

ORIGINATOR: CHIEF CONSTABLE

PAPER NO: AP18/16

**SUBMITTED TO: ACCOUNTABILITY AND PERFORMANCE PANEL –
27 APRIL 2018**

SUBJECT: VICTIMS' CODE OF PRACTICE (VCOP) COMPLIANCE

SUMMARY:

1. The Code of Practice for Victims of Crime places statutory responsibilities on Criminal Justice agencies, a number of which fall to the police. These include completing a needs assessment to highlight any support needs; inviting the victim to make a Victim Personal Statement; providing information about what to expect from the criminal justice process; referring the victim to appropriate support services; getting explicit consent from victims before passing details of any support services; providing information regarding Restorative Justice; to advise how to make a complaint if a victim feels any entitlements have not been received; provide information about the police investigation, such as to whether the suspect has been charged or bailed and whether the suspect is going to be prosecuted or not, or if the crime is going to be dealt with outside of court proceedings. The list is not exhaustive and will be based on individual needs of the victim.
2. This paper will provide an overview of how Suffolk Constabulary is complying with the code, what work is being undertaken to ensure compliance and rectify any issues identified.
3. The Constabulary Joint Performance and Analysis Department (JPAD) recently completed a strategic profile to measure compliance of Norfolk and Suffolk with the Victims' Code of Practice (VCOP). The results of this are covered in this report, together with updates on work being implemented to ensure compliance and continuous improvement.

RECOMMENDATION:

1. The Accountability and Performance Panel is asked to consider the contents of this report, and note the updates on work to comply with the Victims' Code against the recommendations contained within the Strategic Profile.

1. STRATEGIC PROFILE: VICTIMS' CODE OF PRACTICE – COMPLIANCE IN SUFFOLK

- 1.1 Chief Officers commissioned a strategic profile to assess compliance and current practices in respect of the Victims Code of Practice (VCOP), and information was taken from the Athena crime recording system during December 2016. The Joint Performance and Analysis Department (JPAD) completed the profile in June 2017 and this was raised at the previous Accountability and Performance Panel on 20 October 2017. This Profile was to be used as a start point across both Counties for developing better accountability for compliance of VCOP. Originally the intention was to run a comparable review of the Profile based on data available in December 2017.
- 1.2 Initial indications from the profile demonstrated that Suffolk Constabulary is complying with the Victims Code of Practice. However, due to inconsistencies in recording on Athena it was difficult for the Joint Performance and Analysis Department to make an accurate assessment.
- 1.3 The profile highlighted a number of key findings and made some recommendations that Suffolk Constabulary has adopted and worked towards.

Key Findings from the Strategic Profile

- 1.4 The findings relate to both Norfolk and Suffolk Constabularies who are experiencing the same issues, and this paper will focus on the Suffolk response.
- 1.5 The key findings from profile are as follows:-
 - Suffolk Constabulary is not recording compliance effectively at present;
 - There are currently a number of barriers to effective recording of compliance (e.g. systems, recording practices, procedural differences);
 - Anecdotal evidence is that there is general compliance across the organisations;
 - Norfolk and Suffolk Constabularies have adopted significantly different recording and monitoring processes;
 - Victims' opinions about the Victims' Code of Practice, and how effectively it meets their needs, are currently unknown;
 - A co-ordinated strategy is required for recording and measuring compliance;
 - Extensive training will be required in order to successfully deliver a Victims' Code of Practice compliance strategy.

Recommendations from the Strategic Profile

- 1.6 The recommendations from the profile are as follows:
 - Agree and adopt a defined recording process in order to develop performance data in respect of the Victim's Code of Practice to drive continuous improvement and monitor through Constabulary performance;
 - Develop a training and audit strategy that will communicate Victims' Code of Practice recording requirements to the workforce;
 - Appoint a single working group to manage the organisational obligations in respect of Victims' Code of Practice which will increase compliance and potentially raise victim satisfaction.

