

ORIGINATOR: CHIEF CONSTABLE

PAPER NO: AP20/52

**SUBMITTED TO: ACCOUNTABILITY AND PERFORMANCE PANEL –
20 NOVEMBER 2020**

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 and what work is being undertaken both independently and with partners to ensure compliance.

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.

DETAIL OF THE SUBMISSION

1. KEY ISSUES FOR CONSIDERATION

- 1.1 Work relating to the Victims' Code of Practice (VCOP) and associated development, monitoring and compliance continues to be managed under the direction of T/Assistant Chief Constable Julie Wvendth on behalf of the Joint Justice Services Command and continues to be progressed in partnership with the Office of the Police and Crime Commissioner for both Suffolk and Norfolk.
- 1.2 The Supporting Victims Sub Group continues to meet on a regular basis although the actions arising from the meetings have been somewhat hampered by the Covid-19 pandemic and the Constabulary's response to it (Op Response20). Work has continued across a number of workstreams and there have been some developments in relation to communications to frontline officers. Detail on the work completed will be provided in the following sections of this paper.
- 1.3 The response to victims and witnesses remains a priority area for both Constabularies and is of significant importance during the pandemic, with victims being asked to wait some months before finalisation of court cases. This is having a significant impact on the Victim and Witness Care Unit who are attempting to ensure all victims and witnesses are kept fully up to date and engaged during this time. This is a particular area of concern for the Constabulary but work is ongoing with partners across the Criminal Justice System, facilitated by the Local Criminal Justice Board, in an attempt to ensure victims and witnesses receive the support they require during this challenging period.
- 1.4 At the present time each Witness Care Officer is managing on average 130 victims which is double the usual number and does result in welfare related challenges for the staff themselves. Various options to address this significant increase in workload and to ensure continued high priority services to victims are being provided are being considered. These include options to increase existing resourcing levels, utilise assistance from existing support services and the use of restricted or re-deployed officers and staff.

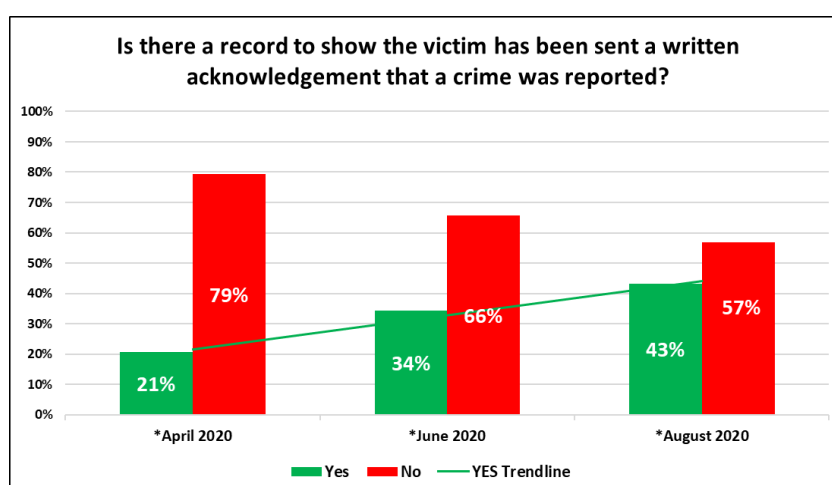
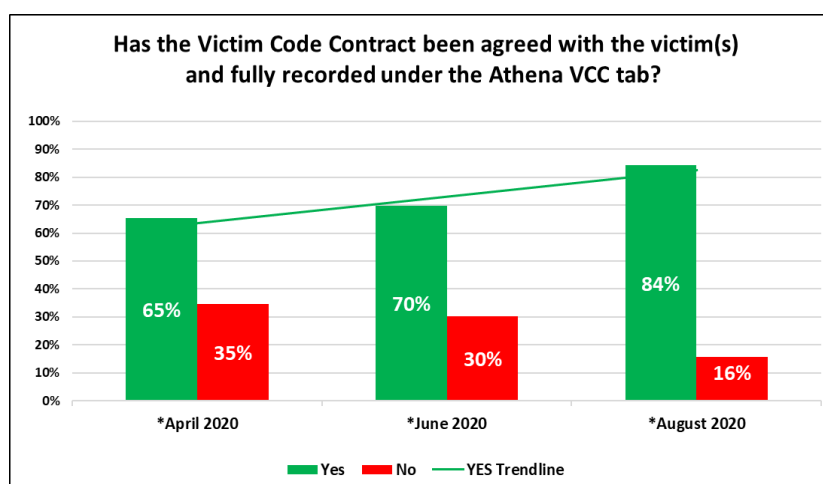
2. VICTIM AND WITNESSES STRATEGY

