



**Your ref:**

Date: 28 January 2010

Our ref: SR/ POC

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Dear Member

**Scrutiny Review - Support for Victims of Crime Meeting - Tuesday, 2nd February, 2010 – Second Despatch**

Please find enclosed the following items, which were not available at the time of the original despatch:

**No Item**

5. Support to Victims of Crime - Conclusions and Recommendations (PAGES 1 - 18)

To consider appropriate conclusions and recommendations for the review. A paper containing all of the significant evidence received in the course of the review and highlighting what appear to be the key issues for discussion at the meeting is attached.

Yours sincerely

Robert Mack  
Principal Scrutiny Support Officer

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**SCRUTINY REVIEW – SUPPORT TO VICTIMS OF CRIME****2 FEBRUARY 2010****REPORT OF THE CHAIR OF THE REVIEW PANEL****ISSUES PAPER****1. Introduction**

- 1.1 The purpose of this paper is to bring together all of the significant evidence received in the course of the review and highlight what appear to be the key issues for discussion at the concluding meeting of the review.

*Government Policy*

- 1.2 Improving the experience of victims and witnesses has been a long term government priority for the criminal justice system and a range of initiatives have been introduced. These include:

- Special measures: The Youth Justice and Criminal Evidence Act 1999 provides a range of measures to help vulnerable or intimidated witnesses in giving evidence in criminal trials, such as allowing them to give evidence through a video link or be assisted by an intermediary.
- Victim Personal Statements (VPS); This was introduced in 2001 and provides an opportunity for victims to make a personal statement on the impact of a crime on them and their family.
- Direct Communication with Victims Scheme: This commits the Crown Prosecution Service (CPS) to provide an explanation to victims when a charge is dropped or substantially reduced or increased in gravity.
- No Witness No Justice (NWNJ); This initiative was launched in 2003/4 and established a number of minimum requirements for the support of witnesses. It led to the introduction of witness care units (WCUs), who are responsible for providing support and information to victims and witnesses. They are jointly managed and staffed by the police and CPS and were in place in all areas of England and Wales by the end of 2005.

*Code of Practice for Victims of Crime*

- 1.3 Possibly the most significant initiative has been the introduction of the Code of Practice for Victims of Crime. This was introduced in 2006 and set out minimum levels of service to victims. It imposes obligations on 11 organisations including the police, CPS, Her Majesty's Courts Service (HMCS), youth offending teams, probation service and prisons. It included an enhanced level of service for victims deemed vulnerable and/or intimidated and

established the right of victims to support, privacy, physical, emotional and financial recovery and protection from offenders.

- 1.4 The code sets out the services that people should expect to receive from each of the criminal justice agencies. For the first time, agencies were required by law to provide details of the minimum standards of service that they provide for victims. Key requirements included:
  - All victims were to be told about Victim Support and either referred to them or offered their services
  - An enhanced service had to be offered for vulnerable or intimidated victims
  - Victims have a right to information about the crime including the right to be notified of any arrests and court cases
  - The Police were required to appoint a dedicated family liaison officer for bereaved relatives
  - Flexibility for victims to opt in or out of services to ensure they receive the level of service they want
- 1.5 In cases where the alleged perpetrator of a crime is under the age of eighteen, the Police were required to pass the victim's contact details to the Youth Offending team, unless the victim asked them not to. This is to enable victims to have access to reparation or other restorative justice initiatives.
- 1.6 The code enables victims to challenge criminal justice agencies if they do not feel that they are receiving good enough service. Complaints can ultimately be taken up by the Parliamentary Ombudsman.
- 1.8 Since the introduction of the code, two further initiatives have been introduced:
  - Quality of Service Commitment: From November 2006, all police forces have been required to meet new service standards, including keeping victims informed of progress.
  - The Witness Charter; This set out core standards of service that all witnesses should receive from criminal justice agencies if they are asked to give evidence for the prosecution or the defence in a criminal court. It is currently being implemented across England and Wales by all agencies. The standards of service set out in the Witness Charter apply to all witnesses, regardless of whether they may also be the victim. If they are a victim as well, they also have the rights set out in the Code of Practice for Victims of Crime.
- 1.9 As applications for anti social behaviour orders (ASBOs) come under the civil courts, the support mechanisms that exist for criminal cases have not until now been accessible to date. However, the government has recently announced measures to address this through providing access for victims to the Witness Service. In addition, a network of 85 victims and witness champions is to be set up in priority areas across the country. This aims to deliver practical help for victims and witnesses as well as ensuring more victims of anti social

behaviour receive support.