Delivery of the Key Findings and Recommendations

- 1.7 The Joint Working Group has now met to begin delivering on the recommendations. The group can report the following:

Agree and adopt a defined recording process in order to develop performance data in respect of VCOP to drive continuous improvement, and monitor through Constabulary performance

- 1.8 It was raised previously that there is not currently a mandatory field on the Athena system to note VCOP compliance. Systems are in place to ensure letters are sent to all victims, but at present this can be recorded in a variety of places. A change request was submitted in July 2015 seeking enhancements to the Athena system in order to support VCOP requirements.
- 1.9 An Athena fix was originally scheduled for late 2017 which it was hoped would address this issue, however this has now been delayed until the summer of 2018 under Athena update V5.3. Whilst the delay is unfortunate, it will allow for time to review and test the fix and to undertake a gap analysis.
- 1.10 The Corporate Communications Department will ensure that messaging and communications around the fix is clear to all Athena users, and those Stakeholders awaiting delivery of the fix have been updated.
- 1.11 Once implemented, the Joint Performance and Analysis Department (JPAD) will undertake a further dip sample and audit compliance. This was originally to be undertaken in December 2017, however it will be delayed until after the Athena fix has been completed.
- 1.12 Norfolk and Suffolk OPCCs have a responsibility to ensure that all victims of crime in the two counties have access to an assessment and referral service, whether or not they have reported the crime to the police, which will assess their needs and where necessary refer them to ongoing support. For many, emotional support is provided by Victim Support by volunteers across the county. The desired long term outcome is for the victim to cope and recover from their experiences. This entitlement is set out by the EU Directive on Victims, the Victim's Code of Practice and Grant Agreements between the Ministry of Justice and respective OPCCs.
- 1.13 In addition to the work being undertaken by the Working Group, the Head of Joint Justice Service has been nominated as lead for both Norfolk and Suffolk to deliver a better operating model within Norfolk and Suffolk to deliver more effective victim assessment services across both Counties
- 1.14 To date, the Victim Assessment and Referral Service (VARC) has been a five force (Eastern Region) service delivered from Ingatestone in Essex. This is supported by local delivery teams in individual counties, and referral to the service from the police is through an automated data transfer (ADT) on a daily basis.
- 1.15 The VARC service then processes the data and contacts victims using a channel and timeframe determined by crime and victim type.
- 1.16 Some of the concerns around the current operating model are:-
- Whether appropriate level of resource is targeted towards contacting victims and establishing whether support is required;
 - If support is required, referrals are made and not managed and there is no capacity or facility to follow up and ensure the referral was correct and that needs are being managed and met on a dynamic basis;

- There is little formal integration with other safeguarding and victim support services and the opportunity to achieve this is limited by having a regional VARC;
- Duplicative contact with victims and multiple assessment processes that require victims to retell their experiences on numerous occasions.

1.17 Therefore, and in addition to other factors including OPCCs across the region adopting new local operating models, Norfolk and Suffolk OPCCs have been required to redesign the current operating model to address the weaknesses highlighted above and to take advantage of other opportunities to deliver more effective victim assessment services in Norfolk and Suffolk.

1.18 The following principles are central to the new operating model:-

- A single point of contact for victim care to build trust and continuity between the client and the service;
- Improved assessment processes and case management, including victim advocacy and support throughout the victim's journey, with ongoing needs assessment and case management until final step down from the service;
- Improved support, through specialist case managers, for victims engaged in the criminal justice system (this will not replicate the witness care service, but work with it);
- Improved digital channels and web based resources for victims to find advice and support;
- Wider use of volunteers to raise funds for local services and carry out more preventative work, particularly in relation to social isolation and exclusion.

1.19 The aim is to deliver the service within the current budget envelope, which would represent a significant increase in the value for money for this service.

Develop a training and audit strategy that will communicate VCOP recording requirements to the workforce

Training

1.20 Training on the Code of Practice for Victims of Crime has been completed across Suffolk Constabulary through the use of NCALT packages and extensive Athena refresher training to supervisors has begun and includes enhanced inputs on VCOP compliance.

1.21 Student Officers – Learning & Development (L&D) have been delivering a broad change program within the Initial Police Learning Development Program (IPLDP) to move away from “1” subject inputs to a more themed approach towards learning across 10 weeks. Therefore VCOP is no longer taught as a standalone topic but is introduced through teaching their role and responsibilities in relation to the code when teaching ‘the role of a police officer, ‘mental health’, ‘interviewing witnesses and suspects’, ‘responding to domestic abuse’ and other PVP crime and even touch upon when discussing vulnerable persons in custody. Students then evidence their knowledge against the Policing Diploma module; “Support Victims, witnesses and vulnerable people”, which also covers VCOP specifically.

