



Scrutiny findings

The new Victims' Code of Practice (VCoP), which came into force in April 2021 is a charter of rights that dictate the minimum level of service victims can expect at every stage of the justice process. The Code, enshrined within 12 rights, sets out the services that must be provided to victims of crime by organisations.

Victims Code of Practice - Scrutiny Panel – 26th May 2022.

What are the 12 victim rights?

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| 1. To be able to understand and to be understood. | 2. To have the details of the crime recorded without unjustified delay. | 3. To be provided with information when reporting the crime. |
| 4. To be referred to services that support victims. | 5. To be provided with information about compensation. | 6. To be provided with information about the investigation and prosecution. |
| 7. To make a Victim Personal Statement. | 8. To be given information about the trial, trial process and your role as a witness. | 9. To be given information about the outcome of the case and any appeals. |
| 10. To be paid expenses and have property returned. | 11. To be given information about the offender following a conviction. | 12. To make a complaint about your rights not being met. |

Why the panel scrutinises the service given to victims?

It is important that the Criminal Justice Service can continue to focus on the needs of victims and by reviewing cases we can identify:

- Any gaps in the service
- Good practice
- Lessons which we could learn
- The demands on services
- How public money is spent
- How services are performing
- Influence changes in policy
- Provide feedback both positive and critical

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By giving the public this information openly as part of good governance, they can form their own informed views about whether or not they have confidence in the criminal justice system.

It's the PCC's legal responsibility to hold the Chief Constable to account on behalf of the residents of Devon, Cornwall, and the Isles of Scilly for delivering a police force that works well and meets the needs of its communities. To do this the LCJB 'scrutinises' certain issues and activities including the compliance of the Victims Code of Practice. The scrutiny of VCoP is about reviewing cases and working practices, to recognise and promote good practice, identify any areas for development and support all agencies within the criminal justice system to learn and improve.

How the LCJB scrutinises the rights of victims and compliance to the Victims Code of Practice?

The LCJB has a scrutiny panel which is made up of representatives from the courts, youth justice service, the police, probation, and the crown prosecution service. The panel 'dip-samples' criminal cases that have been finalised through the criminal justice system. The panel scrutinises 8 cases which are selected at random and any personal information of individuals are removed. Cases will be identified within an agreed theme or crime type.

The panel review the cases at each scrutiny meeting with anonymised data retrieved from each agency, which provides information on the progression of a case through to its conclusion. This is used to identify the services offered to the victim and to explore whether or not the 12 victim rights have been fulfilled, assessing the level of service given to the victim in the case. Based on the information the panel members have available to them, they will then place each case into one of seven categories:

1.	Fully compliant
2.	Partially compliant
3.	Non-compliant
4.	Victim did not engage
5.	Panel failed to reach a decision
6.	Information not recorded
7.	Not applicable

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The findings from the panel's meeting

The panel met on 26th May 2022 and scrutinised 8 cases relating to Rape and Serious Sexual Offences (RaSSO). First light was also represented at the panel who are an independent sexual violence advisor service commissioned by the Office of Police and Crime Commissioner (OPCC).

Rape and Sexual offences are devastating crimes which can have a lasting impact on victims and are one of the most complex areas of work for the police, CPS, Courts, and partner agencies. We want every victim of sexual violence to have the confidence to seek help and come forward to report abuse. Progress is only possible through long-term effort and investment from all parts of the criminal justice system in supporting victims and ensuring victims' rights are met.

It is important to note that it is at times problematic to extract data for some areas of the 12 victims' rights across all technical platforms used by the various criminal justice partners. There is however sufficient detail available to provide some useful insight into activity which in turn contributes to the overall decision relating to compliance.

The panel identified 4 cases which were deemed to be overall compliant with the Victims Code of Practice and included compliance evidenced in areas such as:

- All of these cases were recorded without any delays.
- Special measures were considered in all cases and provided at court.
- Regular and ongoing contact through the Sexual Offence Liaison Officer (SOLO) and the officers in charge of the cases were provided throughout, some cases were long and protracted.
- Victim Impact Statements were offered and submitted by the victims.
- Very good multi-agency consultation was identified including liaison with the CPS, Courts, witness, and victim care units and the ISVA service.
- Discussions with the police and probation proved invaluable due to suspects previous offending history and the ongoing engagement with victims in relation to restorative justice.

The panel was of the view that 4 cases had been partially compliant and their reasons for making this decision were:

- Concerns over whether services were explained properly to the victim who was 14 years of age at the time of the offence.
- There was a delay of a week in providing information to the victim when reporting the offence, this was due to the need to consult with the school and

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the Multi-Agency Safeguarding Hub (MASH), however, the panel felt the delay was unjustified.

- A Victims Needs Assessment was not completed in a timely manner in relation to one case.
- One case was concluded to be No Further Action, and the victim was not notified in a timely manner, a Victims Right to Review was instigated and the case progressed to prosecution.

Using the panel's findings to make a difference

The panel would like the Victims Leaflet to be reviewed as to whether the information for young people can be in a language that is easily understood.

The panel discussed the Road Traffic Victim Pack and whether this would be appropriate to replicate for victims of Rape and Serious Sexual offences.

The Victims Needs Assessment must be completed in a timely manner to ensure appropriate support measures can be put in place.

The panel noted the following work which is ongoing to support victims of crime;

- The Police Offender Centric Project will include a new flow chart sign posting responders and investigators in a step-by-step guide through the process around RaSSO.
- Myths and stereotypes project is an awareness campaign for the police force internally as well as externally and aims to target myth busting in relation to RaSSO investigations.
- RaSSO NFA scrutiny panel which will be held bi-monthly with police and CPS to review NFA cases and identify and disseminate learning.
- RaSSO newsletter in force targeted to investigators and sharing updates and disseminating learning and best practice.
- Response booklet produced for police officers as responders with victims to support officers in offering signposting and guidance to victims.
- S.28 process – for the extremely young vulnerable victims and witnesses a formal court environment is not necessarily the best place for them to give their evidence the Court's National Project Team are now trialling the ability of recording from external venues. If successful this will enable the provision of a more relaxed environment for young witnesses to give their cross examination evidence from.
- CPS have extended invitations to ISVA to scrutinise victim outcome letters, which will help to inform learning and to ensure best practice.

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The panel will report their findings directly to the Police and Crime Commissioner as Chair of the Local Criminal Justice Board.

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Devon and Cornwall Police may choose to raise the panel's findings with individual police officers and may also cascade learning from the panel throughout the entire organisation.

Find out more about our scrutiny at www.devonandcornwall-pcc.gov.uk/about-us/scrutiny.

If you need this information in a different language or format please contact the Office of the Police and Crime Commissioner by email opcc@devonandcornwall.pnn.police.uk or telephone 01392 22555

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