving victim satisfaction?

- The MPS Total Victim Care (TVC) Strategy is in its formative stages, and it is not entirely clear to Victim Support what this process will finally consist of.
- Victim Support would like to be sighted on the full Total Victim Care Strategy document before taking a definitive stance on whether this is the right approach to improving victim satisfaction. Victim Support welcomes the MPS recognition that more needs to be done to improve victim satisfaction and the service provided to victims.
- From what we have seen of the TVC strategy thus far, it is not easy to distinguish between process and outcomes. The MPS has rolled out Victim Care Cards, a Quality Call back service, while the Met Commissioner has outlined his desire to offer all victims of crime a home visit by a police officer. Victim Support's view is that Total Victim Care needs to be tailored more to meet the needs of the individual, rather than something that is driven by the MPS to meet their own needs. Communications should be timely and provide realistic information.

Q3. What lessons can be learned from national and international best practice in victim care?

- Victim Support is recognised as the gold standard in providing victim services across in Europe. Indeed, in England and Wales, 95% of victims are satisfied with the service that we provide. Because of the scope of our work in Europe, we can identify techniques of best practice in victim care. Victim Support would encourage the committee to review the contents of Victim Support's 'Left in the Dark' report. The report makes recommendations of best practice in relation to communication with victims on a national basis.
- CABVIS organize best practice events in Europe which Victim Support England and Wales attend and contribute. For Example a recent conference looked at services across Europe to families of murder victims. It is fair to say that often Victim Support England and Wales finds itself at the forefront of innovation of victim and witness services.
- The MPS should look to introduce online tracking accounts for victims. Forces such as Avon & Somerset have developed innovative new methods of keeping victims informed such as the online Track My Crime system, which allows victims to log on, like an online bank account, to see what is happening in their case. While this approach will not be right for all victims in London, for those who want it this system allows them to access case information quickly and easily at a time of their choosing. This approach has the potential to free up MPS officer time and resources and make it easier for police forces to monitor officer compliance with the Victims Code on a case by case basis. Care needs to be taken to ensure security of data when designing such systems.

Q4. How should MOPAC hold the MPS to account on victim care?

- MOPAC should hold the MPS to account by adopting the use of a number of qualitative and quantitative approaches. The individual victim journey measured in the eventual outcome is important.
- The Deputy Mayor's meetings with the Commissioner and other senior members of the Criminal Justice System in public on a fairly regular basis will give confidence to the public that MOPAC is calling the MPS to account for its service to victims.

Q5. How should MOPAC engage with victims in the development of its police and crime plan?

- There are a number of opportunities for MOPAC to engage with victims in order to develop the police and crime plan
- Local focus groups could be held with victims across a number of boroughs in London. Victim Support would be open to assisting MOPAC in setting up these focus groups and inviting victims to attend.
- Public meetings should be set up where local residents can ask questions and provide input to leading victim organisations, the commissioner, the head of courts, and the

Deputy Mayor of London for policing. The previous Deputy Mayor started this process with his rolling road shows.

- MOPAC should commission the use of online survey questionnaires, which would need to be appropriately marketed in order to achieve a wide range of views of victims in London on what the priorities should be for victims
- MOPAC could set up a link to its own website (secure site), asking for victims to input what they feel the priorities for the police and plan should be

Q6. How should MOPAC ensure victims' complaints are heard and monitored?

- There is an Ombudsman Service in relation to victims of crime set up under the Victims Code of Practice. This is not well publicized and MOPAC could make sure that victims are aware of this service. The role of the Independent Police Complaints Commission should also be publicized.
- Victim Support does not see a value, economically or for the victim, in duplicating effort. Duplication brings confusion and cost. MOPAC and the Deputy Mayor should lobby to ensure that the available services are effective and accountable.
- The Deputy Mayor and MOPAC should ensure through monitoring that the MPS provides an effective complaints process.

Q7. How should MOPAC take forward its proposed role in commissioning services to support victims of crime?

- MOPAC, with the assistance of victims and witnesses, should design a commissioning framework to ensure that the needs of all victims and witnesses of crime are met, regardless of their crime. The framework should act as a set of minimum standards for services deliverers to meet in they decide to bid for commissioned services.
- MOPAC has a statutory duty towards victims – Victim Support encourages the MPS/MOPAC to put victims and witnesses at the heart of the criminal justice system. This will only be achieved by ensuring that appropriate support services, tailored to individual are available to victims. The LSE reported from research that victims were 30% more likely to be satisfied with the service with the CJS if they had engaged with Victim Support. This is not to suggest that Victim Support should be the only provider but that the minimum standards that it works to should be the starting point for the framework.
- MOPAC will have the opportunity to share their understanding and experience of the commissioning framework with PCCs on a national basis (PCCs will be given commissioning powers for victims' services by no later than April 2015). There may be

scope for MOPAC to disseminate information on the commissioning models to use/best practice through the Association of Police and Crime Commissioners who can then ensure that this information is shared with all PCCs across England and Wales.

Jeff Gardner

Locality Director London

September 2012



Left in the dark

Why victims of crime
need to be kept informed



“

I was left in the dark. I didn't know what was happening.

Victim Support research participant, 2010

”

Left in the dark

Executive summary

People who use public services want to know what the service is doing for them. This is especially true for victims of crime, who have to try to understand and negotiate a complex criminal justice system (CJS) which they may never have dealt with before. All agencies involved in the CJS are responsible for giving information – including the police, Crown Prosecution Service, courts and judiciary. Independent organisations like Victim Support, the national charity giving help and a voice to victims of crime, witnesses, their family and friends, also have a role to play.

This report focuses on one crucial area of information for victims: being kept informed and updated about their case (ie the crime that affected them). From our research and work with victims we know that this is one of the things they most want from the CJS. But the evidence also tells us that, despite the efforts of government and police to improve, victims' needs still too often go unmet. This report aims to show just how often victims are left uninformed and how this affects their wellbeing as well as their confidence and engagement with the police and wider CJS.

Our findings show that the official performance data masks the true extent of the issue and that many victims get little or no further communication from the police or any other CJS agency after they report their crime. This is often a source of distress, disappointment and frustration for those who experience it. Lack of contact and information about their case can make victims feel uncertain and isolated – which can worsen the distress caused by the crime itself. If the victim knows the perpetrator, it can make them afraid for their personal safety or frightened about reprisals.

Lack of information can also make victims think that their case is being neglected or not being taken seriously. Evidence suggests that this is a significant factor in victims being generally less satisfied with the CJS, and having a lower opinion of the police, than the general public. As our strategic audit of the CJS has highlighted, too often contact with it reduces rather than improves people's confidence in it.¹ There is strong evidence to suggest that the quality of service that victims get from the CJS – of which being kept informed about their case is a vital element – is often as important a factor in their satisfaction and confidence in the police and wider CJS as the outcome of the case (ie whether or not the perpetrator is brought to justice).

Our analysis of the main evidence on this issue, including new Victim Support survey findings, reveals that:

- Victims are only kept updated about what is happening in their case to a satisfactory level in around half of all reported incidents. In around a third of reported incidents the victim hears nothing more from the authorities after first contact with police when they report the crime (which includes telling them that the case has been dropped). This equates to millions of victims left in the dark every year.
- This represents a widespread failure to meet the requirements for keeping victims informed set out in the Code of Practice for Victims of Crime.
- Dissatisfaction and loss of confidence can make victims disengage from the criminal justice system. In some cases a lack of communication can even affect the success of the investigation if victims drop out of a case while it is being prosecuted. Negative experiences also make it less likely that victims will report incidents in the future.

¹ Summing up: a strategic audit of the criminal justice system. 2011

- Until recently Local Criminal Justice Boards (LCJBs) measured the performance of police in this area by surveying victims who are most likely to have been kept well updated (ie those whose case results in a charge and goes to court). This produces a picture which is misleading and masks the true extent of the problem as it does not tell us about the average victim's experience.

These findings show that much more needs to be done in this area, and highlight the importance of focusing on improving victim care. Victims who report crime understand that there can be no guarantees that a criminal will be caught. They also appreciate that the police have to prioritise limited resources. Nevertheless, they expect their crime to be taken seriously and want to be assured that it was worth their while reporting it. Furthermore, the cost of ignoring victims' desires to be kept informed about their case has wider consequences for communities and society at large. Public attitudes to the police and wider justice system, and engagement with the criminal justice process are directly affected by how well we care for the victims of crime.

Victim Support believes that these findings are a matter of real concern and that they stand as a call to action to ensure that victims are kept informed about their case.

The police have the main role to play in keeping victims informed about their case because they are the main, and often the only, criminal justice agency which victims come into contact with, and the one that victims generally have the most sustained contact with. As we highlight in this report, the nature and level of the competing pressures and demands involved in frontline

policing can mean that this aspect of their role can be difficult to fulfil. This is especially true at a time when budget cuts are putting pressure on all parts of the CJS and particularly its ability to deliver high quality services for victims. We recognise the difficulty this presents but stress that we are not asking criminal justice agencies to do anything they are not already committed to doing through the Code of Practice for Victims of Crime (Victim's Code) which governs the criminal justice services to be provided in England and Wales.

This report not only stresses the importance of the function of keeping victims informed once they report a crime to police but also sets out specifically what it is that victims want in relation to it, and suggests how this need can be met. We have sought to highlight existing good practice, and profile the 'TrackMyCrime' system – a new online account for communicating with victims.

Our recommendations are set out on the right.

Recommendations

1. Victims need to be updated regularly on the progress of their case with information that is:
 - understandable – clear explanation of practices, procedures and likely scenarios to make an opaque system comprehensible.
 - comprehensive – regular contact from the police, even if just to report no progress, is often just as important as updating on big developments.
 - accurate – generic updates are of little value; information does not need to be detailed but it should be specific to the case.
2. Victims should be treated like any other service user. The police should look to use innovative and cost-effective solutions to widen victims' choice and adapt their contact arrangements to victims' needs. This should include freeing up resources for face-to-face contact (which is generally highly valued and linked with higher satisfaction) where at all possible. Online accounts offer a promising new and efficient method of contact – the TrackMyCrime system being pioneered by Avon and Somerset police represents current best practice in this area.
3. Agencies need to tailor information to need so that those victims who want information get it in a timely way and in the right format for them. This might mean providing a service to meet the needs of a certain group known to have a specific need. It could also mean checking whether and how an individual victim wants to be updated at initial contact and subsequent stages. This will allow agencies to target resources where they are most needed.
4. Victims' rights to information need to have greater legal force. The Victim's Code should be retained and action taken to make it more robust and credible. The EU directive on establishing minimum standards on the rights, support and protection of victims of crime, which the UK government has now opted in to, is a further step in this direction². It will provide an enforceable framework of victims' rights which include the right to get information and a clear complaints pathway when agencies fail to meet their statutory obligations.
5. The foundation of any improvement needs to be frontline staff who are aware of their role in providing victim care (and understand why it is important). Police officers and all other criminal justice officials who come into contact with victims need sufficient training and/or awareness raising on key aspects of victim care, including giving information.
6. There needs to be an accurate, consistent and reliable way of measuring compliance and progress to replace the Witness and Victim Experience Survey (WAVES) in order to help drive improvement and provide accountability.

