

ORIGINATOR: CHIEF CONSTABLE

PAPER NO: AP21/55

**SUBMITTED TO: ACCOUNTABILITY AND PERFORMANCE PANEL –
19 NOVEMBER 2021**

SUBJECT: VICTIMS' CODE OF PRACTICE (VCOP) COMPLIANCE

SUMMARY:

1. The Code of Practice for Victims of Crime places statutory responsibilities on Criminal Justice agencies, several 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.

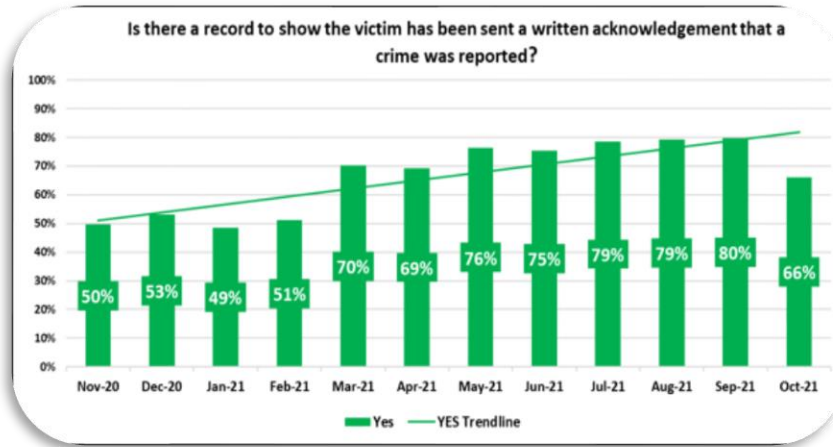
DETAIL OF THE SUBMISSION

1. OVERVIEW

- 1.1 Work relating to the Victim's Code of Practice (VCOP) and associated development, monitoring and compliance, continues to be managed under the direction of Chief Superintendent Julie Wwendth on behalf of the Joint Justice Services Command and to be progressed in partnership with the Office of the Police and Crime Commissioner for both Suffolk and Norfolk Constabularies.
- 1.2 The response to victims and witnesses remains a priority area for both Constabularies and is of significant importance currently owing to the impacts of the Covid pandemic. Victims are still having to wait some months before finalisation of court cases, notably in relation to Crown Court trials and this is a key issue being actioned by the Local Criminal Justice Board chair through direct contact with HMCTS.
- 1.3 The Supporting Victims Subgroup continues to meet on a regular basis and has now designed a strategy which is presented as a plan on a page to direct activity. This approach also affords the group the opportunity to record actions and achievements. **A copy of this strategy has been included at Appendix A.**
- 1.4 Recent activity has been focussed on a small number of rights with a view to improving compliance in these areas specifically. These are the provision of NFA letters and the inclusion of rationale for the decision, changes to OPTIK to remind officers about the requirement to offer a Victim Personal Statement (VPS) and to secure consent to refer to Norfolk and Suffolk Victim Care (NSVC) for support and the development of an information leaflet to update victims on the support available to them. These will be addressed in turn below.
- 1.5 Using the information secured from the Inspectors audits in each county and the manual dip sampling of 30 cases undertaken by the chair's Staff Officer and tactical lead for Victims, data on all victims' rights is now collated into a performance pack which is shared at every Supporting Victims Subgroup meeting. This information provides a general overview for attendees as to the improvements being made but it is recognised as not being 'accurate' in that it only includes data obtained from dip sampling. It is however a useful indication of the improvements being made and enables the group to focus on areas of development for the future. It should be noted that Suffolk Constabulary is in a strong position nationally in relation to compliance with the Code with a significant number of other forces still unable to provide data on compliance
- 1.6 The chair of the Supporting Victims Subgroup is now the co-chair of the LCJB Victim and Witness Subgroup, thereby facilitating wider engagement in the agenda and ensuring the work of the Constabulary aligns to work also ongoing by other Criminal Justice partners.