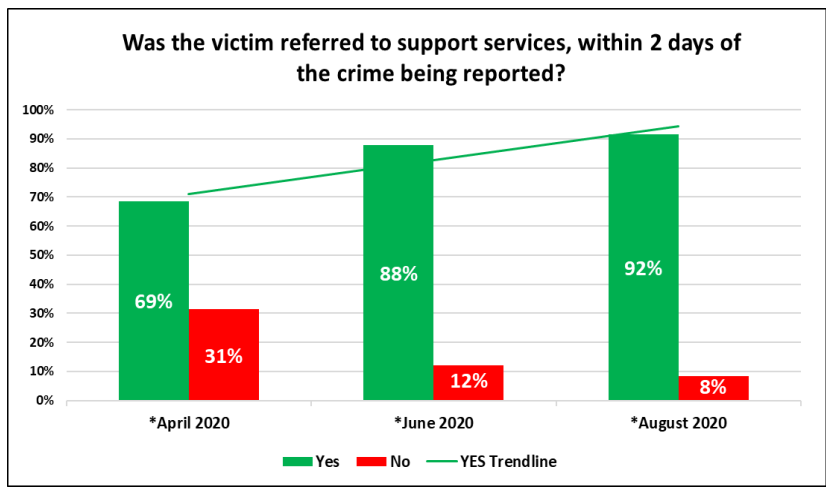
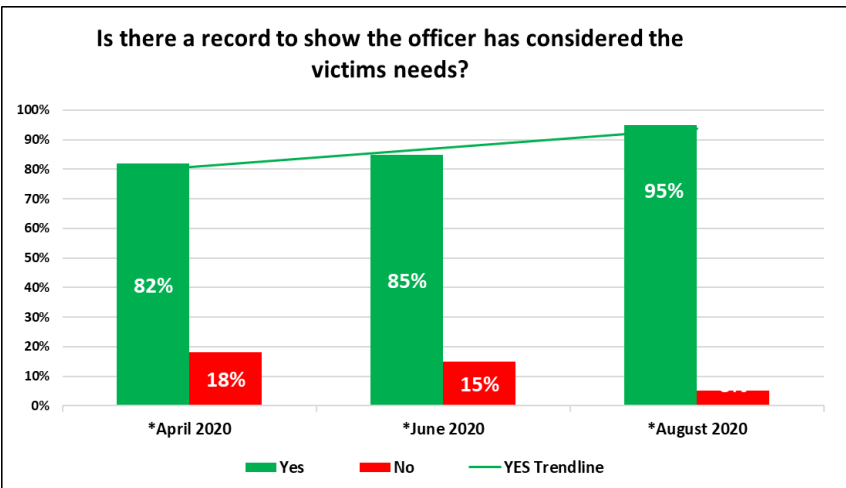
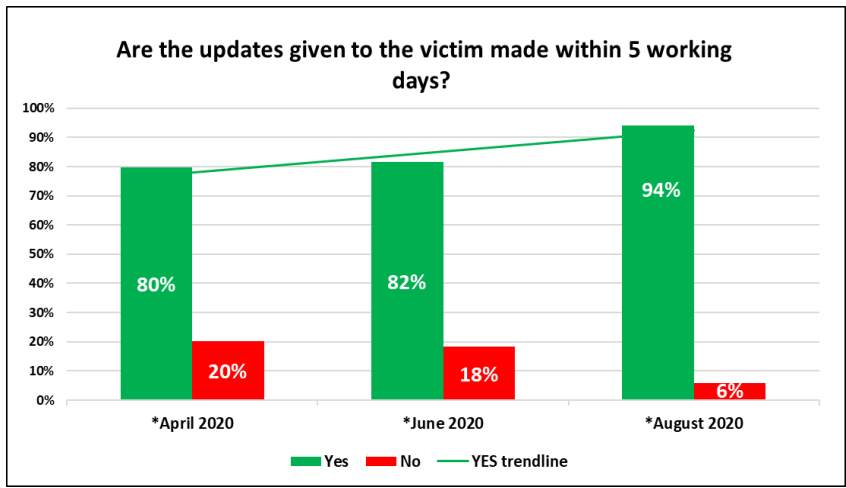
- 2.1 As previously reported, a local strategy, based on the published NPCC strategy, has been agreed and circulated across the organisation with follow up discussions with Commanders and Departmental Heads to ensure its implementation at an operational level.
- 2.2 The Victims Code of Practice (VCOP) is at the heart of this strategy and outcomes from other work streams will enable us to identify how the implementation is being achieved. This is an area of focus for the group which will continue post the Covid-19 crisis when communications in this area will again be prioritised.
- 2.3 To date no further developments have taken place specifically in relation to the strategy itself. However, a review of existing compliance in relation to specific aspects of the VCOP more generally has been included for review and will be referenced in the following section of this report.