² European Commission, Proposal for a Directive of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime http://ec.europa.eu/justice/policies/criminal/victims/docs/com_2011_275_en.pdf

Chapter 1: Police and victims: a communications failure?

Once a crime has been reported, the police are responsible for keeping victims informed about their case. Under the Victims' Code of Practice, which came into effect in 2006, the police in England and Wales have a statutory obligation of "keeping victims updated on the progress of ongoing investigations and their outcome, including whether or not action is being taken against any suspect."³ The Victims' Code specifies that police forces must tell the victim, at least monthly, about progress in cases being actively investigated up until the point of the closure of the investigation. They must also tell victims about key events in their case such as the arrest, bail, charge, summons, remand or other disposal of the case.

These measures are an official recognition of the importance of keeping victims informed. However, despite this statutory right to information, there is strong anecdotal evidence (plus the robust evidence on the information aspect of the Code cited in this report) that victims are not getting the service they are entitled to under the Victims' Code. This is because compliance against the provisions set out in the Code to guarantee victims a high level of service from the police and other agencies is not enforced. And the process for making a complaint under the Code is difficult and complicated. As a result, only two complaints have ever been upheld by the Ombudsman in the Code's six year history.

Evidence suggests that telling victims about their case is an area of particularly weak performance compared to other elements of police contact with victims, as the data from the British Crime Survey (BCS) in Table 1 shows.

Quality of service measure	Incidents in which measure was met (%)	Number of responses based on unweighted bases
Police responded immediately or wait for response was reasonable	84%	4,468
Police showed enough interest in what victim said	67%	5,269
Police kept victim well informed of the progress of their investigation	55%	3,772

Table 1 Comparison of victim responses on CJS satisfaction/performance measures

Source: British Crime Survey, 2008-09

Victims tend to have a much better experience at the reporting stage – the point of first contact, where police respond to the report of an incident – than they do of the subsequent weeks, months, even years while the investigation is open.

This contrast between initial and subsequent contact with police is also clear from a 2003 Audit Commission study into victims' experiences.⁴ It was also highlighted by more recent research with people helped by Victim Support in the South East in 2010, in which respondents commonly drew a stark contrast between what happened at the reporting stage and afterwards:

"I believe the police need to address their communication skills. When they arrive they are very re-assuring but following this you have to chase for information." (Victim Support research participant, 2010)

The case study below gives an example of how victims can find initial police interest and responsiveness dwindle and evaporate, leaving them feeling isolated and angry.

³ CJI (2009), Report of a Joint Thematic Review of Victim and Witness in the Criminal Justice System, HMCPSP, HMICA, HMIC, p23

⁴ Audit Commission (2003), Victims and Witnesses – providing better support

Jonathan, Anne and Kate's story

Jonathan and Anne contacted the police about their teenage daughter Kate who was being persistently bullied and harassed by a group of pupils in her school. The bullying was led by one girl in particular:

"It wasn't just name-calling, it was quite serious, relentless bullying including over text message and the internet. This girl was inciting other girls to join in through joining Facebook campaigns and things like that." (Jonathan)

After being initially impressed with the police response and the level of contact they had with them, Jonathan and Anne found the police became increasingly uncommunicative. After the police reprimanded the ring-leader bully and it failed to have any effect, Jonathan and Anne had very little further contact or information from the police, despite the problem continuing and despite the fact that they directly contacted the police to report a further incident and check on the status of the investigation.

This inconsistent, uncommunicative police response made the family, and Kate in

particular more distressed and has damaged their trust and confidence in the police:

"It [the police handling of the case] had a massive effect on Kate. ...she didn't know who to trust. She couldn't trust the management of the school and she eventually couldn't trust the police. She had panic attacks and was in a very, very dodgy place. I spent six months just watching her and making sure she was all right and wasn't going to do anything stupid."

"We feel really let down and have had to do everything ourselves – all the paperwork, dealing with the school. Basically, the police have let us down." (Anne)

"We felt completely isolated and unsupported... It makes you think twice about whether to even bother to try and do anything about these things, which is a very sad situation to be in." (Jonathan)

The reaction stems from the lack of contact and information by the CJS, rather than failure to get a result.

What is the true scale of the problem?

How common is Jonathan, Anne and Kate's experience? The evidence at first sight looks conflicting.

Official compliance figures against which police forces assess their performance on this and other elements of the Victim's Code was, until earlier this year, based on the Witness and Victim Experience Survey (WAVES). WAVES data suggested that the majority of victims were being kept informed and were satisfied with the amount of contact they had.

However, other evidence – including the British Crime Survey – indicates that police performance and victim satisfaction on this issue is a lot lower.

The WAVES survey was cancelled in 2011. The cause of the divergence between WAVES and the other survey evidence is likely to lie in the fact that they represent the experiences and views of victims from quite different populations. WAVES covered only a sub-set of victims – those whose incident was investigated by police, resulting in a charge being brought against the alleged offender(s). It is an established fact that only around half of reported incidents ever reach this point.⁵

⁵ 2009/10 BCS figures show that in concluded investigations police charged or cautioned someone for the offence in 21% of incidents, and did not charge or caution in 79% of incidents (unweighted base: 4,071)

Moreover, the investigations in the vast majority of WAVES respondents' cases resulted in a court trial (these accounted for 91% of respondents in the 2009/10 survey). Only a proportion of cases in which there is a charge subsequently go to trial, so these victims therefore represent an even smaller proportion of the wider population of victims who report crime.

WAVES findings are therefore likely to be a poor reflection of the average experience of victims of reported crime than surveys which cover a much wider cross-section of the victim population.

Victim Support has sought to explore this contradictory evidence and confirm the scale of the problem in keeping victims properly informed. Our 'Victim Voice' survey (May 2011) replicated the question from WAVES on how often respondents were kept updated about their case, but asked it to all respondents whose incident had been reported to police.⁶ As Figure 1 shows, the contrast with the WAVES findings is stark:

- Many victims are not only not kept updated but do not hear anything further at all after initial contact with police. When asked what happened after the police became aware of the incident, one third (35%) of 'Victim Voice' respondents said they did not hear anything further.⁷ These account for most of the victims in the survey who said they had not been kept updated about their case (58%), while a little over a quarter (29%) were not kept updated while the case was ongoing but were told of the outcome.⁸
- In some cases victims are explicitly told that they will be kept updated and then find that they are not. This is shown by the responses in the 2008-09 BCS of victims who said they felt

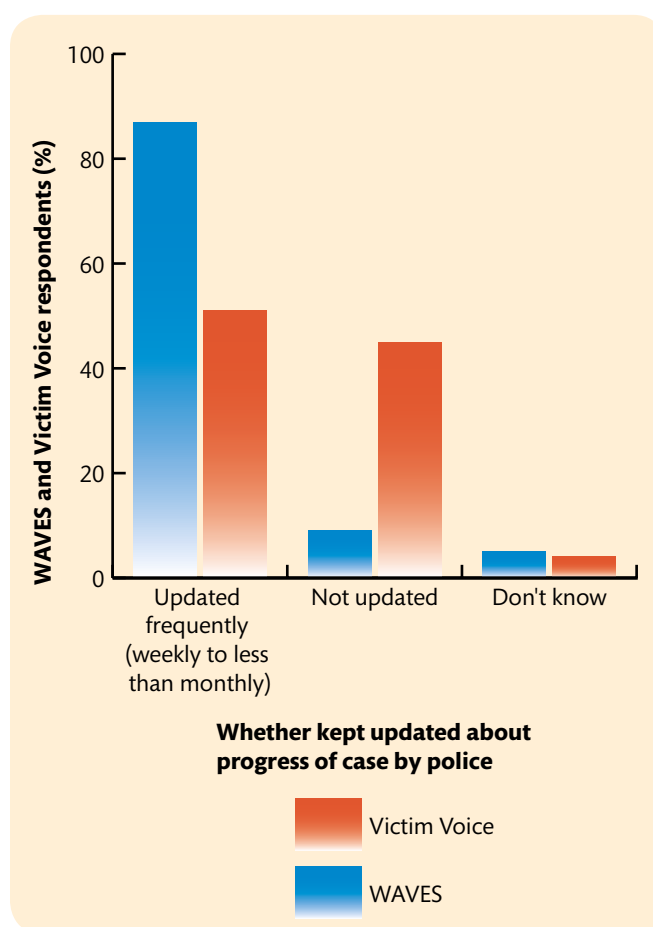


Figure 1 Comparison between WAVES and 'Victim Voice' findings on whether victims are kept updated on their case

Unweighted bases: WAVES – 19,032; "Victim Voice" – 667

they should have been kept better informed by police, with the particular type of information they wanted. Most (55%) said they had wanted general information on progress of the case and outcome, but some (7%) specifically said they wanted to know why they had not received the amount of information promised or expected.⁹

- Although those who get no further contact at all are worst off, there are also those who are updated, but inadequately, so that they are left wondering what is going on for extended

⁶ The Victim Voice survey was conducted in June 2011 by Mori using their omnibus survey. A total of 5,396 interviews were carried out with adults (15+) face to face in home across England and Wales between 3-23 June 2011. Of these 1,134 respondents (21%) identified themselves as having been a victim of crime within the previous two years at an initial filter question, and proceeded to complete the questionnaire. Quotas were set to ensure that a representative sample of the population was obtained, and final data was also weighted by age, gender, ethnicity, social class, working status and Government Office Region to reflect the population profile.

⁷ Unweighted base: 667

⁸ For 6 % of responses the case was ongoing.

⁹ Unweighted base: 1,586

periods. Both WAVES and our own 'Victim Voice' survey suggest that around 20% of victims are updated less frequently than monthly (and therefore fall outside of the Victim's Code commitment). Having large gaps between updates leaves plenty of scope for victims to begin feeling neglected and anxious.

The 'Victim Voice' findings are supported by the main source of evidence on crime and victimisation in the UK, the British Crime Survey (BCS)¹⁰. As Figure 2 shows, the 2008-09 British Crime Survey found that in around half of incidents victims felt they had not been kept well informed by police (45%), of which 31% said they were 'not at all well' informed). Again this contrasts with the one fifth (20%) of victims found by WAVES to be dissatisfied with the amount of contact they had about progress in their case.

