



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 –28th 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 partnership continues to focus on the needs of victims and by reviewing cases we can identify:

- Good practice
- Any gaps in service
- Lessons which we could learn
- Where we can influence positive changes is policy and working practices
- Opportunities for improved engagement across the criminal justice system
- Demands on services and how services are performing
- How public money is spent
- Where feedback can be provided.



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 28th February and scrutinised 5 cases relating to fraud. These crimes are often for financial gain with criminal intentions such as identification fraud, romance fraud, bank fraud or fraud by abuse of position. Such fraud cases are often related to online fraud or cyber-crime.

Fraud can often be a forgotten crime. The impact on victims can be substantial, suffering psychological and emotional trauma along with life changing losses.

Fraud has become the most commonly experienced crime in England and Wales, now accounting for more than 40% of all crime. This has been facilitated by increases in cyber-crime, with the Office for National Statistics (ONS) estimating that approximately 53% of all fraud is now cyber-enabled.

Fraud is the type of crime most likely to be experienced by a member of the British public. According to Citizens Advice, more than three quarters of UK adults surveyed reported having been targeted by a scammer in 2022, with many companies also suffering financial losses through being targeted by frauds and scams.

Fraud can be complex cases for the Police and other statutory agencies to investigate, often with multiple victims located across a geographical area. Of the five cases reviewed by the panel, one case had 163 victims.

In addition to the police led investigations, one case was overseen by Trading Standards who were invited to attend and present an overview of their investigation. This engagement provided a valuable opportunity to share good practice, learning and inform future chances for cross agency working. As there is no formal requirement for compliance with the Victim Codes of Practice this particular case wasn't scored.

The panel identified that all the remaining 4 cases reviewed and discussed at the panel were deemed to be overall compliant with the 12 Victims Rights.

Good practice included:

- There were examples of good practice to safeguard the victims.
- Victims were provided with regular updates regarding the investigation and the court process/outcome.
- All cases were reported via [Action Fraud](#) and locally crimed with no delays and within timescales complying with the victims' rights.
- In some cases, processes were adapted to ensure the safeguarding of vulnerable victims.



- The panel reviewed a large-scale fraud involving the creation of fake websites offering victims high value items for sale. The panel heard how the case involved 163 victims spread across the whole of the UK, many of whom were identified through proactive investigation. The investigating officers advised how they developed a communication strategy to ensure victims were kept informed of developments and provided signposting advice and support in relation to compensation. The offender's criminal lifestyle was estimated to be over £1m. It was the hard work and tenacity of a small team of dedicated officers that brought the case to court and secured a conviction resulting in the being identified, charged and given a 9 year custodial sentence and ordered to pay more than £80,000 in compensation.

Using the panel's findings to make a difference:

- The panel noted the efforts of the police in establishing a multi-agency fraud forum for partners, including Trading Standards, to enable a joint working approach on complex cases.
- The police representatives at the panel will review the process for those cases that do not get reported through the force contact centre but via the national action fraud reporting system to establish any missing procedures in providing victims with information or referral to appropriate support services.
- The panel noted missed opportunities in offering victims Restorative Justice and this will be raised through the RJ Coordinator with a view to offering some information and guidance to the relevant units.
- When appropriate, the police Victim Care Unit will assist in providing specialist support for complex fraud cases and where they are able, provide a designated resource to support the Fraud Investigation Unit.
- Processes will be reviewed to ensure fraud victims are told about their rights under the Code of Practice for Victims of Crime at the earliest of opportunity through the provision of the 'Support and Information for victims of crime' booklet.
- The panel recognised that victims may find it especially hard to report fraud offences to the police and victims may have profound concerns, with feelings of shame, victims blaming themselves and a perception that there is limited action that can be taken. The panel noted the safeguarding processes which are in place for victims and that there are opportunities for signposting or referring victims to support services.

The panel was provided with the following information:

- The panel noted the Criminal Justice Joint inspection on meeting the needs of victims in the CJS – [Meeting the needs of victims in the criminal justice system \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk)

- The panel noted the statistical information provided to the panel from the National Fraud Intelligence Bureau which can be accessed by members of the public [NFIB Dashboard \(Public\) \(arcgis.com\)](https://arcgis.com)
- Fraud is still under reported and it is estimated that 50% of all crime is fraud related, with fraud escalating due to online/cyber-enabled crime.
- **[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)

The panel report their findings to the agencies who contributed to the panel and those who have statutory responsibilities as detailed within the Victims Code of Practice. Devon and Cornwall Local Criminal Justice Board review findings and agree themes for future panels.

Panel findings may be raised with individual officers, staff and relevant departments across the Criminal Justice partnership and may also cascade learning from the panel throughout their respective agencies.

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