*Coordination*

- 1.10 Increasing the satisfaction of victims and witnesses is the overall responsibility of local criminal justice boards (LCJBs). They are responsible for the delivery of a range of national targets, including ones relating to the treatment of victims and witnesses. There are 42 LCJBs in England and Wales and they are generally based on police force and criminal justice areas. Their membership comprises of the Police Service, Crown Prosecution Service, Court Service, Youth Offending Teams, prisons and probation. There is a LCJB for London, which deals with strategic issues, and a local group covering Haringey, which is chaired by the Borough Commander for the Police and intended to focus on operational matters.
- 1.11 The London LCJB has a specific target for increasing the satisfaction levels of victims and witnesses. The target for 2009-10 is to increase the percentage of victims and witnesses that are satisfied with overall contact with the criminal justice system to 83%. The latest recorded figure for Haringey (March 2009) is currently 83%, which is above the London average of 81%.
- 1.12 A joint report examining the effectiveness of support to victims and witnesses was published in May 2009 by Her Majesty's Crown Prosecution Service Inspectorate, Her Majesty's Inspectorate of Constabulary and Her Majesty's Inspectorate of Court Administration and Her Majesty's Inspectorate of Court Administration. It looked at whether the improved support mechanisms were improving the confidence of victims and witnesses in the criminal justice system and included a survey of their views.
- 1.13 The report identified an improvement in satisfaction levels with the criminal justice system, which the report felt demonstrated the positive evidence of the impact of WCUs. The report also identified a number of areas where there was scope for improvement:
  - There was a need for oversight by LCJBs of arrangements to ensure the improvement and development of local services provided to victims and witnesses. It recommended that LCJBs should take ownership for victim and witness issues and ensure a joint area strategy and improvement plans were developed and communicated effectively. These needed to be supported by effective governance and performance management arrangements.
  - There needed to be wider understanding of Victim Personal Statements (VPS) amongst front line police officers and prosecutors.
  - There needed to be better understanding amongst front line police officers of which special measures were available to support vulnerable and intimidated witnesses. There were also weaknesses identified in the arrangements for the timely identification of the need for special measures and Police forces needed to ensure that front line police officers were able to identify vulnerable and intimidated victims and witnesses.

- The needs of victims and witnesses were not always assessed as fully as they should be.
- Police forces needed to ensure that police personnel were fully aware of the services provided by Victim Support and that they fitted in with services provided by other support organisations.
- Waiting times at court continued to be too long for a large proportion of witnesses.
- Some witnesses still had concerns about their safety despite improvements that have been made.
- The review was of the view that WCU's had some way to go before they were able to meet all the minimum requirements set out for them and to do so on a consistent basis.

- 1.14 The Panel received a strategic overview of local services and how they are co-ordinated, funded and provided from Claire Kowalska, the Safer Communities Manager. It was noted that many victims miss out on services for a variety of reasons, including under reporting of crime and funding issues.
- 1.15 It is known from robust data that only approximately 30% of adult victims of crime report the crime to the police. It is also known that the figure for young victims is even lower. The under reporting by young victims of crime was highlighted three years ago as a concern in initial discussions about Haringey's Local Area Agreement and was agreed as a local priority. It remains an ongoing problem. It has been established that there is a significant gap in awareness of Victim Support services and that this is particularly true of younger people. Some residents are more likely to become victims than others. Those living in the east of the Borough, who are also more likely to be from a black and minority ethnic community, are much more likely to become a victim. Whilst there is a roughly equal split between male and female victims of burglary, men are more likely to be victims of robbery whilst women are more likely to be victims of domestic violence
- 1.16 The Panel received evidence from several witnesses that there was a need for better co-ordination of services, despite there being a number of local strategic partnership groups and a board who have a role in this area, such as the anti social behaviour partnership board and its registered social landlord (RSL) sub group. However, the Local Criminal Justice Board (LCJB) and its local group have overall responsibility in this area and therefore are most significant body locally. In particular, the local LCJB group is responsible for addressing the recommendations of the joint thematic review, including taking strategic ownership of victim and witness issues.
- 1.17 Whilst the Crime and Disorder Reduction Partnership (CDRP) has the Community Safety team to support it, the same support mechanisms do not exist for the local LCJB group. The CDRP is linked into the local strategic partnership structure, which is not the case with the LCJB. As a consequence of this, it does not have access to area based grant in the same

way that the CDRP has despite that fact that improved performance in this area will support a number of key local strategic targets, such as numbers of young people re-convicted, school performance, exclusions, health inequalities and crime reduction. Resources are nevertheless limited and no additional funding is likely to be forthcoming for any new initiatives.

1.18 The local group of the LCJB does not as yet have direct links with the CDRP, although there is considerable overlap in membership. The Home Office actively encourages closer working between CDRPs and the LCJB. Whilst there are separate responsibilities in relation to supporting victims and witnesses, there is also a shared interest and interdependency. Despite the overlap in membership, there are also several key stakeholders who are not represented on the LCJB. These include the local authority which has;

- A key strategic role in relation to the local strategic partnership (LSP) and domestic violence services such as Hearthstone.
- Overall responsibility for Area Based Grant, which provides funding for significant local services such as Victim Support.