BCS evidence also supports the indications from Victim Support research of a clear link in many victims' minds between lack of information and lack of action or effort to deal with their case. Comparing victims' responses to the British Crime Survey questions on efforts by police in dealing with their incident and how well they were kept updated about the investigation bears this out:

- In 81% of incidents where the victim considered the police had put enough effort into dealing with the matter they also said they had been kept well updated.
- In 88% of incidents where the victim considered the police had not put enough effort into dealing with the matter, they also said they had not been kept well updated.¹²

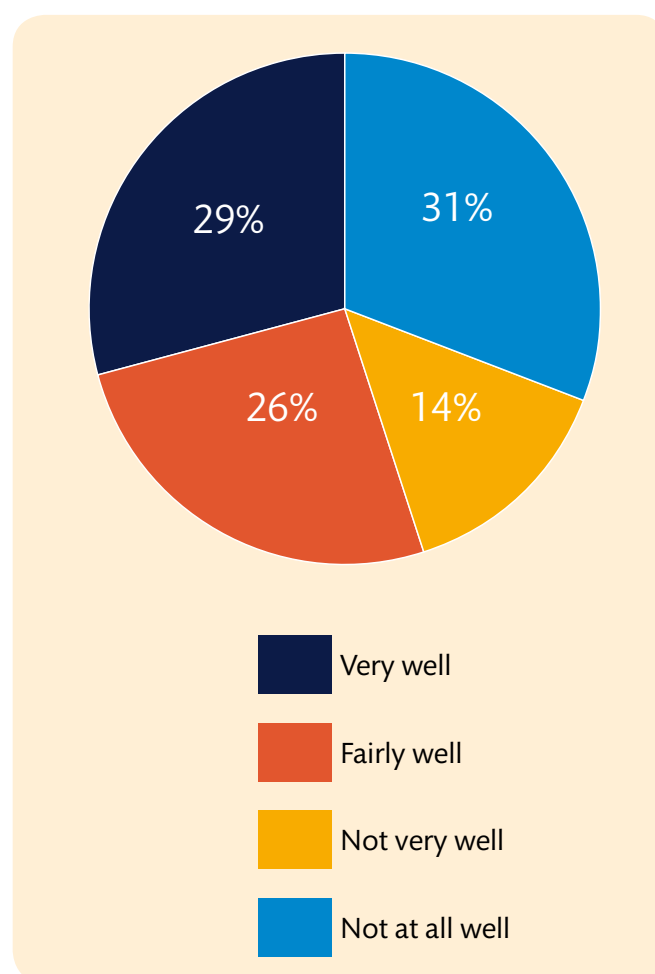


Figure 2 How well victims feel police keep them informed of progress in their case

Unweighted base: 3,772

Source: British Crime Survey, 2008-09

Note: Responses for incidents to which this question did not apply (eg because no investigation was going on) have been removed for the purposes of clarity

¹⁰ We use 2008-09 BCS data in this report for responses to questions which were not asked in the 2009-10 survey.

¹¹ WAVES finding is based on 19,032 victim respondents

¹² BCS 2008-09, unweighted base: 3,693

Chapter 2: Why it matters

There is little doubt about the overall importance that being kept informed has for people's level of satisfaction with all public services. Research has shown that information is one of the top three drivers of satisfaction for public service users.¹³ The evidence presented in this report shows that being kept informed about their case is something most victims want and which matters to such an extent that it can have a considerable bearing on their wider satisfaction, confidence and engagement with the police and wider criminal justice system.

Winners and losers

The above analysis very clearly shows that many victims are either completely or partially left in the dark about what is happening in their case. It also strongly suggests that, as a victim of crime, the key factor which determines the likelihood of being kept updated is whether their case is one of the relatively few which results in the perpetrator(s) being charged and/or taken to court. This is confirmed by examining 'Victim Voice' and BCS findings on being kept informed by outcome, as shown in Figure 3:

- As Figure 3 shows, victims of incidents in which no offender was charged are more than twice as likely to say they were not kept well updated about their case as victims of incidents in which an offender was charged (52% compared to 17%), and particularly likely to say they were not at all well kept updated (36% compared to 8%).
- This is consistent with the finding of the 'Victim Voice' survey that victims whose case went to court were far more likely to have been kept regularly updated than those whose case did not reach court
 - 48% of Victim Voice respondents whose case did not go to court were not kept informed, compared to 15% whose case did go to court.¹⁴

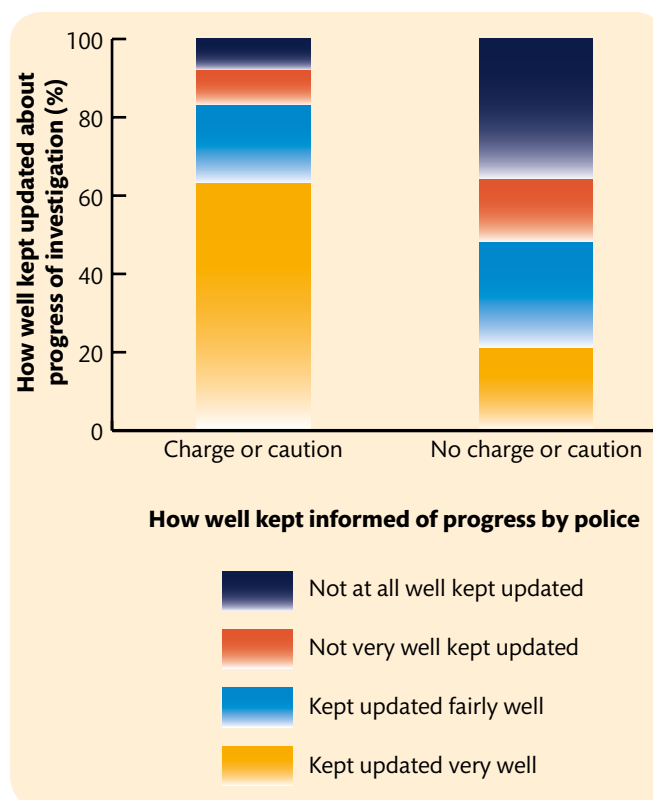


Figure 3 How well victims are kept informed by whether police charged someone for the offence

Unweighted base: 2,991

Source: British Crime Survey, 2008-09

Note: Responses for incidents to which this question did not apply (eg because no investigation was going on) have been removed for the purposes of clarity

There is no clear evidence on exactly why this is the case but there are some likely reasons:

- Having a charge in a case is an indication of an active investigation. The link between being kept informed and whether a perpetrator is charged may be because police are more likely to keep victims informed in active investigations – where there are positive developments to update victims on – than in less active ones.
- The link between the case going to trial and the victim being kept informed is likely to be at least partly because police have an interest in keeping victims informed in cases which look as if they might result in a trial because they may well rely on them for testimony.

¹³ Cabinet Office, The Office of Public Services Reform (2004), The Drivers of Satisfaction with Public Services

¹⁴ Unweighted base: 667

- It seems safe to assume that victims are more likely to have good contact from police if a dedicated victim/police liaison is assigned to the case, as happens with certain very serious crimes, such as homicide and rape (in the form of a family liaison officer (FLO) or sexual offence liaison officer (SOLO)). If a member of CID is assigned to a victim's case, the CID officer will also have more time to devote to the investigation. CID work more regular hours than uniformed police officers, who work on more complex shift patterns.
- In cases of lower-level crime which are assigned only to uniformed police officers, irregular hours, combined with the various other competing demands of the job, may make it difficult for officers to keep victims updated. We know that this is an issue for victims because they often tell us that they have had real difficulty contacting the investigating officer on their case.

It is unlikely however, that logistical reasons tell the whole story. It also appears that some officers are simply not sufficiently aware that they have a responsibility to keep victims informed. A joint report from the criminal justice inspectorates in 2009, reviewing victim and witness experiences in the criminal justice system, found that levels of awareness of the Victims' Code among the police were very patchy both across and within police forces. Within forces, there appeared to be considerable differences in levels of awareness between different roles. Staff trained to deal with specialist cases such as domestic or sexual violence, child abuse and hate crime consistently exhibited the most thorough understanding of their obligations to victims under the Victims' Code. Non-specialist personnel (including regular police officers), demonstrated some awareness of the Victims' Code, but were unsure about precise

details such as the time in which victims have to be notified and informed.¹⁵

What is clear, however, is that the police attitude has little to do with the needs of the victim. It may be, as victims often suspect, that lack of communication reflects lack of action, ie there is no or little active investigation and therefore police do not contact the victim because there is no event to report and they do not want to reveal the lack of progress. However, as this report shows, the majority of victims want to be kept informed and they want to be kept informed regularly – and this is just as true if there is no progress as when there are big events in their case.

We recognise that it is right to prioritise and deliver an enhanced service to victims of very serious crime, but seriousness of the offence from a victim's perspective may not be the same as from an official perspective. Our 'Victim Voice' survey found that victims who said that they were badly affected by the crime committed against them were just as likely to be left in the dark as those victims who said they were not much affected at all. Similarly, it also found that victims who felt their crime was "serious" reported that they were not much more likely to be kept informed by the police as those who thought their crime was not serious.¹⁶

Extent and nature of the support need

Of course some victims do not feel the need to be kept informed and/or are not much affected by not being kept well informed. As we might expect, these appear, most often, to be victims of less serious crime. However, it is also true that, even within that group, they are a minority. Evidence strongly suggests that most victims want to be told about what is happening in their case. The British Crime Survey shows that the vast majority

¹⁵ Criminal Justice Joint Inspection (CJJI) (2009), Report of a Joint Thematic Review of Victim and Witness experience in the Criminal Justice System, HMCPSI, HMIC, HMICA; Her Majesty's Crown Prosecution Service Inspectorate (HMPSI), Her Majesty's Inspectorate of Constabulary (HMIC), Her Majesty's Inspectorate of Court Administration (HMICA)

¹⁶ 42% of victims who rated the incident as serious were not kept informed about it, compared to 48% who did not rate it as serious; 45% of those affected by the incident a fair amount or great deal were not kept informed – the same proportion as those who said they were not or not much affected. Unweighted base: 667

¹⁷ In the 2008-09 BCS, victims said they wanted to be kept informed about progress in their case, when asked, in 95% of incidents. Unweighted base: 805 incidents

of victims asked by police if they want to be kept updated about their case say 'yes'.¹⁷

Why victims want to be kept informed about their case depends on the individual, but for the most part, it stems from a natural, powerful wish to know the situation rather than be left in uncertainty and doubt. Strongly linked to this is a wish to feel that, once it is known to the police, their experience of victimisation (whether troublesome or traumatic) is being taken seriously. As the Audit Commission has stated, "a lack of contact is often perceived as a lack of action."¹⁸ The police may be doing all they can in their investigation but if they do not communicate this to the victim, the victim will naturally begin to feel forgotten and suspect their case is being neglected. As the two case studies in this report illustrate, this can cause a destabilising uncertainty and sense of isolation which exacerbates the distress caused by the incident itself.

In certain instances lack of information from police may also cause victims to fear for their personal safety. A 2009 research study on victims' needs produced by the Greater Manchester Against Crime partnership (GMAC) with input from Victim Support in Greater Manchester, found that victims of offences which took place at their home tended

to express a particular need for updates on their case. The research concluded that this was often motivated by fear of reprisal from the offender for reporting the crime because the offender knew where they lived.¹⁹ This is something which has also emerged in other research we have done:

"when they're [the police] speaking to someone you know then they need to get back to you as soon as possible to make sure that you're alright, because it is quite frightening, [I was] 50 yards from this guy [when the police spoke to him] and you don't know what somebody is capable of."

"They [the police] let me know when he was released and when he was arrested. That sort of thing was very reassuring for me because unfortunately he lived in the same block as me, and I knew then when it was safer and ok for me to go out."

It is therefore particularly important for these types of victims to be given warning of developments by police so they can have peace of mind if the perpetrator is not around, or take precautions if they are.

¹⁸ Audit Commission (2003), Victims and Witnesses – providing better support, p35

¹⁹ The study is based on research capturing all needs expressed by victims referred to Victim Support operations across Greater Manchester over a six month period. The 'personal safety fear' group were linked by being victims of wounding, burglary, theft or damage at the home address and having delayed reporting the crime for two weeks or more after the incident (again, probably because they were unsure whether to report because of fear over possible reprisals) .