2. NFA LETTERS

- 2.1 A significant amount of work has been undertaken to encourage officers to send written acknowledgement to a victim at the point a crime is recorded. Since the creation of a new and updated version of the letter, additional messaging has been undertaken to raise awareness of its existence and improvements are being seen in its use. Based on the results of the Inspector audit processes, there would appear to be a steady increase in use as the table below would suggest (Note – October data is not yet complete):



2.2 Following review of this letter, it was established that the existing NFA letter sent to victims did not contain sufficient information on the rationale for the NFA decision, thereby leaving victims unsure as to why their case had been closed. As a result, a piece of work was commissioned by the subgroup to review the content of the existing NFA letter and to ensure space is afforded to officers and staff to insert additional information which will inform the victim of the reasons for the decision.

2.3 It is very difficult to account for every circumstance when looking to provide a template letter which can be used by frontline officers and staff. As such an example, giving instruction on key, non-negotiable information to include, together with a reminder to update the content with specifics to the case in question has been drafted and is currently being circulated to staff through a variety of mediums.

2.4 Where possible, data on its use will be monitored and reported to the Supporting Victims subgroup as it is anticipated this will ensure victims feel more engaged with the process and are better informed as to the outcome.

3. OPTIK CHANGES

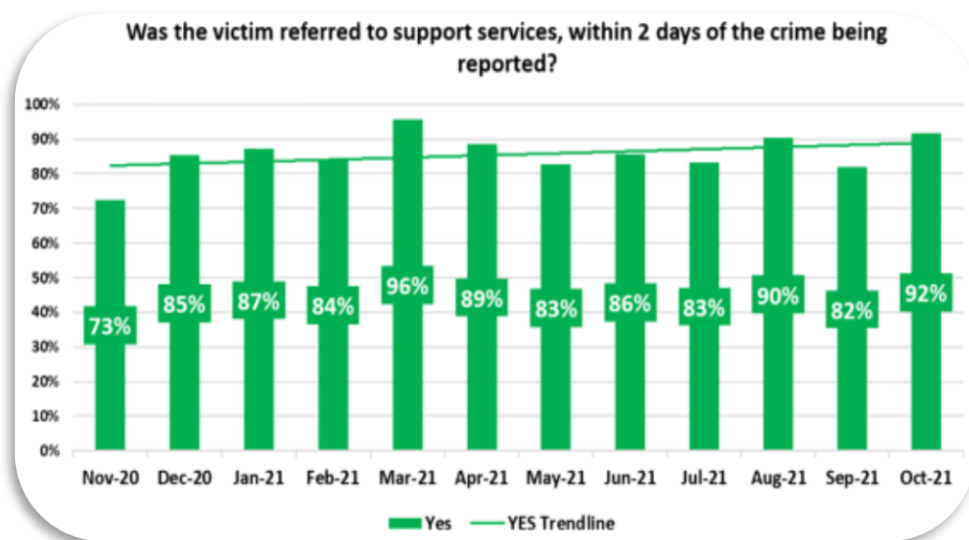
3.1 OPTIK is an integrated mobile solution which brings together a number of policing functions and presents them to a user in a consistent fashion for completion on mobile devices. OPTIK has been procured by Norfolk and Suffolk Constabularies to support both local and national Digital Strategies and to improve officers' experiences through increased mobility, ease of data capture and access to systems and information.

3.2 Taking into account that a number of officers and staff will utilise this system whilst on patrol it was agreed that prompts for specific victims' rights under the Code would be added to key screens to further encourage compliance.