## **2. The Role of Individual Agencies**

### *The Police Service*

2.1 The Victims' Code lays out a number of obligations that the Police Service have, including:

- Advising victims of whether or not there will be an investigation into the crime
- Ensuring victims can access information about local support services
- Taking all reasonable steps to identify vulnerable or intimidated victims and explaining the provision of the special measures that are available to support them if they are called as a witness
- Keeping victims updated on the progress of ongoing investigations and their outcome, including whether action is being taken against any suspect
- Assigning family liaison officers to relatives in cases where a victim has died as a result of a crime

2.2 The Panel received evidence from Pete Dickson from the Police Service. He reported that, together with the Crown Prosecution Service (CPS), he led an integrated prosecution team (IPT) for the borough. IPTs involve the police and CPS teams working together to manage an integrated single file and administrative process. As well as reducing duplication and improving performance, IPTs are also intended to ensure better services for victims and witnesses by improving liaison between the police Witness Care Unit and the CPS.

- 2.3 The IPT take over once an individual had been charged. Before this stage, it is the responsibility of the Detective Inspector to liaise with witnesses. A range of support is provided including crime prevention advice, specialist assistance and support via Victim Support Haringey. Support can also be co-ordinated by specialist teams for victims of particular crimes, such as sex offences. It is available right through the criminal justice process and can continue afterwards.
- 2.4 The Victims Charter had set time limits for keeping people informed of progress with cases and the service strives to comply with these. Victims are informed within 24 hours if an arrest is made. There are also particular timescales for informing victims if an individual is charged or pleads guilty. Efforts are made to arrange court dates that are convenient to victims and witnesses, who are informed as soon as one is set.
- 2.5 There are strong links with the CPS, with whom they jointly run the Witness Care Unit (WCU), which is the single point of contact for witnesses and co-ordinates all aspects of witness care. The Panel noted that WCUs are required to undertake a detailed needs assessment of witnesses following a not guilty plea being entered. This follows on from the initial needs assessment conducted by police officers. A witness may opt out of a needs assessment if he or she wishes. The minimum requirements specifically provide that the needs assessment should address a range of issues, including identification of any vulnerable or intimidated witnesses, any needs for special measures, whether a victim personal statement has been taken, transport issues, childcare issues, the need for a pre-court visit, referral to support agencies and any employment concerns regarding attendance.
- 2.6 Mr Dickson reported that additional support can be brought in if necessary. They seek to develop an ongoing relationship with victims and witnesses. One particular purpose of this is to determine whether witnesses are becoming nervous. In such circumstances, they can be put in touch with the Witness Service. Special measures can be applied for if the witness is vulnerable or intimidated. Whilst it is possible for witnesses to bump into defendants at court, there are separate facilities for them so that the chances of contact are minimised. One particular problem is that there is currently only one entrance to Wood Green Crown Court so it is not possible to separate victims and witnesses on their way in.
- 2.7 A wide range of practical assistance can be provided for witnesses such as transport to court, taxis, childcare, hotels and even flights. It was sometimes the case that the IPT did not become aware that a witness was required until a comparatively late stage. The service has a good record on getting witnesses to court – only two to three back out, on average, every month.
- 2.8 Merely attending court is a hugely important step as it is a common defence tactic to see if the prosecution are able to get their witnesses to court. This is especially common in domestic violence cases. If the defendant sees evidence that the witness has the courage to go to court, they often change their plea. However, by pleading guilty at a late stage they lose the opportunity to gain the maximum discount on their sentence.



*Crown Prosecution Service (CPS)*

- 2.9 In more serious cases, the CPS is responsible for the decision to charge as well as specifying what charge is to be brought. The CPS prosecutor is required to consider at an early stage whether any of the witnesses have specific needs, such as those that may be addressed by the use of special measures.
- 2.10 The Panel received evidence from Hywel Ebsworth from the CPS. He reported that the IPT dovetailed into the services provided by the CPS. All victims should be given a copy of the code of practice for victims of crime, which include a list of duties that agencies are expected to fulfil. The earliest opportunity the CPS has to consider victim and witness issues is when the Police request either an early consultation for advice, which is more common in serious or complex cases, or when the Police bring a case to the CPS for a charging decision. A decision is made after reviewing the evidence and considering whether the public interest would be served. A lesser test is applied if the case is so serious that the offender is in custody. The time that it takes to reach a decision depends on the complexity of the case. The decision is made by the prosecutor together with the investigating officer. If it is decided that there should be a prosecution, the CPS prosecutor gives authority to the Police to charge the defendant, following which the defendant is required to attend court. The decision is required to be communicated to victims/witnesses within 24 hours.
- 2.11 Police officers should establish whether a witness is vulnerable or intimidated. If they are, an application can be made to the court for special measures, such as the giving of evidence through a video link and screens. The support process is intended to be “victim led” – they have to be asked what support they would like and the decision is theirs to take from a position of knowledge. People vary in how they respond to being a witness. Some people start off as being resilient but then become more nervous.