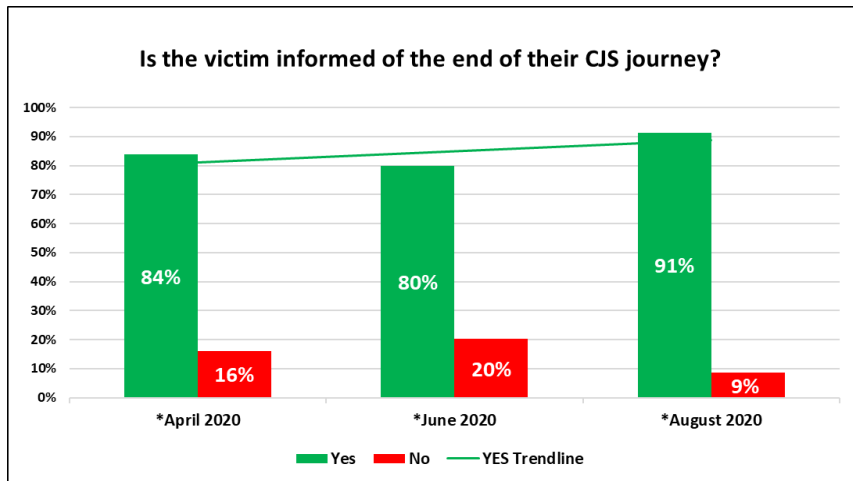
3. VCOP COMPLIANCE – GENERAL OVERVIEW

- 3.1 There are a number of responsibilities allocated to the Police in relation to the VCOP. Previous audits and the completion of the strategic profile in 2017, detailed some elements of compliance, however following further more detailed work, it was acknowledged that quantitative compliance would be challenging in the majority of areas. This was detailed in a previous paper and is a result of the inability to record certain information on Athena coupled with a long-standing issue of non-recording of certain information.
- 3.2 Despite this challenge and after some detailed work, it was agreed that specific aspects of VCOP compliance could be included in the investigation audits undertaken on a monthly basis. These audits are undertaken by all Inspectors across the organisation with results being collated and then analysed by colleagues in the Strategic Business and Operational Services (SBOS) team who subsequently provide a report to interested parties.
- 3.3 These results contain information on specific areas of VCOP and will enable attendees of the Supporting Victims Sub Group to confidently assess compliance. For clarity the VCOP areas included in the audits cover - the provision of a written acknowledgement to the victim, the undertaking of a need's assessment, the referral for support, the provision of regular updates to the victim and the offering of a Victim Personal Statement.