Patrick's story

Patrick was the victim of an unprovoked attack from a former colleague which left him with a broken wrist. After being encouraged by staff at the hostel where he lives, Patrick reported the incident to police, made a statement and later was called to the police station where he was told that there was good quality CCTV evidence and that he would be regularly updated on the investigation. However, it was more than five weeks before Patrick was contacted again, and it was only through friends and former colleagues that Patrick found out that the perpetrator had been visited by police and taken in for questioning. Patrick was eventually contacted to be informed that the case had been put to the Crown Prosecution Service (CPS). After a further several weeks wait with no contact, Patrick was contacted again to be told, with minimal explanation, that the CPS had decided not to prosecute and the case was therefore dropped.

Now, three years after the incident, Patrick still feels hurt and disappointed at the lack

of communication from police. He sees the lack of information as symptomatic of them not taking it seriously – something which he suspects may have been related to his mental health problems:

"I was so angry...The police didn't keep in contact like they said they would... I think, if I'm honest, that it [the way the police handled the matter] was because of my background.

Having already been in a vulnerable situation the experience has had a major, long term detrimental impact on his life:

"The whole thing really set me back. I'm now on anti-depressants and I see a psychotherapist. "

The lack of contact and information from police has led to a big change in attitude towards police and reporting crime.

Link to satisfaction, confidence and engagement

According to the 'procedural justice' model developed by criminal justice academics, "fair, decent and appropriate treatment – and not results – is key in securing public support for the police".²⁰ This has recently been supported by a new British Crime Survey analysis we commissioned which shows that victims who have contact with Victim Support – and therefore get more or better 'victim care' – tend to think that the police are doing a better job and have greater confidence in the criminal justice system than victims who do not have contact with Victim Support.²¹ As we show overleaf, our new data reveals that how much

victims and witnesses were kept informed affects key measures of satisfaction, confidence and engagement.

The 'Victim Voice' survey asked victims who had received support, whether it had any influence (positive or negative) on their confidence in the criminal justice system and attitude towards engaging in the criminal justice system in each of four ways: reporting an incident in which they were a victim of crime to police; coming forward to police as a witness to a crime; helping with community safety initiatives, and; participating in restorative justice.

²⁰ Bradford, B. 'The quality of police contact: procedural justice concerns among victims of crime in London', London School of Economics

²¹ Victims who had contact with Victim Support are 36% more likely to say that the police are doing a good or excellent job than those who haven't had contact with Victim Support, and 30% more likely to say that they are confident in the CJS than those who have not had contact with Victim Support. See Victim Support (2011), Summing Up – A Strategic Audit of the Criminal Justice System

Around a third (37%) of victims who received information or support from police said that it had made them more confident in the criminal justice system, compared to a quarter (25%) who said they were less confident in the system and a third who said it had made no difference (36%). As Figure 4 shows, responses were strongly linked to how good a service victims had received from police. Most (63%) victims who felt their support needs had been very well met by police said that receiving this support had improved their confidence in the criminal justice system. Meanwhile, the effect of lack of support from police was to lessen confidence in the criminal justice system (although this finding should be treated with caution).²²

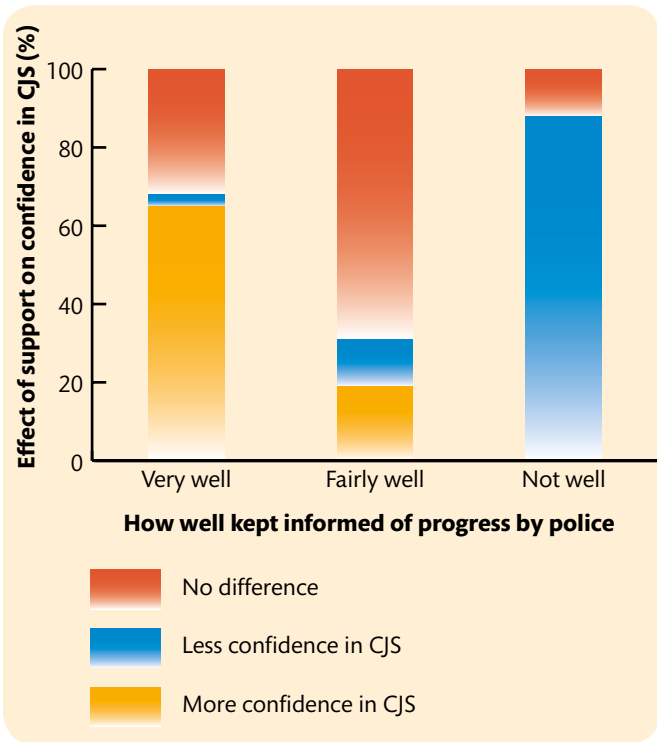


Figure 4 Effect of having support needs met by police on confidence in CJS

Source: Victim Support 'Victim Voice' survey
Unweighted base: 72

Victims themselves often tell us that their experience of the police affects how likely they are to engage with them in future:

"I didn't know what was going on... You felt that they [the police] saw it [the case] as a bit of paper – 'oh that's not important; we'll put that to one side'. That's how I felt... If anything else happened, I would not call the police again." (Victim Support research participant, 2010)

Our 'Victim Voice' survey sought to test how common and how wide (in terms of its effect on different forms of engagement) this effect is. As with the findings on confidence, it indicates a strong link between getting information from the police and likelihood of engaging and participating in the criminal justice system. Figure 5 shows the effect of receiving support from police on victims' engagement with the criminal justice system. It shows a strong positive association between receiving support and being more likely to report a crime (43% more likely if received information support), coming forward as a witness (33% more

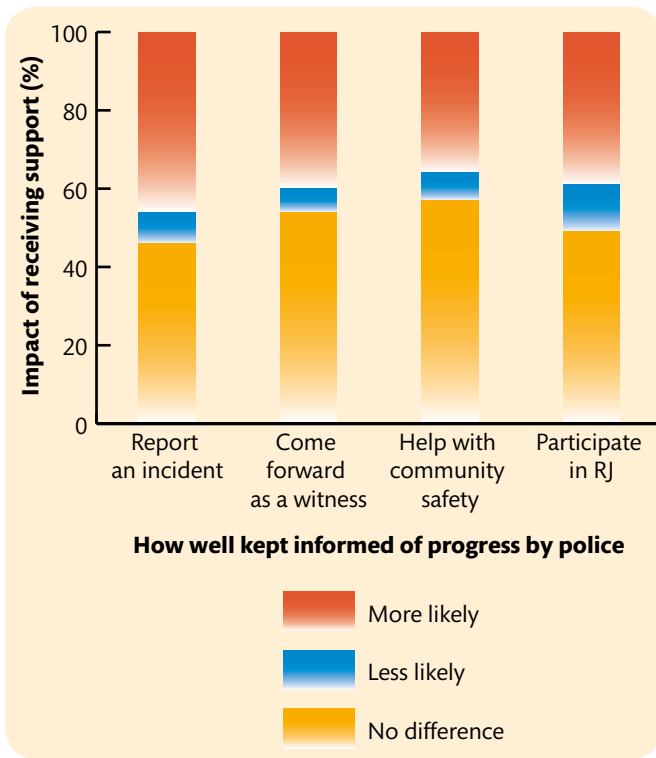


Figure 5 Effect of receiving information support from police on future engagement with CJS

Source: Victim Support 'Victim Voice' survey
Unweighted base: 105

²² base sizes are low among those who felt the police met their needs 'not very' or 'not at all' well, and so these results should be treated as indicative only

²³ Information support does not necessarily only cover updates on cases but is likely to mostly refer to this when, as here, it is information received from police. A minority of victims received other support from police as well as information – in these cases the affect on engagement is based on all support received not only information.

likely), helping with community safety initiatives (30% more likely) and participating in restorative justice (31% more likely).²³

As with confidence, the more the support had met their needs, the more likely it was to have had a positive effect on engagement.

These findings are given further weight by British Crime Survey indications on the relationship between being kept well informed about cases and satisfaction or confidence in the police. Figure 6 shows BCS 2008-09 findings on victims' satisfaction with police handling of each incident in which they had been a victim in the previous 12 months, split according to how well they felt the police had kept them informed. For incidents in which victims felt they were not well informed, satisfaction with police handling of the case overall is low; where victims felt they were kept well informed, it is far higher – in fact up to 96% in incidents where the victim was kept very well informed, compared to only 21% satisfaction amongst victims who were not kept at all well informed.

A similar pattern (although less pronounced) is evident in relation to confidence in the local police. Victims who were not kept very or at all well informed were at least twice as likely to say they were not confident in police in the local area.²⁴

These findings should be treated with a sense of perspective. Whether victims were kept informed is only one factor in a complex range of factors governing attitude towards police and likelihood of engaging with the criminal justice system. The large proportions of people who said receiving support made no difference to their confidence or engagement shows that providing support is not a key factor for all. British Crime Survey findings on reasons for not reporting crime do not suggest that previous bad experience of the police or other criminal justice agencies is a main factor in decisions on whether to report crime.

Nevertheless, taken as a whole, this evidence shows that whether victims are kept informed or not really does matter, and that leaving victims in the dark can have a range of potential damaging consequences.

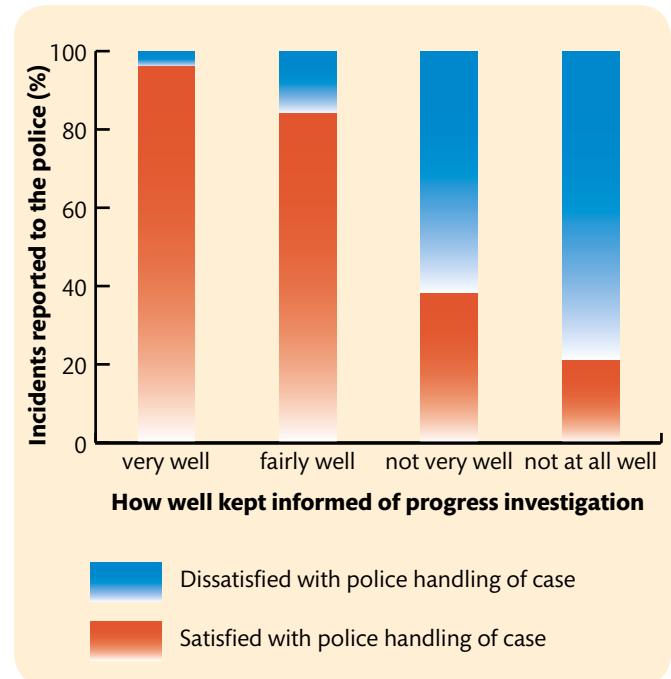


Figure 6 Effect of how well kept informed on satisfaction with overall handling of case

Unweighted base: 3,740

Source: British Crime Survey, 2008-09

²⁴ This BCS analysis does not confirm a causal link between being kept informed and attitude towards police handling of case or police in the local area, but does show a strong, consistent pattern which strongly suggests that extent of contact and information has a significant bearing on victims' satisfaction with and confidence in the police.

Chapter 3: What victims want

Any attempts to address this issue have to be based on a clear, consistent understanding of what exactly is needed. If victims' needs are to be properly met then the information not only has to be there, but has to be there in the right type and form.

Evidence on what users want from public services may give us some useful guiding principles for this. The previously mentioned Mori/Cabinet Office research identified some useful measures for effective public sector information provision, which can be summarised as:

- how easy it is to understand
- whether it covers everything the service user needs to know
- whether it is accurate
- which methods of contact are used.²⁵

Our own contact and research with victims suggests that in relation to keeping victims informed about their case, there are some general rules of good practice.