*The Court Service*

- 2.12 Court staff have responsibilities for supporting witnesses and ensuring that they are given any assistance that they might need during trials. This includes defence witnesses when identified.
- 2.13 Her Majesty's Inspectorate of Court Administration (HMICA) undertook a series of inspections of services to victims and witnesses that resulted in a national overview report that was published in 2006. This made a number of recommendations. An action plan in was developed in response to this. A number of initiatives were introduced including area based witness champions, court based witness liaison officers and a handbook for staff entitled “Every Witness Matters”.
- 2.14 The main support available to victims and witnesses at court is provided by the Witness Service who provide support to witnesses at court during the course of a trial. The Witness Service has its own office and waiting room at the magistrates court.
- 2.15 The Panel received evidence from Stephen Carroll from Highgate Court. He reported that

the magistrates court currently has 150 magistrates that it works with and the Courts Service was responsible for the legal advice that they were given. It did not directly assist victims and witnesses but responded to what they were asked to do by other agencies.

- 2.16 He stated that professionals do not always know before a trial if witnesses are vulnerable. However, the CPS can still make an application for special measures even at a comparatively late stage, although the defence has to be given notice and can object.
- 2.17 The Panel noted that the Witness Service can, in theory, also provide assistance to defence witnesses but they are less likely to be made aware by the defence that such assistance is required. There are separate entrances to the Magistrates Court for defendants and witnesses and security within the court building. If it is not felt that this was sufficient, the Court can inform the Police, whose presence can act as a deterrent. This is particularly useful when the Youth Court is sitting and gang members are being tried.
- 2.18 The longest that magistrates courts cases last is a day. Waiting times are currently within LCJB targets and there have been no issues of people being dissatisfied with the length of time that they have had to wait. The situation at Crown Court is different as they often have “floaters” – cases that had not been allocated to a specific court but were instead waiting until one became free. Crown court time is hugely expensive and therefore the use of courts had to be maximised. All magistrates are trained in case management. If it is inevitable that a case will not proceed, efforts are made to ensure that witnesses are alerted so that they do not have to attend court. Weekly case management meetings are held and strenuous efforts are made to avoid ineffective trials.
- 2.19 The Court House wishes to improve the CCTV in operation at the Court and their estates service is currently addressing this. However, there is no CCTV outside the court which could help to deter trouble in the area nearby. Problems can particularly occur when the Youth Service is sitting. The local Safer Neighbourhood Team have adjusted their hours to ensure a presence when the court is sitting and there is regular liaison with the police, including risk assessment.
- 2.20 CCTV tapes are often encrypted which means that it is not possible for the court to view them. Whilst CCTV can sometimes provide useful evidence, it needs to be in a format that was viewable by the Court. Fortunately, the Police had provided the magistrates court with a machine called Pluto which can de-code the tapes. However, not all courts have this facility.
- 2.21 Mr Carroll felt that improvements could be made to the care of witnesses through the provision of additional funding to ensure better separation of defendants and witnesses, such as different toilets. The location of the court house was not ideal and the Court Service would like, in the long term, to re-locate to a more central locations.
- 2.22 Additional CCTV around the vicinity of the Court House, that is linked into the local authority system, would also be of help. The view of the Council’s Urban Environment Service was that cameras could probably be installed cameras at or near to those locations, subject to a satisfactory site visit being undertaken. The cost of a CCTV camera, including installation,

averages at £25k per camera whilst maintenance and line rental per camera is approximately £2,500 per annum. Funding for this would need to be identified.

- 2.23 It was noted that any contact between the defendant and the witnesses had to be reported and could be considered to be witness intimidation, which was regarded as a serious matter by the courts. This could include merely loitering in the vicinity. 73% of cases resulted in a guilty plea. 98% of cases were dealt with in the magistrates court.

*The Youth Offending Service (YOS)*

- 2.24 The YOS routinely contacts the victims of the young people who are on court orders under their supervision. This involves the caseworker submitting a victim contact request to a Metropolitan Police Officer seconded to work the YOS. This officer will then peruse the Police National Computer System to find the victims' details and send a letter advising of restorative justice (RJ) processes and that the YOS (police officer) will contact them victim to determine whether they wish to participate in this. This letter is an 'opt' out and puts the onus on the victim to contact the YOS to do so. The letter should be followed up with a phone call or home visit but this has not happened with all cases due to staffing levels. This has perhaps been reflected in a lower number of victims attending panel meetings arranged by the YOS.
- 2.25 In the Year to 2010 there were 123 victim contact requests. 123 letters went out to victims and, where the victims were identified as young victims, (i.e. 16 and under) a letter was sent to the parents. 5 people attended panels who were either victims or parents of victims. All informed the service that they were satisfied with the process. The victims who opted not to participate in panel meetings advised the service that they were satisfied with the RJ processes they had been offered.
- 2.26 Restorative Justice at the YOS can either be:
- Attendance at a referral order panel, where the victim is able to state the impact of the offence on them and their wider family and also have an opportunity to ask questions of the offender.
  - They can submit a written statement stating how the offence has impacted on them and or their wider family. This will then be used by case managers in conducting victim work with young people.
- 2.27 In addition to the above, the YOS run a 3 session victim awareness programme with young people that are assessed as suitable for group work programmes. The sessions cover;
- What a victim is i.e. different types of victims, different types of crime, how to report information anonymously on crimes committed.
  - How different crimes have affected people, looking in particular at knife crime and the impact on victims and victims families of knife crime.

