



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 – 7th February 2023 Serious Violence

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

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 the police as an organisation 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 His Majesty's Court & Tribunal Service (HMCTS), Youth Justice Service (YJS), the Police, Probation, and the Crown Prosecution Service (CPS). 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.

The panel review the cases at each panel meeting with anonymised data retrieved from each agency, which provides information on the progression of a case through to its conclusion and identify the services offered to the victim and discuss the 12 victim rights to explore whether or not the rights have been fulfilled and a good service given to the victim in the case. Based on the information that 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



The findings from the panel's meeting

The panel met on the 7th February 2023 and scrutinised 8 cases relating to serious violence including cases of homicide.

It is important to note that the data held is problematic to extract in some areas of the 12 victims' rights and not all the information is recorded. It was, however, felt that the data extracted could yield some useful information which could in turn be provided to 'intimate' compliance or indeed, non-compliance.

The panel identified all 8 cases were deemed to be overall compliant with the 12 Victims Rights and noted the following observations:

- Evidence of additional support services offered to victims or the victim's family, especially through Family Liaison Officers (FLO's) and Homicide Support Workers.
- Good partnership working was identified in all cases.
- Referrals to support services offered.

Using the panel's findings to make a difference

- The panel would like to see further work around how Restorative Justice could potentially be used when appropriate dependent on the circumstance of each case. Whilst this needs to be managed sensitively, the panel are concerned that victims and victims' families may not always be aware of this opportunity. Police representatives will consider further RJ awareness sessions for the Major Crime Investigation Teams.
- There may be missed opportunities to obtain updated Victim Impact Statements for sentence and it would assist if guilty pleas triggered the need to seek an update.

The panel noted the following good practice to support victims;

- The Victims Needs Assessment is critical and is reviewed and updated to ensure the victims needs are met as victims needs may change over the course of an investigation and prosecution.
- Family Liaison Officers are deployed and tailored to the victims and family's needs.
- Referrals are made to the Homicide Support Services and bereavement support charity for bereaved children.
- Police work with the Witness Care Service to develop a strategy to eliminate the volume of contact to the victim or the victims' family in a sensitive and compassionate approach.
- The cases from offence to trial were timely and in one case reviewed by the

panel, it took 6 months from investigation to conclusion at court.

- The Victims Personal Statement (VPS) was sensitively dealt with and an offer of an ABE (Achieving Best Evidence) recording For VPS when victims or their families felt it was too difficult to read the statement in court.
- Specialist Domestic Abuse Officers were critical in managing the needs of victims in cases involving domestic abuse or violence.
- The Crown Prosecution Service met with bereaved families to provide information and address any concerns or questions.
- The panel noted good partnership working with Police, Youth Justice Service (YJS), HMCTS, CPS and Probation.

The panel were advised of a Homicide Review (Rapid Debrief Process) procedure being developed through the Serious Violence Prevention Programme (OPCC/Police) in order to identify early learning to help prevent future homicides or serious violence.

The panel will report their findings directly to the Executive leads for each agency with responsibilities detailed within the rights and entitlements and the Local Criminal Justice Board.

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 225555