Understandable

The criminal justice system is outside of most people's direct experience and some of its workings are not always well understood. This is true among victims as well as the general public. Information about criminal justice procedures therefore needs to be communicated in clear, plain language. When it is not explained properly, information about the investigation may only act to confuse:

"I found that whole system to start with was very, very confusing... I didn't know what the system was because I'd never been involved in it before... some of the charges seem quite obscure and you need to know [what they mean], for your own peace of mind, it needs to be explained more to you." (Victim Support research participant, 2010)

When the process and terms are properly explained, it can be really valued by victims and

can also help to manage their expectations. This should be something that happens at first contact as well as in further communication:

"Each step was explained to me, why they were doing that, you know what the next step was. Everything was explained very well, from start to finish, when I was giving my statement. So, that was good." (Victim Support research participant, 2010)

Comprehensive

It is important to tell victims about big developments in their case (eg the arrest of a suspect) and the eventual outcome, including if the case has been dropped. However, as noted previously, victims also greatly value contact aside from this. Regular contact, even if it is to report that there have been no developments, is often just as important to victims as being told about major developments:

"I only ask for a courtesy call, even if this is to say there is no update." (Victim Support research participant, 2010)

For incidents in which the perpetrator knows where the victim lives or knows the victim lives nearby, there is a slightly different need. Here it is important that the victim is given as much warning as possible of upcoming developments (eg the police going to interview the perpetrator, the perpetrator being released on bail etc).

Accurate

The importance of providing victims with correct information should be a given. However, in this context accuracy is also about how specific it is. Sometimes victims can be given generic updates which are of little value and, worse, can cause the victim to feel that they are being treated dismissively:

"They used words like we're progressing and we are looking at all avenues. It was all very vague and... non-committal and nothing was answered and

²⁵ See Cabinet Office, The Office of Public Services Reform (2004), The Drivers of Satisfaction with Public Services

TrackMyCrime

'TrackMyCrime' is the first system of its kind in England and Wales: an online service which allows victims to see what is happening in the investigation of their case. The service currently operates in the Avon and Somerset police force, where it was launched in March 2011. 'TrackMyCrime' gives victims a new option for being kept updated about their case which, in the same way as online bank accounts, offers the advantage of being faster, more efficient and more convenient than in person or telephone contact because it does not rely on the two parties both being available at the same time.

Victims are given the option of being able to access 'TrackMyCrime' when they give their statement. If they take it up they are contacted with details of how to access the account. Once the account is set up investigating officers can post updates on the status of the investigation which victims can then view whenever they next log on. Alongside these individual messages, the system also includes standard messages, automatically generated at certain key points in the investigation process (such as conveying that the incident has been recorded, the incident has been allocated to a police officer, or that the incident has been closed or resolved and advising of further support available).

These messages also alert the victim to the system's interactive features, through which victims are able to:

- make general queries during the investigation
- update or correct information on items of property which have been stolen or damaged
- provide feedback once the case has been closed.

Victims can be notified of new updates by email and/or phone and are able to change their contact preferences on the system. Victims can also unsubscribe from 'TrackMyCrime' at any point they wish.

As well as greater convenience and efficiency 'TrackMyCrime' also provides the potential for greater openness and transparency in the relationship between victim and police investigation. 'TrackMyCrime' has attracted interest from a number of other police forces and looks set to be taken on more widely.



effectively. It carried on like that until they closed the case and by the end of the case I stopped answering their calls. I let them leave voicemails for me because it was so frustrating to hear them go through the motions really. They were simply saying their usual spiel and expecting me to nod and go oh, thank you very much and I really – it was upsetting to feel as though you were just getting passed through the system and nothing really was going to be done.” (Victim Support research respondent, 2010)

Victims do not want or expect great detail but they do want information which they feel tells them specifically about their case.

Method of contact

Currently victims are generally kept informed about their case through a combination of face-to-face, telephone and written contact. Which method of contact is appropriate will depend on the individual victim and the nature of the information. However, it is clear from speaking to victims that personal contact is highly valued – particularly face-to-face. BCS analysis indicates that the overall satisfaction of victims with the police handling of their case is substantially higher when they have had face-to-face contact.²⁶ While face-to-face is preferable, all personal contact (whether in person or over the telephone) carries the advantage of allowing victims to ask questions and have a dialogue:

“I would prefer information by telephone. If an officer calls you it’s more personal and you’ve got the chance to ask him questions.” (Victim Support research respondent, 2010)

This may contribute to the view of some victims that information is generally easier to understand if delivered through personal contact. There is also a place for contact by letter, in part because letters provide a tangible, official record of key developments. However, letters can also be seen

as impersonal and, in some cases, inappropriate and even insulting. For example, one person helped by Victim Support who had been a victim of a brutal mugging in which he was seriously hurt was upset when he received a seemingly generic standard letter (and nothing further) telling him that the police investigation had been closed. He would have preferred it if the letter had been accompanied by a phone call or visit. There may be a variety of other reasons why written contact is inappropriate (for example if the victim does not have good English, has a low literacy level or has a visual impairment).

Of course there are also logistical considerations to be taken into account over which method of contact to use. Face-to-face contact is time consuming and telephone contact can also be problematic and inefficient because police officers may call several times and not get through or may not be on duty when the victim is available to speak (particularly if the officer is on a certain shift pattern).

The internet offers a potential way to ease these logistical difficulties without weakening victim care. The ‘TrackMyCrime’ online account system developed by Avon and Somerset police is profiled on page 17. Online accounts should not (and are not intended to) replace personal contact and not all victims will want to, or be able to, use them. However, victims do appear to be generally receptive. When we sought the reaction of victims to the idea of online accounts, the response was largely enthusiastic²⁷:

“I think that [having an online account] would be excellent [because] without having to chase people up, I could actually see what was happening for myself and read it, you know, in my own time and take it in.” (Victim Support research participant, 2010)

“it would be good...being able to log on and see the progress of your case – that would be reassuring.” (Victim Support research participant, 2010)

²⁶ Audit Commission (2003), Victims and Witnesses – providing better support

²⁷ albeit not everyone said they would use them and some reservations were expressed over security of information

Victim Support is the national charity giving free and confidential help to victims of crime, witnesses, their family, friends and anyone else affected across England and Wales. We also speak out as a national voice for victims and witnesses and campaign for change.

We are not a government agency or part of the police and it's not necessary to report a crime to the police to get our help. We can be approached for help any time after the crime has happened, whether it was yesterday, last week or several years ago.

We have offices throughout England and Wales and we run the Witness Service in every criminal court.

www.victimsupport.org.uk

Registered charity number 298028

Registered address: Victim Support, Hallam House, 56-60 Hallam Street, London W1W 6JL

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6 September 2012

Dear Ms McCartney

Please accept London Probation Trust's response to the London Assembly : Police and Crime Committee's review on Victim Care. In accordance with our statutory duty; London Probation Trust is committed to supporting the Mayor's Office for Policing and Crime in delivering positive outcomes for victims in the capital. We welcome the opportunity to contribute to this review and would be very happy to engage in future activity to improve services to victims. We believe the MOPAC can assist this agenda greatly by coordinating activity to reduce duplication and meet gaps in service provision across the sector.

We look forward to working with you in relation to this agenda and indeed other Police and Crime Committee objectives.

Yours Sincerely

Sara Robinson
Strategic Advisor for Probation - MOPAC
London Probation Trust

On behalf of Heather Munro, Chief Executive who is on annual leave.

LONDON Assembly

Review into the care and support for victims of crime in London Police and Crime Committee (7th September 2012)

Response from London Probation Trust. Chief Executive Heather Munro

What role does your Organisation play in supporting victims of Crime through the CJS?

London Probation Trust plays a number of different organisational roles through which it supports victims of crime. These can be divided into 3 key areas of activity; Victim Liaison, restorative justice and support of female victims of domestic violence via Women Safety Officers and contribution to the Multi Agency Risk Assessment Conference (MARAC).

Victim Liaison Service

Primarily, there is a statutory responsibility for all Probation Trusts to contact victims (or their relatives) of serious sexual/violent offences when the offender receives a minimum of 12 months imprisonment or certain mental health disposals. These offences are listed in Schedule 15 of CJA 2003. On release these offenders are subject to supervision by London Probation Trust and victims can request extra conditions in relation to themselves.

Referrals to London's Victim Liaison Service (VLS) are made by probation staff in the Crown Courts and the police supply the victims' addresses. The NOMS target for contacting victims is within 40 working days of sentence.

VLS staff work closely with offender managers to obtain information and manage risk. At the same time the VLS aims to ensure that offender managers are sensitive to victim issues in their work with offenders. The VLS provides information to the victim at key stages in the offender's sentence such as temporary release. Staff do not provide counselling or ongoing support - but referrals are made to other agencies, such as Victim Support or police community safety units to develop safety plans in cases where there is a high risk of re- victimisation.

The VLS provides reports on behalf of victims, if they so wish, usually after meeting with them and a copy is sent to the offender manager. Most victims want their reports to be held in confidence and they understand that their views do not influence whether or not a prisoner is to be released, only the conditions under which they are supervised. The most usual conditions victims request are for non contact and exclusion from a particular area during the supervision period.

In those cases which the Parole Board assess for release, victims have the opportunity to write a separate Victim Personal Statement about the

impact the offence has had on them and their concerns about release.

Restorative Justice

London Probation Trust are also piloting a Restorative Justice (RJ) approach. The pilot extends between April and December 2012 and covers 10 boroughs across London including Hounslow, Haringey, Hammersmith and Fulham, Sutton, Camden, Islington, Croydon, Newham, Brent and Greenwich.

The aim is to obtain a RJ Specified Activity Requirements (SAR) as part of a Community Order, that should be completed within a 6 month timescale. The SAR consists of 10 sessions and is targeted at offenders who have committed offences of burglary or violence and who accept responsibility for their offences. (If the offender receives a custodial sentence, we pass on the case to our partner agency, CALM (3rd sector mediation agency) for them to pursue a prison based RJ input).

Once the Community Order is obtained, contact is made with the victim to ask them whether or not they would like to participate in a conference with the perpetrator to discuss their feelings and views concerning the offence(s). A specially trained RJ facilitator will undertake this contact to set out the parameters of the approach and ascertain the victims expectations, confirming the outcomes they want to achieve. If the victim does not wish to participate their views are recorded, contact will cease and the victim awareness work will continue with the offender alone. The victim is however, given the opportunity to change their minds within the 6 months of the original order being made.

The RJ facilitator will deliver 3 sessions of victim awareness work with the offender prior to the holding the conference to prepare them for this important meeting. The Conference is attended by the offender, their supporter(s), the victim and their supporter(s) and it consists of a scripted discussion where both parties discuss how the offence has affected them. This process is facilitated by the trained LPT RJ workers. The conference may end with the offender agreeing to undertake a task or tasks as a form of reparation but this is not essential.

The remaining SAR sessions follow up on whether the offender has carried out any agreement tasks identified at the conference.

The Pilot is being evaluated on grounds of cost, victim and offender satisfaction and number of orders made. NOMS has specified that all Probation Trusts should run RJ interventions, so the pilot, will assist LPT Board to decide on whether to maintain a small scale RJ Service in London or whether to extend it across the whole city. There is a significant resource implication for this work.

