



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 – 16th February 2024.

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
- Demands on services and how services are performing
- How public money is spent
- Good practice
- Lessons which we could learn
- Influence changes in policy
- Provide feedback



It is the Police and Crime Commissioners 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.

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.

How the Local Criminal Justice Board (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.

The panel review the cases at each panel meeting using anonymised data retrieved from each agency, which provides information on the progression of a case through to its conclusion. They can then identify the services offered to the victim and discuss the 12 victim rights in order 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 16th February and scrutinised 8 cases relating to domestic abuse, these are usually offences where an incident or pattern of incidents of controlling, coercive, threatening, degrading or violent behaviour and sexual violence has occurred.

These cases related to incidents of domestic abuse which was not part of a prosecution case and did not proceed to court. The panel felt it was important to look at the compliance of the Victims Code of Practice to establish how well victims were supported when cases are dealt with outside of the prosecution process or no further action is taken.

Not all victims' rights are relevant when a case does not proceed to court, as the responsibilities detailed within the code are not required for these cases.

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 is, however, felt that the data extracted could yield some useful information which could indicate compliance or indeed, non-compliance.

The panel identified all 8 cases were deemed to be compliant with the 12 Victims Rights and included good practice such as:

- In some cases the victims did not wish to proceed with any investigation, however the panel noted the police did all they could to ensure the relevant victims' rights were considered and that the victims voice was heard, recognising that it is not necessarily the end of the journey for the victim or the responsibility of the police to ensure they are safeguarded.
- In some cases, the victim did not want the incident recorded, in these instances the police had a duty to record the crime and all crimes were recorded without delay.
- When appropriate, victims were provided with regular updates regarding the investigation.
- In one case the victim reported the case anonymously by email and did not want to pursue any investigation.
- In one case the offence was reported out of force, therefore not all the victims' rights were applicable to Devon and Cornwall.
- In all cases victims were referred to support services, even if they did not want to proceed with any investigation.
- Good partnership working was identified, with one case involving the Metropolitan Police Service.

Using the panel's findings to make a difference:

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

- A dedicated Domestic Abuse investigation and safeguarding team called Moonstone is embedded in the police service.
- Domestic Abuse mentors have been rolled out in Force to include Victims' Rights.
- File Quality training for officers has been introduced to improve standards.
- Operation Encompass is routinely used, this is a tool that aims to reduce long-term impacts where children can be directly or indirectly involved, and the police can notify designated safeguarding leads in schools.

The panel questioned who has ownership of the victims' rights in relation to child victims, especially in cases of vulnerable children.

The panel recognised that victims may find it especially hard to report domestic abuse to the police and victims may have profound concerns, however the panel noted the safeguarding processes which are in place for every victim and that there are many avenues for signposting or refer victims to support services.

The panel will report their findings directly to the Police and Crime Joint Executive 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.

Criminal Justice and You is a new product which aims to transform the experience of victims and witnesses in the criminal justice system and is a multimedia resource developed by victims for victims, it brings all aspects of the criminal justice system into one place, helping to demystify every step of the process.



Information for victims and the support services which are available locally can be found on the Police and Crime Commissioners website: [Home - Victim Care Devon & Cornwall \(victimcare-dc.org\)](https://www.victimcare-dc.org)



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