- 2.28 The YOS unfortunately, are currently not working in partnership with Victim Support Services or any other agencies, although meetings have been planned around conducting joint pieces of work.

*Anti Social Behaviour Team*

- 2.29 There is no currently no statutory requirement on agencies to support victims of anti social behaviour but they nevertheless ensure that assistance is provided as. The Panel received evidence from Mike Bagnall on behalf of the Anti Social Behaviour team (ASBAT). It has a key role in encouraging victims to report anti social behaviour. Although the service is widely publicised, some residents are unaware of its existence and how to report incidents. Work is being undertaken with the Council's communications service to further publicise it. The service is proactive and visits areas where they know that there have been problems but no reports received in order to encourage people to come forward. The service has a dedicated anti social behaviour telephone line and was one of the first in the country to have one.
- 2.30 There are significant issues relating to young people. The team had linked into 33 primary schools and 8 secondary schools so far and has provided training for teachers. Whilst schools have to have a policy on bullying and harassment, few had procedures to deal with it. ASB Reports received from young people and schools are very low in number.
- 2.31 Where legal action is taken, officers do their best to support victims but have limited time. As much of the legal action that the ASBAT is involved in goes through the civil courts, there is not the same support available as there is for criminal cases. Approaches had been made to the Crown Court and the Magistrates Court about assistance with support and accessing the services of Witness Support and they have been happy to accommodate them. However, the County Court was unable to provide the same service.
- 2.32 As part of the Justice Seen, Justice Done scheme, grant funding has been obtained from the Home Office for a witness support officer for the ASBAT. An appointment to this post had already been made. The post holder will deal exclusively with support for ASB victims and witnesses. This will include pre trial visits to court and attendance at court with victims and witnesses on dates of hearings. The postholder is employed by Victim Support but located within the ASBAT. Funding is only in place until 2011.
- 2.33 Mr Bagnall felt that it was hard to know why so few referrals are received from young people or schools. It was felt that many young people accepted being victimised through, for instance robbery of mobile phones, as normal. Such incidents were very common. Young people had said that they sometimes reported incidents to teachers but action rarely happened.
- 2.34 If reports of anti social behaviour are individual or "one to one" issues, full details of witnesses were required. Sometimes alleged victims had subsequently been found to be perpetrators. If the issue was more general, the team could pick it up and seek further evidence through leafleting and knocking on doors. However, if people were not willing to

take a stand, not much could be done. Efforts are made to reassure victims but no absolute guarantee of safety can be given.

- 2.35 The service had been provided with one additional officer from this financial year and this has made a big difference, particularly as it was Council funded. The service now has 8 ASB officers plus a CCTV officer. There are 100 cases and 2,500 reports to deal with at any one time. The vast majority of the service is funded by grants. These have not increased since 2002 which means that the service is under increasing financial pressure every year. He felt that the Council now needed to start looking at mainstream funding rather than grants and consider the future direction of the service. There had already been talk of a 10% cut in funding for next year. The total running costs of the service is approximately £700,000 and, of this, only one post is funded by the Council. Resources for community engagement work, for which there was currently no budget, would be welcome. In addition, it is potentially unsafe for the CCTV officer to work alone and assistance for the post would therefore be very welcome.

### **3. Support Services**

#### *Victim Support*

- 3.1 Victim Support Haringey provides support for victims and witnesses within the borough and is part of Victim Support's London region. It is part of a national charity that provides free and confidential help to victims and witnesses of crime in England and Wales. They can also provide help to family, friends and anyone else affected. The support provided includes information, emotional support and practical help. It is not necessary to report a crime to the Police in order to receive help and support can be given at any time, irrespective of when the crime occurred.
- 3.2 Victim Support works closely with the police, courts and other parts of the criminal justice system. The Police provide the service with the contact details of victims after a crime is reported. They are then contacted by the service, normally within 48 hours. The service can be opted out of if a victim wishes. The service can also be contacted directly by victims. They have a network of local offices across England and Wales which are managed by a national centre in London.
- 3.3 It was noted that Victim Support is a key local partner. This year it received £72,000 per annum from area based grant, including £38,700 from the Children's and Young People's Service. In addition, it receives funding from its central organisation. Local funding is vulnerable and uncertain and the service is very reliant on volunteers. The bulk of its referrals come from the police, who are required to refer in all criminal cases.
- 3.4 The Panel received evidence from Tessa Newton from Victim Support, who outlined the services that Victim Support Haringey provides. The support that they provide covers both practical issues and emotional support. In addition, they also provide advocacy and liaison. The Witness Service, which they run in all of the criminal courts, can provide the opportunity for victims to visit courts in advance of trials to familiarise themselves with the surroundings.