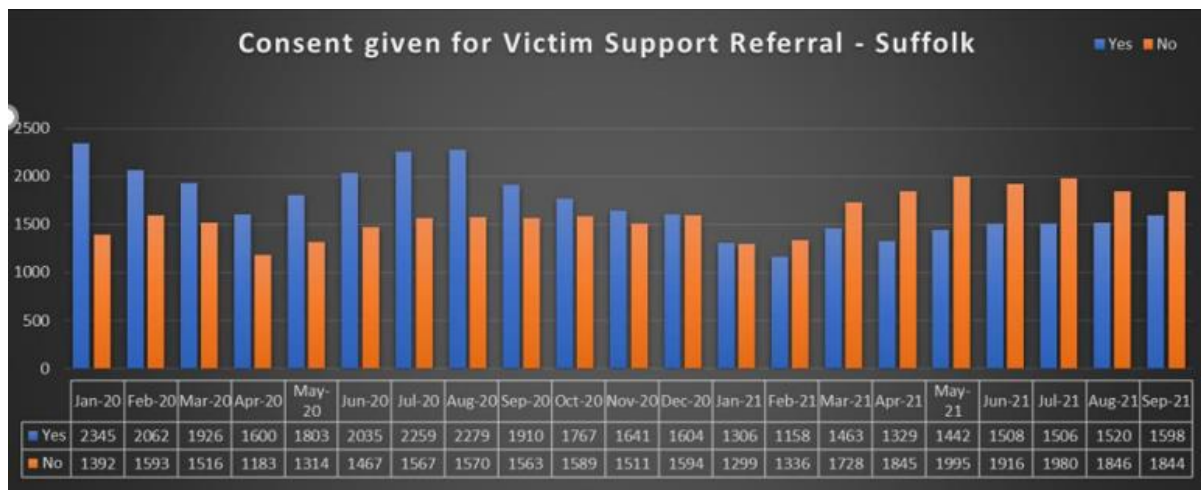
3.3 These prompts will include reminders to staff about the requirement to secure consent from victims prior to referral to NSVC and prompts to remind officers to consider offering the victim the opportunity to provide a Victim Personal Statement (VPS).

3.4 A request for these changes was made of the Optik project board where they were agreed and are now awaited. It will take some time for the system to be updated but in the meantime data on these rights continues to be monitored on a regular basis.

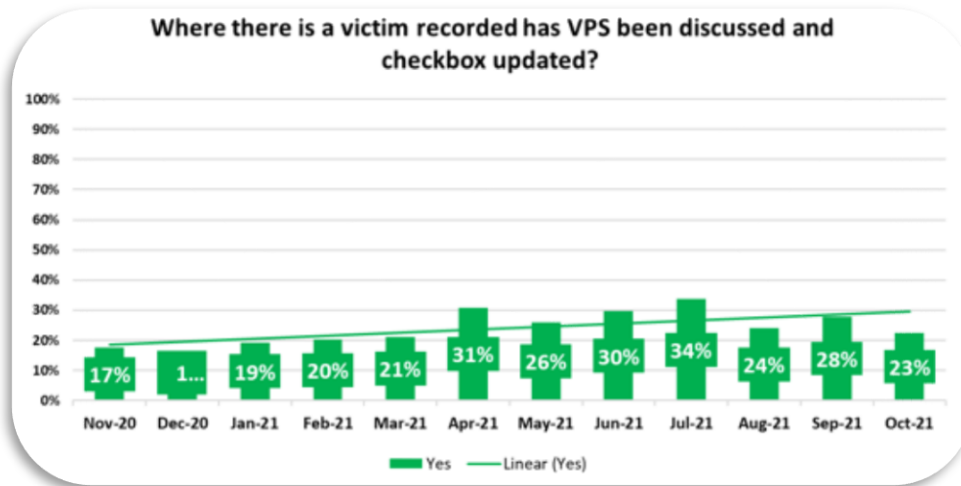
3.5 As can be seen from the table below, Suffolk Constabulary are continually referring victims to NSVC within 48 hours of their report of a crime and the results here are pleasing.



3.4 Whilst the above data is taken from Inspector audits, analysts have also been able to pull together some compliance data on the number of referrals to Norfolk and Suffolk Victim Care. This data remains a work in progress, however, it does provide additional information on compliance which is useful. Details are provided below but it is again pleasing to see that officers are asking the question about consent and in some instances are being told consent is not given for the referral to be made:



3.5 In relation to VPS, the below tables provide an overview of compliance. There are three graphs or tables provided below. The first provides an overview of the information secured from the Inspector audits – this information is secured manually and involves case reading and verification on Athena (where the Athena check box is updated). The second table is provided by the Witness Care Unit and gives an overview of the volume of VPS secured by that team (*Note – this is post charge data and joint Norfolk and Suffolk data*). The final graph is provided by analytical colleagues and provides results based on the extraction of information from Athena – this is an automated extraction and is reliant on the relevant ‘check boxes’ being completed by the Officer in the Case.