Below are the most up to date data returns arising from this report:







3.4 The trend lines in each of these charts is pleasing and shows the improvements here in each of the specific areas. The main area of concern appears to be the requirement to update victims with a written acknowledgement of their crime being recorded. This is covered in more detail in the following section.

3.5 In addition to this data, additional information on the police responsibilities in relation to VCOP is contained in Appendix A. This Appendix is an updated version of a previously submitted VCOP compliance checklist and provides an overview of the work ongoing in each of the specific areas.

3.6 Based on the above information, it should be noted that Suffolk is in a strong position nationally in relation to VCOP compliance with a significant number of other forces still unable to provide data on compliance.

4. VCOP COMPLIANCE – WRITTEN ACKNOWLEDGEMENT OF CRIME BEING REPORTED

4.1 The Constabulary has recently worked with colleagues in other regional forces to develop a template letter which can be used by officers and staff to send to those reporting a crime. Whilst a version of this letter had been previously available on Athena, the results in the above Inspector’s audit and experience of those working in this area identified that this letter was rarely sent and as such victims did not always have access to information on local support services or the opportunities to consider Restorative Justice outcomes.

4.2 Following some detailed work by the Command Staff Officer jointly with OPCC colleagues, an updated letter was created and was formally agreed for use by regional forces. Training on the use of this letter is now being rolled out with focus in the following areas:

- The Investigation Management Unit (IMU) – this team will send letters to people whose crimes are reported but finalised ‘at source’ i.e. no opportunities to undertake any investigation;
- The Crime Coordination Centre (CCC) in Suffolk – this team will ensure letters are sent to people whose crimes are suitable for desktop investigation;
- Wider Constabulary officers and staff – training here will focus on reminding officers and staff who are allocated crimes for investigation, that these letters should be sent at the earliest opportunity.

4.3 The training in relation to the IMU and the CCC has been delivered and it is anticipated that compliance by these areas of business should increase overall compliance levels of the force by around 40%. The training for the wider workforce is still being planned in an attempt to

make sure it can be delivered in a Covid Secure manner but also that it is not lost in the current climate where Covid messaging is of course the priority.

- 4.4 The Victims Sub group recognise the importance of monitoring compliance in this area and also in assessing whether any increase has been achieved as a result of this additional training. Discussions are ongoing with SBOS colleagues to understand how data on this element of compliance can be secured and in the longer term this will be monitored through the Supporting Victims sub group.

5. V COP COMPLIANCE – RESTORATIVE JUSTICE (RJ) SERVICE

- 5.1 The Restorative Justice (RJ) service across the two forces is still in its infancy, and its development has been one of the main areas affected by the Covid-19 pandemic with members of the team unable to meet individuals face to face to progress any resolutions.
- 5.2 The OPCCS are heavily involved in this area of the business and are fully engaged in the development plans. These include the creation of an allocation policy to ensure suitably trained resources are involved in the right cases, the researching of RJ services nationally to assess and review the current model used in Suffolk and Norfolk and the liaison with partners across the two counties to further develop best practise at a local level.
- 5.3 One of the key areas of discussion here relates to the potential development of a volunteer role to assist with the management of and response to lower risk cases. This is currently being developed for consideration but would ultimately assist with the force's ability to promote the use of RJ in more cases across the county.
- 5.4 The implementation of this service has not been without its challenges over the past 12-18 months and it is therefore difficult to assess their success at this time. However, the Constabulary have clearly increased their understanding of RJ and the support it offers to victims which has clearly improved its use amongst frontline staff.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications in respect of this report.

7. OTHER IMPLICATIONS AND RISKS

- 7.1 Those identified are referenced in this paper, and are summarised below.
- The impact of the Covid-19 pandemic on victims awaiting trial and the subsequent impact on capacity of the Witness Care Unit