Support is also available on the day of trials. A separate waiting area is provided, away from people who might be connected with the defendant. There is now also a specific anti social behaviour support worker, which has been funded as part of the Justice Seen, Justice Done scheme.

- 3.5 Most of Victim Support's work is undertaken by volunteers and their ability to provide a service can be limited by their availability. For example, during the autumn half term, only one third of the volunteers were available which restricted services. In addition, they only have two client meeting rooms. Volunteers require six months experience of case work before they are able to take on more serious crimes. There is also quite a high turn over of volunteers. The net result of this is that volunteers who are qualified to deal with particular sorts of crime – especially the more serious offences – can get booked up very quickly and victims may have to wait. However, some other victims can be offered appointments quickly, such as those who have suffered actual bodily harm (ABH). They do not turn clients away although some people may have to wait longer than is ideal.
- 3.6 Referrals have grown – 90% of these are from the Police. There is a mix of people who are referred. The majority of domestic violence victims are women but there are an increasing number of men. A high percentage of ABH and grievous bodily harm (GBH) victims are men. A large number of referrals from the police are classified as “non crime” which they are unable to deal with. Mr Dickson, from the Police, stated that this was probably due to the initial investigating officer classifying the incident as a crime but it later being re-classified as “no crime”.
- 3.7 It was noted that initial referrals are dealt with centrally by Victim Support, who make three attempts to contact people. Cases are then referred onwards to the local branch. Front line police officers are supposed to ask people if they wish to be referred but Ms Newton suspected that this did not always happen. In such cases, it was likely that the police officer would refer anyway. There had been no instances that she could recall where people had complained about lack of contact from Victim Support. Mr Dickson felt that front line officers needed to be educated about the need to ask people if they wished to be referred and that this could be included in officer development. However, the Police first needed to be appraised of such issues so that they could address them.
- 3.8 The Witness Service receives its referrals from the Witness Care Unit. Enhanced support is automatically provided for cases of domestic violence. It is difficult to determine if people might require enhanced support due to mental health issues. Clients are frequently frightened and a lot of personal alarms are therefore given out. Witnesses who feel intimidated can apply for special measures – in such cases the decision rests with the court. However, in cases of domestic violence, the defendant's family are always aware of the victim's role as a witness. Around 20% of victims wished to withdraw their case. Young people were particularly likely to ask for withdrawal.
- 3.9 Victim Support is interested in using restorative justice. However, the service needs to get funding for its work and this has not been forthcoming so far for restorative justice projects. It is therefore not currently part of the core work of victim support in Haringey.

- 3.10 There have been difficulties with Victims Support's funding from C&YPS, which had provided grants for only six months at a time for a specific piece of work involving young people. The service had received confirmation of the funding very late and the uncertainty had led to recruitment and recruitment difficulties with the two posts that the funding paid for. It was noted that the Witness Service is paid for via the criminal justice system.
- 3.11 In respect of funding from C&YPS, the Panel noted that Victim Support had been contracted in 2009/10 to raise awareness of their services amongst young people and run workshops in schools through a dedicated outreach worker. They had recruited two part time workers but the project had only been partially successful. This was partly due the lack of commitment to a full years funding. In addition, the project would have benefited from better access to appropriate professionals and a more integrated approach. The Panel heard evidence from C&YPS that a review is to be commissioned on the how to better progress this area of work. It would review the delivery of services to young victims and best value. Criteria for the new service would then be jointly developed. In particular, it would look at how the service could best relate to young people. A joined up approach across the Youth Offending Service, C&YPS and Victim Support was being aimed for.

*Views of Victim Support Volunteers*

- 3.12 The Panel received evidence from a group of volunteers from Victim Support and the Witness Service. They were of the view that liaison between the Police and victims could be improved, although matters had improved since the establishment of the Victim Focus Desk. It could also be difficult at times to get hold of relevant officers due to their shift patterns or them being out and about. Messages could be left for them but officers did not always respond. However, it was recognised that they had considerable demands on their time.
- 3.13 The perception amongst some victims was that, whilst crimes were logged by the Police, there was not necessarily an interest in investigating all of them. In addition, victims could occasionally feel that they were being treated as if they were themselves under suspicion. However, it was acknowledged that the Police Service was a very large organisation with many different staff. Volunteers had a very high opinion of community officers, who were always very helpful. It was noted that a high percentage of front line officers were relatively young and inexperienced.
- 3.14 There could sometimes be language difficulties in dealing in communicating with victims. Victim support could arrange for interpreters but had to pay for them out of their budget. Not all interpreters were reliable but unfortunately the pool of interpreters for some languages could be very small. It was suggested that, in some instances, volunteer interpreters could be used from institutions such as the School of Oriental and African Studies. It was possible that, in particular, students studying law might be interested in assisting.
- 3.15 There was generally a good relationship between the Witness Service and the Police and, as far as was known, there had been no complaints. The service from the Witness Care Unit (WCU) was variable. One particular issue was that the WCU did not always provide the