% of victims offered the opportunity to make a VPS - post charge (WCU data)	100%
% of victims who accept the VPS offer - post charge (WCU data)	56.6%
% of victims who decline the VPS offer - post charge (WCU data)	46.6%
% of VPS taken - post charge (WCU data)	56.6%



3.6 It should be noted that compliance is believed to be significantly higher than presented in these tables. It is understood that many officers and staff forget to update the Athena record once a VPS has been obtained and as a result the data extracted is not wholly accurate. Improvements are evident and work to raise awareness of this right continues.

4. VICTIM INFORMATION LEAFLET

- 4.1 Following recent work it was recognised that the existing information leaflet provided to victims of crime was outdated and did not reference the new Code, published in April this year.
- 4.2 Contact was made with other force areas and examples of existing leaflets collated. These were used to create a best practise information leaflet which is currently in draft form. This leaflet will be added to the Constabulary website and included in any written acknowledgements as a link to ensure victims are fully sighted on the Code and their rights.
- 4.3 The Supporting Victims Subgroup recognise that not all members of the community have access to the internet and are therefore considering how the leaflet may be produced in hard copy and sent to victims if preferable. **A copy of the leaflet has been attached as Appendix B.**

5. WITNESS CARE UNITS

- 5.1 Workload pressures remain high in the Witness Care Units, however the additional resources provided through Suffolk precept and Norfolk PCC funding has provided much needed additional support and enabled a reduction of personal caseloads for the existing team.
- 5.2 Much of the additional work continues to arise from last minute changes to Court listings and subsequently requiring updates being provided to victims. This is not only stressful for the victim but also for the case worker who must try and explain the reasons for any delay verbally to the victim. Prolonged long-term management of victims, especially those who have reported serious sexual offences or domestic abuse therefore remains a concern and the continued welfare of the staff within the Unit remains a priority for the Justice Services Command.

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. However, these risks are mitigated by recent investment in the unit.

To oversee the delivery of the Victims Code and ensure victims and witnesses are supported through the criminal justice process from first point of contact, ensuring their needs are met and that they receive a consistent, good quality service.

Create confidence

Build the confidence of victims and witnesses to report and remain engaged with the criminal justice process

- Focus on staff having the right behaviours and attitudes
- Use victims' experiences to shape our service delivery
- Ensure the training and learning available to staff concerning victim care and support is fit for purpose
- Act as a link to the CJB V&W Subgroup to align with partnership approaches



Provide support

Support vulnerable victims and witnesses through the Criminal Justice System

- Ensure referrals to specialist support services and signposting to other support where required are made correctly.
- Ensure relevant staff are equipped, trained and skilled to Achieve Best Evidence
- Support the use of registered intermediaries where appropriate



Deliver a quality service

Deliver a consistent, good quality service to victims and witnesses

- Lead on training implications relating to the revised Victims' Code of Practice
- Ensure all relevant material is appropriately disseminated across the organisations concentrating on the key rights -
 - Support services
 - Written acknowledgements
 - Providing updates
 - Informing victims about restorative justice
 - Offering a VPS or an impact statement for businesses



Demonstrate compliance and quality

Continue to manage VCOP obligations to increase compliance and raise victim satisfaction.

- Use agreed recording process to capture and develop performance data
- Continue to deliver training to communicate VCOP obligations and recording requirements across both forces
- Identify areas of non compliance and support commands to address areas of concern



Information for Victims of Crime

Thank you for reporting this crime we want you to feel reassured that we are committed to providing the best possible service to victims and witnesses of crime.

This page explains what happens next if you have been a victim of crime, the investigation process and gives information about organisations which you can go to for support and advice.

What happens now?

We will give you information about what to expect from the criminal justice system, including information about the Victims Code. The Victims Code sets out the services you can expect from criminal justice agencies. The code sets out your rights including how to make a complaint if you are unhappy with the service you receive.

If you would like to read the code in full, or access a shorter guide to the code, please visit

[The Code of Practice for Victims of Crime in England and Wales and supporting public information materials - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime-in-england-and-wales)

Working together with the police to investigate your crime:

To help the police investigate your crime, you should let them know:

- If you remember something not already included in your current statement
- If your contact details change.
- If the crime involved any type of hostility, for example if you were targeted because of your race, sexuality, religion, disability or gender identity, or perceived race, sexuality, religion, disability or gender identity.
- If you have any specific needs, for example, mobility, communication or religious requirements.