Women Safety Officers and MARAC

LPT provides support to female victims of domestic violence via a Women's Safety Officer (WSO). The WSO works as part of the 'Integrated Domestic Abuse Accelerated Programme' (IDAPA) team providing support to women whose (ex) partners are sentenced to attend a perpetrator programme, but also to those victims where the perpetrator has been sentenced to a Community Order with a Specified Activity Requirement as a result of being assessed as unsuitable for group work. Provision is also made to victims of 'honour based' violence and partners of participants attending the 'Caring Dads Programme' run by the LPT.

The safety of the partner (victims) and children is the WSO's priority. The role of the WSO is to:

- Establish contact with the partner related to Index offence and any new partners of domestic violence perpetrators. This intervention also includes community or home visit using a CAADA (Co-ordinated Action Against Domestic Abuse) risk assessment as appropriate.
- Listen to, support and empower victims to make choices and changes to reduce the risk of harm, or further incidents. This may require working via interpreters as well as a range of cultural diverse communities
- Undertake safety planning. They support women to keep children safe, provide advice and information on community organisations.
- Makes referrals to and attend Multi Agency Risk Assessment Conferences (MARAC) to support the effective risk management of community orders through ongoing liaison with OM and programme teams.
- Liaise with the Offender Manager, Social Services and CAFCASS in regards to 'safeguarding' children concerns.
- Attend case conferences; provide support and advice to victims for civil remedies to reduce the risk.
- Support women making self-referrals into refuges and housing. In partnership with AVA (Against Violence and Abuse), deliver children's and mother community groups London wide. The WSO also co-ordinates and delivers the 'Freedom Programme' group provision which has the overall aim of empowering women victims of domestic violence.
- Attend internal risk management meetings and provide information to the Multi Agency Risk Management Panels (MAPPA) if required in order to support the risk management of the perpetrator. This is done in conjunction with the offender manager and the programme facilitator.

- We are currently offering a pilot scheme in a couple of boroughs, offering support and advice to women offenders who have been identified by Offender Managers as victims of domestic violence. The aim of the pilot is to assess whether this provision might be offered across the whole of London.

WSO services are voluntary. It is the women's choice as to how much or how little they engage with the service offered but it is our aim to try and proactively reach out and encourage engagement. We are successful in 60% of all cases.

What aspects of your Organisation's approach to Victim care would you consider to be good practice?

Victim Liaison Service

There is sound awareness of diversity within the VLS. LPT ensure that materials are available in different languages, interpreters are used when necessary and being responsive to differences in gender, race, ethnicity, sexual orientation and disability, are integral aspects of service delivery. We understand that satisfaction rates with the MPS are especially low amongst those victims who consider themselves as vulnerable, for example, in relation to race and disability, and in this regard they do not feel their particular needs are recognised. A best practice approach to work with victims should be modelled on tailored recognition of the diverse needs of victims.

Victim surveys are a good source of information about the quality of the service they have received. At the completion of the first home visit Victims are invited to complete a victim satisfaction survey. In London, responses from this indicate that victims are satisfied with the service they receive in more than 90% of the responses received. Comments include: 'very supportive, and a great sense of no time restraints to talk'; 'she was very comforting'; 'the VLO was professional, friendly and had a keen ear to listen to issues raised'; 'just so relieved your service exists. Thank you'. The skill of the VLO worker is clearly crucial to the process.

Restorative Justice

In terms of research, it's still too early to give statistics for the LPT JR pilot. However, national statistics suggest a victim satisfaction rate of over 85%, nearing 90%. In terms of our relationship with the victim, we have found great care is needed in terms of our first meetings to ensure the victim feels "safe" about RJ - usually we contact the victim in conjunction with the police. We have learnt that we need to go at the victim's pace- it may be that when first approached, the victim may not be ready for RJ, but further contact, say 6 months later will get a different response from the victim. This is sometimes tricky in terms of managing the "fixed terms" of an offender court order and the more fluid desires of a victim. In terms of holding the offender victim/meeting, ideally we should identify a neutral location site that

is not a probation office to make all parties more relaxed and it is very important to have a break out refreshment room available for participants to talk informally outside the structured RJ Conference session.

Ensuring the facilitators have the appropriate skills set and training is also essential given the extreme sensitivities of the process. The staff involved have indicated that the facilitator role is very different from that of general offender manager. The facilitator role is more akin to mediator or counsellor.

Another aspect is recognising the importance of 'having the conversation' with the victim even if it does not result in a 1:2:1 conference. Victims have indicated that the choice on whether or not to engage in the RJ process is empowering in itself. The opportunity to have a voice has been shown to aid the healing process.

Women Safety Officers and MARAC

All WSOs have been CAADA trained and have received a professional qualification.

The CAADA/MARAC checklists use by the WSOs are grounded in research as used by IDVAs Independent Domestic Violence Advisor's based within Local Authorities.

User feedback surveys have indicated that victims are positive about the support and advice received.

How do you work with the Metropolitan Police Service on the Provision of support for Victims?

Victim Liaison Service

The Code of Practice for Victims of Crime (2006: 6.15) states:
"In cases where an offender is convicted of a sexual or violent offence..... the joint police/CPS Witness Care Units must provide the victim with a copy of the "National Probation Service Victim Contact Scheme" leaflet or equivalent update leaflet. The joint police /CPS Witness Care Unit must refer the victim's details to the Probation Service no later than ten working days after the expiry of the period in which victims may opt out of the National Probation Service Victim Contact Scheme. Both of these actions must be completed no later than a total of twenty working days after the day the joint police/CPS Witness Care Unit is notified of the sentence by the court."

In reality, this happens in approximately 50% of cases, and we have a small team of tracers, who are tasked with daily liaison with the Police Witness Care Units to obtain details of relevant victims. It is anticipated that the London restructure of the WCU's later in the year will improve this situation.

Restorative Justice

As mentioned earlier, in relation to the RJ pilot, LPT work closely with the Met Police to initiate first contact with the victim to ascertain whether they wish to engage with the RJ approach. Currently we achieve this in conjunction with the Met Police RJ team. Ultimately however, we would like to work with the victim care officers in each borough to undertake joint work with victims.

Women Safety Officers and MARAC

There are no formal partnerships between LPT and the Met Police in respect of MARAC or Community Safety Units (CSUs).

WSOs aim to establish links with each borough via the MARAC. The links will vary from borough to borough dependant on the each borough's individual arrangements. e.g. Bromley MARAC sits at the police station this is chaired by a Met Police Inspector. The WSO receives the minutes and outcomes of cases. In Croydon, the MARAC sits at Family Justice Centre and is chaired by an FJC member of staff. The structures vary across all the boroughs with some excellent models of practice and sharing with WSOs.

LPT has issued good practice guidelines for working with MARACs and this is being implemented across the LPT. CAADA oversee 15 out of the 23 London Borough MARACs for quality and process and this has resulted in positive improvements

The WSO also aims to develop a strong link with the Met Police via the CSUs and share information on an ongoing basis in order to protect the victim and children of the household. Formal arrangements vary from borough to borough and in some boroughs arrangements have proved difficult to establish.

What else do you think the MPS could do to improve Victim satisfaction rates?

It is acknowledged that MPS has a mammoth task in meeting the needs of victims given the sheer numbers. We believe the following will improve victim's level of satisfaction.

Quality Standards

Placing the victim's experience at the centre of any administrative processes is crucial to achieving effectiveness in meeting a positive victim satisfaction outcomes. Applying quality standards alongside clear administrative processes can assist in prioritising activity.

It is also important to ensure that the Witness Care Units have a full

understanding of the referral process and role and remit of the Victim Liaison Service. We understand the MPS are shortly redesigning the configuration of the WCUs and this change is welcome in improving the consistency of service

Knowledge Skills and Training

MPS need to ensure that people with the right qualities and skills are employed to undertake the victim liaison task. Individuals need to be committed, motivated and appropriately trained to undertake good quality work. They could look to directly employ such staff to deliver an in house service or they could commission other agencies with specific skills required to undertake it.

Communications

Undertake a review of materials used to communicate with victims, to ensure language used is plain, sensitive and easily understood. In addition, review the range of languages in which these materials are available.

Restorative Justice

Restorative Justice could be used effectively to improve victim satisfaction at all stages of the criminal justice journey. For low level crime, an RJ approach, led by the police could provide victim satisfaction without the need for court proceedings to occur.

For cases that are so serious that criminal charges are necessary, expansion of current police and probation arrangements to offer RJ services to victims across London routinely would be a positive step forward.

As previously mentioned current victim satisfaction rates for RJ nationally are running at about 88%. Police support of such initiatives, either by undertaking RJ themselves, or by supporting the work of other agencies that are providing such services, e.g. by providing data promptly to aid contact timeliness, should increase their own satisfaction rates.

Victims involved in the scheme to date have also identified the need for greater publicity of RJ, what it involves and how victims can access such services at an earlier stage. The Met could take an active role in this publicity.

How should the Mayor's Office for Policing and Crime hold the MPS to account on Victim Care?

Although the MOPAC has a direct role in holding MPS to account for victim care there is an opportunity to coordinate all activities which contribute to victim care throughout London. While there are a range of statutory and voluntary sector agencies working to deliver services for

victim, one of the major difficulties is delivering an end to end, efficient, effective and flexible service which meets the needs of different victim groups.

The MOPAC could improve victim care by establishing it as a strategic priority for London , supported by strong leadership and clarity over outcomes and expectations. One such outcome could include implementing the Mayor's manifesto pledge of 'establishing Safer Neighbourhood Boards in every borough giving local Londoners and victims a greater voice'.

A multi-agency victim working group, which includes MPS, but is chaired by an independent body, could review current services against these outcomes by undertaking a victim care needs assessment. The MOPAC would need to ensure that the voluntary sector and a representative from victim survivor support group are involved in this group.

Mapping the victim's journey would enable agencies to identify good practice, poor practice, duplication and gaps with in the current system. This review would identify areas for improvement at key stages and would also establish which agency owns specific parts of the process and what they need to do to support other agencies in delivering their work.

The review would provide MOPAC with a clear assessment regarding required changes which could inform commissioning decisions. It could also assist in establishing an outcomes based, performance framework which all agencies could contribute to.

A multi-agency approach to delivering key strategic outcomes is not new, indeed there have been many financial and efficiency benefits from a co-located, hub style, approaches to offender services which may produce similar improved outcomes for victims.

One of the key elements of this work is finding the right individuals to deliver victim care. It is not just an administrative task established to meet process related performance targets. Having a multi-disciplinary team would ensure the right individuals would deliver the most effective service.

The MOPAC could use one criminal justice victim satisfaction survey to monitor progress. This would assist in reviewing victims experiences at key stages throughout their journey.

How should the Mayor's Office for Policing and Crime ensure Victims` complaints are heard and monitored?

Acknowledging and responding to complaints in a timely manor should be an intrinsic part of victim care. Complaints should be reviewed in the victim journey mapping exercise and a process built in and key stages of service delivery.

Once the process is established complaints should be monitored and reviewed regularly to ensure any learning can be applied to current practice.