Audit

- 1.22 As mentioned previously, in Suffolk all teams or departments that deal with crime investigations are included in the Athena investigation audit process. The responsibility for audits sits with Inspectors and Chief Inspectors. Inspectors currently dip sample 10 investigations per month in order to monitor compliance with the code. Audit review forms are completed and made available to reference for compliance auditing purposes. Superintendents ensure compliance with the process via checking the audit records.
- 1.23 In addition, this allows for scrutiny of particular crime types allowing for a snapshot of VCOP for particular areas of concern.
- 1.24 VCOP also features within specific Scrutiny Panels across crime categories. For example each Strategic Policing Area (SPC) now runs a Domestic Abuse (DA) Scrutiny Panel, Chaired by the Local Chief Inspector, which reviews 3 Medium risk and 3 Standard risk DA investigations. This panel will run quarterly and samples are identified by JPAD in advance of the meeting.
- 1.25 The Working Group is seeking a consistent audit process across both forces, and has agreed to progress this once the Athena fix is in place and the results of the further work from JPAD is understood.
- 1.26 The Criminal Justice Service' Victim and Witness Service Team (CJS VAWS) are also monitoring Victim Personal Statement (VPS) rates across the both Counties, which ties in with the Strategic Profile. An example of this is that a comparison of data still shows around 35% of Victims offered VPS by the VAWS take up the opportunity.

Appoint a single working group to manage the organisational obligations in respect of VCOP which will increase compliance and potentially raise victim satisfaction

- 1.27 The work undertaken by the Working Group is shared through the Norfolk and Suffolk Local Criminal Justice Board (LCJB) Victim and Witness Sub Group, which is independently chaired by the LCJB Business Manager. Statutory and voluntary agencies, including the Office of the Police and Crime Commissioner, are represented on this Sub Group.
- 1.28 The LCJB are currently undertaking pieces of work of which the VCOP results are fed into the Working Group. An example of this is some quality checking through "The victim's journey" which is currently being tested as a future process within the auditing recommendation. This work was written to understand victim's opinions about VCOP, and how effectively it meets their needs as this is currently unknown.

Next Steps

- 1.29 The last meeting of the Working Group was postponed until after the originally planned implementation of the Athena fix. However, this will now continue to take place to work on other aspects of the Strategic Profile. Whilst the Working Group did not meet, all the members sit on other boards which include aspects of the VCOP. The Constabulary will continue to monitor compliance with the Code and drive forward continuous improvement.
- 1.30 As part of the LCJB Victims and Witness Sub-Group a requirement was made to all areas of business to complete a VCOP Self-Assessment based on a template used in Cumbria. This Self-Assessment not only sits with Police but between other agencies including CPS, HM Courts Service, Witness Care, Restorative Justice providers and the Probation Service who have requirements to comply with the

Victim's Code. The first draft of responses has now been completed with a review of the data in coming months. The purpose of the document is to highlight areas for improvement.

2. FINANCIAL IMPLICATIONS

2.1 There are no financial implications in respect of this report.

3. OTHER IMPLICATIONS AND RISKS

3.1 The Victims' Code of Practice (VCOP) is a statutory document which places obligations on the police and other criminal justice agencies to provide services to victims of crime, setting out the minimum standards they can expect.

3.2 Any further delay in implementing the Athena fix will continue to impact on data quality, although a work around is currently being implemented to train officers to place VCOP compliance in a specific location within Athena.

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	PLEASE STATE 'YES' OR 'NO'
Has legal advice been sought on this submission?	No
Has the PCC's Chief Finance Officer been consulted?	No
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	Yes
Have human resource implications been considered?	Yes
Is the recommendation consistent with the objectives in the Police and Crime Plan?	Yes
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	Yes
Has communications advice been sought on areas of likely media interest and how they might be managed?	Yes
Have all relevant ethical factors been taken into consideration in developing this submission?	Yes