information that Witness Service volunteers required, leaving them with little or no information on victims and witnesses that were attending the magistrates court and whether they were vulnerable or intimidated. The service received the list of witnesses to attend court (LWAC) documentation but this did not provide all the necessary details such as the charge. Sometimes the Witness Service was not informed by the Police when cases were dropped. Such occurrences could cause embarrassment and de-motivate volunteers. If the Witness Service was made aware of all the necessary information in good time, they could contact witnesses in advance. It was noted that the same problems did not exist at the Crown Court. There had been a number of meetings between volunteers and the WCU where concerns had been raised. Performance had improved but there was still some way to go. One particular problem was the high turnover of staff at the WCU.

- 3.16 When Victim Support volunteers first met with victims, they began by establishing what sort of assistance they needed and whether they required referral to other services. Practical and emotional support could be provided but volunteers were not trained counsellors. It was felt that they needed access to taking therapies so that they could refer people onwards when appropriate. Although they only saw a comparatively small percentage of victims, many were very needy and becoming the victim of a crime could sometimes be the final straw for them. They could advise victims to go to their doctor if it was felt that they needed to be referred for counselling but there was a long waiting list for this.
- 3.17 Some volunteers specialised in more serious crimes such as murder, manslaughter and serious sexual offences. Dealing with cases such as this could emotionally affect them. There was supervision of volunteers in order to ensure that they were coping and Victim Support was strengthening this system as part of its reorganisation. However, there was no direct access to counselling or specialist assistance.
- 3.18 All volunteers received comprehensive training. There were a number of younger volunteers including some law students. However, many were passing through and unlikely to stay. Sometimes younger people just got involved as they felt that it would look good on their CV. In addition, exams could get in the way of their work. There was now a contract for volunteers that required them to assist for a minimum of 18 months. The younger volunteers tended to be more ethnically diverse than the older ones. The hours that people put in varied enormously, from a few hours per month to several days per week.
- 3.19 There appeared to be a great level of variation in the quality of interactions between front line police officers and victims. It was recognised, however, that Police officers had difficult jobs. If victims were not happy with the way that they had been treated by the Police, they were normally advised to speak to the Citizens Advice Bureau (CAB). However, at least one victim had been given forms by the CAB to lodge a complaint with the Independent Police Complaints Commission which appeared to be disproportionate. It would be far more preferable if any issues could be resolved at an early stage. In particular, regular informal meetings between volunteers and the Police would assist in improving communications and highlighting any issues.
- 3.20 Accommodation at Highgate magistrates court was felt to be inadequate. They were



currently located at the foot of a stairwell, in a corridor. It was difficult to have a meaningful conversation in such surroundings. It was also cold. They previously had good accommodation at the court but the lease had run out and they were currently located adjacent to a large unoccupied office. Accommodation at Victim Support's offices in Commerce Road could also be improved as it only had two interview rooms which everyone, including staff, had to use for meetings. In addition, it was very difficult for volunteers to park near the offices. It was felt inappropriate for Victim Support to be co-located in the same premises with the Police.

- 3.21 It was considered that the plethora of different agencies and organisations involved in supporting victims and witnesses was a major source of confusion and did not work well. This was particularly true of domestic violence. The similarity in the names between the WCUs and Witness Service was also a problem. There was overlap in their roles and, amongst others, the CPS had difficulty differentiating. However, this was less of a problem at the Crown Court.

### *Hearthstone*

- 3.22 The Hearthstone Centre provides a service to victims of domestic violence within the borough. It provides them with access to a range of support with the aim on ensuring that as much as possible is accessible in one place. Hearthstone works in partnership with a range of agencies including the police service, probation and the PCT. Assistance from housing officers, Victim Support volunteers, Police community safety officers and staff from the Council's equalities and diversity unit is available. Advice on legal and health services can also be provided. In addition to this, Hearthstone also provides therapeutic solutions.
- 3.23 Penny Rutter, the Hearthstone manager reported that Hearthstone was staffed by a small team of five plus a person who worked on the Sanctuary project, which provides enhanced security for victims who were considered to be at risk. In addition, there are two independent domestic violence advocate (IDVAs) who are seconded to work with them.
- 3.24 Hearthstone aims to provide a one stop service for victims of domestic violence. The Centre has recently been refurbished and demand has been growing ever since it re-opened. They have been given one additional support worker to help accommodate the additional demand but feel that they would benefit from another. Current usage is approximately 400 people for the quarter and 1600-1900 for the year, with demand expected to increase to 2,000 by the end of the year. There is over representation of people from black and ethnic minority communities amongst clients of the service. In particular, there are a high number of African Caribbean, Black African, Turkish and, increasingly, white other European clients. The breakdown is very similar to that of people presenting as homeless.
- 3.25 The service receives funding from a wide range of sources including £50,000 from Supporting People plus contributions from the Council, GoL and Ministry of Justice. Services are publicised through a range of activities. Two publications have been produced and a lot of work undertaken in building links with hard to reach groups. Presentations have been given to a wide range of groups including community centres and mosques. They