ACRONYMS

LPT	London Probation Trust
MPS	Metropolitan Police Service
MOPAC	Mayors Office for Policing and Crime
RJ	Restorative Justice
MARAC	Multi Agency Risk Assessment Conference
MAPPA	Multi Agency Risk Management Panel
CAADA	Co-ordinated Action Against Domestic Abuse
WSO	Women Safety Officer
WCU	Witness Care Unit
CSU	Community Safety Unit
IDAPA	Integrated Domestic Abuse Accelerated Programme
CAFCASS	Children and Families Court and Advisory Service
SAR	Specified Activity Requirement (of a Community Order)
IDVA	Independent Domestic Violence Advisor
AVA	Against Violence and Abuse
FJC	Family Justice Centre



The
Jimmy Mizen
Foundation

Patron: Archbishop Vincent Nichols

Dear Sirs,

RESPONSE TO THE LONDON ASSEMBLY'S REVIEW INTO CARE AND SUPPORT FOR VICTIMS OF CRIME.

The Jimmy Mizen Foundation is grateful for the opportunity to respond to the London Assembly's Police and Crime Committee's review of the work of the Mayor's Office for Policing and Crime [MOPAC].

The Jimmy Mizen Foundation is a registered charity no. 1130228 and has been set up as a positive way of remembering Jimmy, who was murdered in a south east London bakery shop in May 2008. The Foundation has many strands and more general information can be obtained from The Foundation's website www.jimmymizen.org. Most of which will not directly have a bearing on the review.

The Foundation would like to offer its views to the committee from the family's experience of the Justice system and to the ongoing work of The Foundation that we believe gives it a unique view of the many issues that the committee is seeking to feed into its review.

The parents of Jimmy, Barry and Margaret Mizen now visit many Primary, and Secondary Schools, as well as Pupil Referral Units. They speak of the issues and consequences that took Jimmy's life, and they also hear from many of the young people about their personal experiences.

They visit men's and ladies prisons and young offender institutes. They have met and heard the stories of the prisoners, including many who have murdered.

Barry has many advisory roles, including the review being carried out by the Shadow Justice Minister Sadiq Khan, the government's own Ending Gangs and Youth Violence Programme. He is also on the steering committee of the Victim Services Alliance, which is a network of organisations that help individuals and families bereaved by murder and manslaughter. The specific organisation that Barry and Margaret are associated with is Families Utd. Through this they have met, and continue to meet many people who have lost a loved one to violence, mainly in London, and are aware of the experiences of the justice system that these people have had and are having. Some good and some not so good.

To answer some of the committee's questions:

- We think low satisfaction rates with the MPS are mainly due to personality issues, some of the negative stories we hear are due to an individual officer's need to express their power.
- We believe the answer lies in better 'customer care' training, whilst fully appreciating the extra tensions of a city the size of London, unnecessary confrontational approaches only serve to intensify situations.

- It is our view that trust in the Metropolitan Police Force is seen to be the most important target, even ahead of targets for detection and conviction.

The observations above come from our listening to the views of many people, inside and outside, of the Criminal Justice System.

The following are our responses to the issues of victim, and victim's families' experiences of the Criminal Justice System.

- Our experience of the Metropolitan Police Service was excellent and we would like to add to the review our appreciation of the hard work, dedication and professionalism that led to the conviction of Jimmy's killer, and the care and support the family received.
- We believe that witnesses, and family members of victims of Homicide, should be included in the review, not just victims.

We offer the following as an aspiration for MOPAC.

1. Be open and accountable to victims and witnesses, seeking out and acting on their views.
2. Ensure that victims and witnesses get the high quality help and support they need, when they need it.
3. Make the police more victim-focused and more effective at meeting their needs.
4. Help victims and witnesses to have a louder voice in the wider criminal justice system, and the community.
5. Constantly improve the experience of victims.

It is also our view that Safer Neighbour Boards should include at least one person with direct experience of crime that would lead to the incarceration of the perpetrator, but at the same time seek to get a balanced representation of views.

We believe the Board's role should be as a 'critical friend', able to offer guidance and seek solutions to issues of delivery, without undermining morale within the MPS.

It is imperative that the business of the Board is as transparent as possible.

If you require any further information please contact:

Nikki Walford
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Yours faithfully

Barry and Margaret Mizen

RoadPeace

the national charity for road crash victims
supporting crash victims reducing road danger



London Assembly Victims of crime review

RoadPeace response

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7 September 2012

Summary

Victims of road crashes, including those where a driver is prosecuted, do not receive the same level of support or information as do other victims of reported crime. This is the case not just in London, but all of Britain.

London can lead the way in ending the discrimination against road crash victims.

MOPAC needs to ensure that road crime is treated as real crime. This includes

- treating victims of crashes as victims of crime, until the contrary is proven
- extending Track my crime to Track my crash.
- considering those intimidated by drivers as victims of crime.
- including victims of road crime in counts of crime victims.
- ensuring community consultations include traffic law enforcement and collision maps.

Progress has been made with TfL's Cycle Safety Action Plan's review of the criminal justice system's response to cyclists killed and seriously injured and the lessons from that apply to all those killed and seriously injured in London.

Introduction

RoadPeace, the national charity for road crash victims, based in London, welcomes this review and appreciates the London Assembly's inclusion of victims of crashes and road crime. As will be highlighted in our response, this is too rarely done.

Our members include those who have been bereaved or injured in crashes. In 2011, 159 people were reported killed in crashes in London, 33 more than the low of 126 road deaths in 2010. But these are only those deaths that occur within 30 days of the crash, as per Stats 19 guidelines. No such deadline is applied to victims of homicide.

In addition, there were 2646 people reported seriously injured, down from 2760 in 2010 and another 26,452 reported slightly injured, up 449 from 2010. But it should not be forgotten that the Department for Transport (DfT) estimates that 3.5 times as many people are injured in crashes, including seriously injured, as are reported to the police. Not all, but many will involve criminal and anti-social behaviour. London's citizens are more likely to be killed or injured by the wrongful actions of another on the roads than in any other way.

Our members also include those who have been intimidated by bad drivers. Just as physical injury is not required for a person to be classified as a victim of violent crime, including domestic violence, nor should it be required for road crime. Fear and intimidation is too regular a feature for those walking and cycling in London.

Representing road crash victims

RoadPeace represents road crash victims on TfL's Cycle Safety Working Group and its action groups, including the joint TfL/MPS Cycle Risk action group. We have also been invited to help develop the Pedestrian Safety Action Plan.

At the national level, RoadPeace represents road crash victims on Scotland Yard's Family Liaison and Coordination of Support Services working group and previously on the Commissioner for Victims and Witnesses Policy Review Consultative Group and the MOJ Coroner stakeholder group.

RoadPeace also represented road crash victims on the steering panel of the Victims' Services Alliance (VSA), the umbrella association launched last year by Victim Support. After one year of lobbying by RoadPeace, VSA's remit was extended from families bereaved by murder and manslaughter to include those bereaved by road crashes.

RoadPeace also coordinates the Road Victim Working Group which includes Brake, Road Victims Trust, aftermath, and SCARD (Support and Care after Road Death). Victim Support also attends these meetings but is not a full member.

Q1 Reasons for low victim satisfaction

Road crash victims, including those involving a criminal prosecution, are not treated the same as other victims of crime. They receive less information and support. Family Liaison Officers (FLO) are assigned to bereaved families only or those where death is expected.

Victim Support assists families inside courts, through their Witness Service units, but their Homicide Service does not include those bereaved in crashes where the driver is prosecuted for causing the death. This was incorrectly reported in their press releases.

On the FLO's first visit, within a day of her husband being killed on a cycle superhighway, Debbie Dorling, Brian's widow, was told by her FLO that she was not a victim and did not qualify for Victim Support, despite the lorry driver being arrested on suspicion of causing his death. After an appeal to her MP, she received a phone call from them. Debbie spoke out about this appalling treatment at a recent meeting of the All Party Parliamentary Group for Victims and Witnesses.

It is even worse for those injured in crashes. Victim Support offers no support to victims injured by drivers, including by dangerous or drink driving.

The Ministry of Justice (MOJ) currently finances two Resilience Building programmes a year for families bereaved in a crash in London. These are provided by RoadPeace and are being rolled out in other areas as well. In addition, bereaved families receive a copy of the MOJ funded bereavement guide, produced by Brake, the road safety charity. No support services or information is financed by the MOJ for those injured in crashes, including grievous injuries.

Whilst the above includes those cases involving a prosecution, we believe that the lack of a criminal prosecution is often due to a lack of evidence, rather than lack of culpability. All

victims of crashes reported to the police deserve information, including on support services available.

Road crime, despite accounting for more people killed and seriously injured than any other crime, is not a priority for the Metropolitan Police. The number of people killed and injured by law breaking drivers is not included in victim of crime statistics nor is it collected by the Home Office or Ministry of Justice. As reported below, the annual report that the MPS have agreed to produce will include this data on deaths and those with life changing injuries.

This report is to also include information on who made the charging decision as this is a confusing area. The MPS can decide NFA (No Further Action) without consulting the CPS and they can also appeal against a CPS charging decision, although this is done very rarely.

Q2 MPS Total Victim Care Strategy --the right approach?

Total Victim Care has not been extended to road crash victims, thereby making a contradiction of the term.

Q3 Lessons from national and international best practice

In 2001, ACPO introduced its Road Death Investigation Manual (RDIM), which included the principle that all road deaths were to be treated as unlawful killings until the contrary is proven. The RDIM is currently being updated and RoadPeace has coordinated a response on behalf of those organisations campaigning on behalf of vulnerable road users, including CtC, LCC, Living Streets, British Cycling and *20splenty for us*, calling for this approach to be extended to injury crashes as well. Those injured in collisions should be treated as victims of crime, until the contrary is proven. This is, after all, the standard practice with all other reported instances of crime.

An exit interview with the bereaved family and the police (FIO and SIO) is suggested in the RDIM but this is rarely done. This would allow family the chance to clarify outstanding queries or concerns.

Lessons were learnt from the TfL's Cycle Safety Action Plan's review of the criminal justice system's response to fatal and serious injury cycle collisions in London. The lack of transparency with the legal outcome was highlighted and the MPS have agreed to produce an annual report which reports the legal outcome of fatal and life threatening collisions, including the reason for No Further Action.

Britain could learn from other countries that have vehicle manslaughter charges and do not separate out culpable road deaths from other types of manslaughter. Our bereaved members regularly tell us that it was no different than if it was a murder as it involved the same loss of life.

Q4 MOPAC holding MPS to account on victim care

MOPAC should ensure that all MPS victim care strategies include road crash victims.

It must also be emphasised that at present the MPS survey only covers road victims where a death has occurred or dangerous driving proven. Many road victims fall outside

this narrow net. All those reporting a road crash or intimidation/law breaking on the roads should be offered the chance for feedback.

Road crash victims are included in the User Satisfaction Surveys conducted by the MPS; their responses should be analysed to allow a comparison with other victim categories. These results should be published.

Q5 Engagement with victims in development of its Police and Crime Plan

MOPAC should ensure that traffic law enforcement and collision investigation is included in any Police and Crime Plan. Track my crime should be extended to include collisions as should the use of maps include crash maps.

As noted above, all crash victims should be offered the opportunity of feedback on the service received. It is important that this should include those where there was no prosecution as these people will still have had contact with the police. Many will believe that the lack of prosecution was due to a lack of investigation, rather than a lack of criminal behaviour.

