

## 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 – 25<sup>th</sup> July 2023.

#### 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 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.

### **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 25<sup>th</sup> July 2023 and scrutinised 7 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.

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 in turn be provided to 'intimate' compliance or indeed, non-compliance.

The panel identified **5 cases which were deemed to be Partially compliant** with the 12 Victims Rights and included good practice such as:

- Whilst the majority of cases were compliant, in some instances insufficient information was recorded to determine full compliance.
- In all cases victims were provided outcomes of their court case within 24hrs.
- In one case the victim disengaged with the criminal justice process.
- Good partnership working was identified.

The panel was of the view that **1 case had not been compliant** with 1 or more of the victims' rights, or identified inconsistency with policies and the reasons for the panel making this decision were:

- The case was recorded 4 days after it was reported which is outside of the timescale and does not comply with the Victims Rights.
- The victim was not provided sufficient information about the criminal justice process or services for victims when reporting the crime.
- The panel noted that the victim disengaged during the criminal justice process.

The panel was of the view that in **1 case the panel failed to reach a decision** and their reasons for making this decision were:

- The case was complex, with many historical offences and a number of child victims/witnesses.
- The panel could not determine if all the rights of the victims had been sufficiently met as this case involved social services and various schools who also provided support to the family, however this was not sufficiently recorded on police systems.
- There was multiple contact points for the family due to multiple offences.
- CPS advised the panel that the officer in the case was extremely diligent and provided regular updates to the victims and attended all court hearings.

Then panel did not have sufficient time to review all 8 cases and 1 case was not reviewed at panel.

## Using the panel's findings to make a difference

The Chair advised the panel of the Domestic Abuse Act 2021 which came into force in April 2021, which marks a significant step forwards for victims of domestic abuse. The act also identifies children who sees or hears or experiences the effect of domestic abuse as a victim in their own right.

The Chair asked the panel to consider the changes the Domestic Abuse Act has brought in when scrutinising cases of Domestic Abuse, particularly in regard to child victims.

The panel agreed that all agencies should disseminate further guidance for staff to ensure the changes are properly communicated.

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

- Domestic Abuse mentors being rolled out in Force to include Victims' Rights.
- File Quality training for officers has been introduced to improve standards.
- The Domestic Abuse Act 2021 improves the service and strengthens the right of domestic abuse victims, including children who may witness/or has an effect on any abuse.

The panel questioned how multiple crimes are recorded as Master and Sub crimes, in order that crimes are robustly linked and dealt with at the same time.

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.

Find out more about our scrutiny at [www.devonandcornwall-pcc.gov.uk/about-us/scrutiny](http://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](mailto:opcc@devonandcornwall.pnn.police.uk) or telephone 01392 225555