Providing you with Support –

We will conduct a **Needs Assessment** with you and will ask you questions to establish what help and support you might need.

Providing you with Enhanced Services

If you are considered vulnerable or intimidated, are victim of the most serious crime (for example domestic abuse, hate crimes, sexual offences and including a bereaved close relative) or have been persistently targeted you can receive enhanced services. This can include referral to a specialist support service, being contacted sooner after key decisions and having access to special measures.

Information for Victims of Crime

If you agree, the police will pass your details on to **Norfolk & Suffolk Victim Care** which is a dedicated support service for anyone affected by crime to help them cope and recover from their experience.

Norfolk & Suffolk Victim Care offer **free and confidential support** which is independent from the police and investigation. They can provide –

- Emotional support
- Safety Planning
- Advocacy
- Onward referrals to other specialist support agencies
- Information around the Criminal Justice System

If you do not want the police to refer you, you can ask them not to.

You can also make contact directly if you would like support following a crime -

- **Norfolk & Suffolk Victim Care:** 0300 303 3706 (Monday-Friday, 8am — 5pm)
- Outside of these hours please contact Victim Support 24/7 Support line: 0808 16 89 111
- Victim Support 24/7 online Live Chat
- Request support online via Victim Support website
- My Support space is an online resource designed to help you manage the impact that crime has had on you

www.nsvictimcare.org

www.victimsupport.org.uk



Information for Victims of Crime

Keeping you informed

The police will keep you informed as progress is made in the investigation and let you know within 5 working days if any arrests are made and if suspects are charged (1 working day if you are entitled to enhanced rights). The police will ask how often you would like to hear from them during the investigation and how you would like to be contacted (e.g. by phone, email, text). If we decide not to investigate your case, we will tell you and explain why.

The Victim Personal Statement (VPS):

The Victims' Code entitles victims of crime to make a Victim Personal Statement (VPS). The VPS helps give victims a voice in the criminal justice process. In your VPS you can tell the court and the Parole Board, where applicable, how the offence has affected you or your family. You can choose to read your statement aloud in court or have it read out on your behalf if the defendant is found guilty. To find out more, visit: www.gov.uk/government/publications/victim-personal-statement.

Restorative Justice:

In cases where a suspect is identified you may be eligible for Restorative Justice (RJ), a voluntary process which has been shown to leave victims feeling safer, more satisfied with the handling of their case and reduces reoffending rates amongst participating offenders. For information on Restorative Justice and the service offered jointly by the Norfolk and Suffolk Constabularies, please visit: restorativejustice.org.uk/ or

www.norfolk.police.uk/advice/victims-witnesses/restorative-justice

or

www.suffolk.police.uk/advice/victims-witnesses/restorative-justice.

Information for Victims of Crime

[Other useful information](#)

[Criminal injuries compensation scheme](#)

If you are an innocent victim of a violent crime, you may be entitled to claim compensation from the Criminal Injuries Compensation Authority (CICA), but you must apply within two years of when the attack took place.

You can call freephone on 0808 2714 296 or [Find out more and apply online.](#)

[Victims' Right to Review](#)

The Victims' Right to Review scheme gives victims the right to request a review of a police decision not to prosecute a suspect. The right of a victim to request a review arises where the police make a decision not to charge, or make a decision that the case does not meet the test for referral to the Crown Prosecution Service (CPS) for a charging decision. You can request a review of a police decision within three months of the date of the decision by emailing vrnorfolkandsuffolk@norfolk.pnn.police.uk

[Improving our Services](#)

We want to do our best for you and it is essential that you have confidence in the police and are satisfied with the service we give you.

With that in mind we would welcome your feedback by visiting our website and filling in the feedback / complaint form.

[Compliments and Complaints | Norfolk Constabulary](#)

[Compliments and Complaints | Suffolk Constabulary](#)

Alternatively, you can phone 101 and speak to a call handler who will record your complaint / praise and forward it to the relevant person / department.

[For more details about support and understanding your rights please use the following link –](#)



Information for Victims of Crime