MOPAC should not rely on Victim Support to be the sole representative of victims as they do not assist road crash victims, nor have they campaigned for improvement in support services for road crash victims.

Q6 Ensuring victims' complaints are heard and monitored

All complaints should be collated and available on the MPS website, with the option of being anonymous. These should be organised by types of complaints.

Learn from RoadSafe. Road users, especially cyclists, report crime to the police through this on-line service but there is little confidence that these are followed up. We are aware that RoadSafe is under review and will be calling for greater transparency around follow-up actions.

Q7 MOPAC proposed role in commissioning victim services

Whilst the MOJ has decided that homicide services are to be commissioned nationally, they did not extend this to those bereaved by culpable road deaths. Victim Support undertook a national survey in 2011 mapping support services available for victims but this was a summary exercise and may not provide sufficient detail at the London level. RoadPeace is willing to help collate information on the support services available for London crash victim services, through our Road Victim Working Group.

Whilst the bereaved must take priority, it is also important that those suffering life changing injuries or even PTSD from minor injuries (research shows no correlation with casualty severity), receive information and support. Funds are limited and the value of such high cost services as face to face support is not believed to have been proven. Consideration should be given to phone support and how minimum levels of support can be ensured for more victims.

Thank you again for investigating the treatment of crime victims in London. RoadPeace is keen to work with MOPAC on improving the response received by those bereaved, injured and intimidated by other road users in London.

End Violence Against Women Coalition

17-25 New Inn Yard, London, EC2A 3EA; T: 07984 717 817; www.evaw.org.uk

Joanne McCartney AM, Chair of Police & Crime Committee
London Assembly
City Hall
London
SE1 2AA

cc Susannah Drury, Police & Crime Committee, GLA

9 August 2012

Dear Joanne,

EVAW Coalition Submission: Improving care and support for victims of crime in London

Thank you for your invitation to submit our views to the Police & Crime Committee's investigation of care and support for victims of crime in London.

As you know, the End Violence Against Women Coalition is the UK's largest coalition of organisations working to eradicate violence against women and girls; our members include many frontline organisations in London such as Eaves, Forward, Imkaan, Jewish Women's Aid, Newham Asian Women's Project, Rape Crisis and Standing Together.

We wish to raise the following concerns in answer to the questions you pose.

London has alarmingly high rates of violence against women and girls

More than 3,000 rapes and more than 45,000 incidents of domestic violence were reported to the police in London last year. 7,000 children were born to women who had undergone female genital mutilation (criminalised in 2003, but the UK has yet to see a successful prosecution). The impacts of violence are diverse, ranging from lethal to physical injury, gynaecological disorders, long-term mental health issues, self-harm and suicide, disruption in intimate relationships, constrained socio-economic opportunities, routes into offending behaviour and wider social exclusion (references available on request).

The very scale of victimisation of women and girls in London, alongside the rights and equality issues at stake, has led the MPS and London's political leaders to make a higher priority of tackling violence against women and girls over recent years (see for example the Mayor's comprehensive strategy to end violence against women and girls, *The Way Forward*).

The vast majority of women and girls never report to the police

Unlike the violence experienced by men, women are most commonly abused by someone they know, often on multiple occasions, and with sexualised elements. Each of these acts as a deterrent to telling others, let alone making an official report. These impediments are enhanced for women from black and minority ethnic (BME) and refugee communities and for

older women. Disability, mental health issues, substance misuse, involvement in prostitution and insecure immigration status may heighten the risks of being victimised whilst making access to support more complex, and diminishing the likelihood of involving statutory services.

Persistent myths and stereotypes about what constitutes a 'real' victim and a 'real' perpetrator commonly deter women and girls from reporting sexual and other forms of violence (as the Head of the CPS in London, Alison Saunders, said in a high profile speech in London in January 2012).

Access to support for victims of violence against women and girls is therefore dependent on there being alternative routes into help alongside police reporting and statutory services, ie visible, independent, specialist women's services.

Women's specific services are critical to providing the best support for victims of violence against women and girls

Specialist women's organisations have an incomparable depth of knowledge about violence against women and girls and the best ways to support survivors, and are often women's first choice when they seek support. Statutory Sexual Assault Referral Centres (SARCs) for example report that a minority of service users take up available counselling options, whereas in contrast specialised women's support services are unable to meet demand for counselling and many have lengthy waiting lists.

The need for women specific services that enable women to name, address and move on from violence and abuse is acute given what we know about the contexts in which violence most commonly occurs and its associated harms. Sustainable and accessible specialist women's organisations are an essential component of responses to violence against women for many reasons: women's organisations offer support and signposting into statutory services; they build knowledge and awareness of the diversity and complexity of violence against women and girls; they develop and test innovative approaches; they emphasise safety, security, autonomy and empowerment; they are there for the long-term; they offer support whenever a woman is ready to access it; and they can be flexible and dynamic in meeting diverse and complex needs.

We therefore hope that your review will strongly recommend that specialist women's services form a key pillar of victims' services because of their unique ability to meet women's and girls' needs.

Please do not hesitate to contact us if you have any further questions about our work and concerns.

Yours sincerely,

Sarah Green
Campaigns Manager, End Violence Against Women Coalition



Orig → Susannah Drury with
copy for JM.

Copy of this letter only → M-C Connellan
" " " " " " → JM.

Joanne McCartney AM
Chair of the Police & Crime Committee
London Assembly
City Hall
The Queen's Walk
LONDON
SE1 2AA

Our ref. IP/LB

Your ref.

Date. 12 September 2012

rec'd 14 SEP 2012

Dear Ms. McCartney,

Views & Information – Improving Care and Support for Victims of Crime

Your letter of 24 July to the Chief Constable has been passed to me for my attention. Our current Force Policy/Protocols on victim care that detail Merseyside's approach is:

- Victim Support and Homicide Service Policy
- Serious Crime Victim and Witness Care Protocol
- Hate Crime and the Intranet
- Victim and Witness waiting @ crown court Protocol
- Witness Support Request Guidance
- Hate Crime Policy
- Disability Hate Crime Guidance

In order to best answer the questions around best practice, suggestions to improve victim satisfaction rates and issues the Police and Crime Commissioners could bear in mind when developing plans for engaging with victims, and for commissioning support services for victims, I have provided information with regards to how we manage victim care in Merseyside for a more general response, I trust that this provides the information you seek.

There was early recognition by all partner agencies of the key influences in victim satisfaction initially through WAVES data, the No Witness No Justice (NWNJ) agenda and the development of the Witness Care Units (WCU). The key influences quite simply in the main were around keeping people informed about case progression, explaining what is happening and giving support through prosecutions.

Ian Pilling
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Continued/.....

It was clear to Merseyside that engagement influenced the victim's experience. To achieve this Merseyside created a Multi Agency group known locally as QUANTUM that is chaired at ACC level. The Merseyside Criminal Justice Board (MCJB) governs the meeting groups and develops strategy and plans for victim care. Merseyside has realised the advantage of the MCJB as it ensures both an agreed and unified approach to victim care throughout all agencies especially in terms of policy development, and ensures work done regarding improvement in the service to victims is driven but more importantly sustained. The MCJB commissioned an independent survey to research victim/witness views to further improve satisfaction levels. The research reinforced the previous WAVES research in terms of what victims wanted but also evidenced that in the main Merseyside was meeting the expectations of victims in terms of its service delivery.

The MCJB developed a variety of meeting groups that enables victim care development listed below;

- Local Delivery Boards in each BCU area whose main function is implementation of the actions set by QUANTUM
- HATE Crime and Domestic Violence Scrutiny Panel (quarterly independent review of cases)
- Victim and Witness Strategy Group (Strategy/Policy development)
- Victim and Witness Consultative Group (includes 3rd sector partners)
- Pan Merseyside Specialist Domestic Violence Group
- Strategic Domestic Violence Group
- Court User Group Meeting
- Homicide Pre Trial Review Meetings

The development of the centralised WCU with sustained commitment from Merseyside Police and the Crown Prosecution Service to date has been key in our care for victims and is seen as a best practice unit nationally. The unit operates in three areas dealing with specific areas of crime that gives expertise to individual needs of victims

- Domestic Violence – Hate Crime Witness Care Officers
- Volume Crime Witness Care Officers
- Serious Crime Team Witness Care Officers

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The Unit has full access by both CPS staff and police staff to all relevant IT systems facilitating knowledge and an awareness of the cases so that the Witness Care Officer is fully briefed prior to engaging with the victim.

Victim Personal Statements also featured in survey feedback and so QUANTUM set targets to embed in culture in terms of police officer instigation. Once the WCU becomes involved the VPS is discussed further; Merseyside has found that timing is key in terms of writing a VPS, as often the full impact of the crime is not realised at reporting stage and so the victim is given more opportunities to complete a VPS as the impact of the crime is fully realised.

Merseyside has also developed a Community Engagement Unit whose main role is to engage diverse communities to forge positive links between hard to reach communities and the police to encourage people to come forward and report incidents and also to provide a Signposting Service of specialist support agencies for victims of hate crime and their families.

Merseyside attended the recent Victim & Witness Conference held by NPIA in which ACC Gary Cann (ACPO Victim and Witness Lead) touched on the below in terms of what should be considered when developing plans for engaging with victims with regards to the Police and Crime Commissioner (PCC):

- Concern regarding the fragility of defragmenting WCU provision
- Current provision gives consistency to victims and witnesses

Currently Merseyside Police are working on advice in terms of the PCC and considers that victims and witnesses need to be central to the PCC's thinking

Merseyside takes pride in that its approach to victim care is realised in the following data from Merseyside's User Satisfaction Surveys.

Source; iQuanta MSG – Satisfaction with Whole Experience; Merseyside; All user Groups (excl ASB) by Ethnicity interview for 12 months ending 31 Mar 2012

	White Users	Minority ethnic users	Difference in Satisfaction
% Satisfied	88.7%	83.9%	4.8%

Source; iQuanta – Satisfaction of Service Users; Merseyside; Satisfaction with Whole Experience interviews for 12 months ending 31 Mar 2012

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User Group	% Satisfied	% Very/completely satisfied
Burglary	91.6%	79.5%
Vehicle Crime	87.6%	73.3%
Violent Crime	84.2%	67.9%
All users (excl racist incidents)	87.8%	73.6%
Racist Incidents	90.1%	72.4%

Waves data provision commenced in April 2008 and ceased June 2010, the data below shows % of both time periods (detail overleaf)

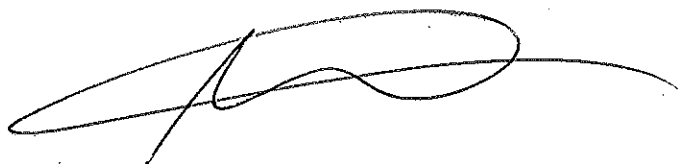
	April 08	June 10
Victim Satisfied	81%	81%

Waves data provision regarding BME satisfaction commenced June 09 and ceased September 2010

	June 09	Sep 10
White Satisfaction	88%	90%
BME satisfaction	76%	85%
Gap	12%	5%

I hope the above information is of assistance to you. Merseyside Police and the CPS are particularly proud of the work done within our co-located Witness Care Unit and of the improvement made in witness support and attendance at Court since the inception of the Unit.

Yours sincerely,



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