have also held three annual major events, including a bus trip around the borough, with leafleting and information on services. However, the majority of publicity is by word of mouth. 50% of people self referred. Referrals also came from the police. Physical violence was the main driver – the bulk of cases had some physical component. A risk assessment was undertaken on the likelihood of injury or physical harm.

- 3.26 All front line police officers should be aware of Hearthstone and its services. Recruits regularly visit the office as part of their training. However, there is a high turn over of police officers in Haringey.
- 3.27 Clients very often have concerns about their safety but the priority is to not shift them around and the Sanctuary scheme assists with this. Particular efforts are undertaken to protect children and the service has a very good relationship with Homes for Haringey, with whom there are established protocols and procedures. If perpetrators are made homeless, this can encourage them to attempt to return to the family home.
- 3.28 Clients are frequently scared of going to court. However, there is now a specific domestic violence court. These aim to make the victim feel as safe as possible, bringing domestic violence perpetrators to court more quickly and ensuring that all staff working within the court, including the magistrates, have had dedicated training and knowledge of the subject.
- 3.29 A significant number of clients – around 8% - have no recourse to public funds and are very difficult to assist although there are a small number of places in refuges available. People are generally provided with some legal advice and referred to the voluntary sector. Encouragement was given to them to stay with friends. It is very difficult to get perpetrators deported.
- 3.30 The service caters for males as well as females. Statistics from Victim Support suggest that there are more males who are victims of domestic violence than actually came forward and they are increasing in number. However, it is difficult to persuade male victims to come forward. Those that do come forward tended to go to Victim Support rather than Hearthstone. There is currently a perception that Hearthstone is only for women. This is not helped by the fact that it is staffed entirely by women. It was felt that it would help if it was possible for victims to have the option of being dealt with by a man. It is also difficult for Victim Support to get male volunteers with the necessary experience.
- 3.31 In respect of IDVAs, the Panel noted that evaluations carried out in 2004 of the two pilot specialist domestic violence courts in Croydon and Caerphilly identified their useful role. They have since become an established tool in tackling domestic violence in Haringey in recent years. The approach of providing proactive independent support, risk assessment and safety planning as well as effective partnership working within a multi-agency setting has been shown to decrease victimisation, increase notification of children at risk, and reduce the number of victims unwilling to support a prosecution.
- 3.32 The IDVAs are employed by the Nia project, where they have office space and from whom they receive managerial and administrative support. They also hold regular surgeries and

appointments with women at Hearthstone. They accept referrals from any agency as well as direct referrals from women and work closely with support agencies to provide a multi-disciplinary response to ensuring client safety and a reduction in repeat victimisation.

- 3.33 In 2006/07 the Home Office made funding available to develop IDVA services in the 64 Specialist Domestic Violence Court (SDVC) areas. This part-funding of the IDVA services in the SDVC areas will continue. One full time IDVA post has been funded jointly by the Police and the Haringey Council Equalities and Diversity Team. The funding is part of the Domestic Violence Budget and additional funding was made available from LAA Budget. In addition, the Council has received further funding from Government of London office for a second part time IDVA post. Long term funding needs to be agreed and agencies and currently considering how this might be provided.
- 3.34 Both the Police Service and the CPS felt that the IDVAs fulfilled an effective role but Witness Service volunteers felt that they could duplicate work already being undertaken elsewhere by other organisations and added further to the confusion caused by the plethora of individuals and organisations that can be involved in providing support. Whilst they could fulfil a useful role in some areas, they lacked specific knowledge of court procedures.

#### **Suggested Issues for Discussion;**

- 1. Strategic ownership and co-ordination of services**
- 2. Links between the LCJB and CDRP**
- 3. Identification of vulnerable and intimidated witnesses**
- 4. Victim Support:** Funding, liaison with the Police, accommodation, emotional support for volunteers
- 5. Liaison between the Witness Care Unit and the Witness Services**
- 6. Witness Service accommodation**
- 7. ASB:** Long term funding for assistance for victims, funding
- 8. Domestic violence:** Provision of support for male victims, role and funding of IDVAs
- 9. Work with young victims of crime;** encouraging the reporting of crime and ASB
- 10. CCTV in area near Court House**
- 11. Therapeutic support for victims;** e.g. access to talking therapies

