



Haringey Council

Overview and Scrutiny Committee On 26 October 2009

Report Title: Scrutiny Review on Support to Victims of Crime

Report of: Chair of Overview and Scrutiny Committee

Contact Officer : Robert Mack, Principal Scrutiny Support Officer Tel: 0208 489 2921

Wards(s) affected: All

Report for: **N/A**

1. Purpose of the report (That is, the decision required)

1.1. To approve the scope, terms of reference and work plan

2. Introduction by Cabinet Member (if necessary)

2.1. N/A

3. State link(s) with Council Plan Priorities and actions and/or other Strategies:

3.1. Creating a better Haringey: cleaner, greener, safer

4. Recommendations

4.1. That the draft scope, terms of reference and work plan for the review be approved.

4.2. That Haringey CPCG be invited to nominate a representative for co-option onto the Panel.

5. Reason for recommendation(s)

5.1. Included within the body of the report.

6. Other options considered

6.1. Included within the body of the report.

7. Summary

- 7.1 The Committee has previously agreed to commission a scrutiny review on support for victims of crime, chaired by Councillor Aitken. Following consideration by panel members and consultation with relevant stakeholders, a draft scope, terms of reference and a work plan have been developed.
- 7.2 The review will focus on the range of support that is provided for victims of crime from when the crime is committed until the trial of the offender. It will consider how well services are co-ordinated, how the views of users are sought and responded to, value for money issues and plans for improvement.
- 7.3 Overall responsibility for increasing the satisfaction of victims and witnesses is the responsibility of Local Criminal Justice Boards (LCJBs) and the review will need to engage with the local group for Haringey as part of its work as well as its constituent agencies, such as the Police Service and the Crown Prosecution Service (CPS).

8. Chief Financial Officer Comments

8.1. The costs of undertaking the review itself should be contained within existing budgets in the scrutiny team. Given that the resources and direct responsibility for providing support for victims of crime fall outside the remit of the Council, any forthcoming recommendations are unlikely to have financial implications for the Council.

9. Head of Legal Services Comments

- 9.1. The local authority has statutory duties under the Local Government Act 2000 to promote or improve the economic, social and environmental wellbeing of all or any persons resident or present in the authority's area. (Section 2).
- 9.1. The Overview and Scrutiny Committee is proposing to undertake a review of support services available to persons within the community affected by crime. The Committee is empowered to do this by virtue of Section 21 Local Government Act 2000.
- 9.2. The proposed review will help facilitate the Council's duty under Section 10 Children Act 2004 to promote co-operation with partners with a view to improving the physical, mental health and emotional well being of children in the area.

10. Head of Procurement Comments – [Required for Procurement Committee]

10.1. N/A

11. Equalities & Community Cohesion Comments

11.1. There are particular sections of the community who are at greater risk of being victims of crime, such as young people, people from some minority ethnic groups and women and the review will consider how services currently meet their particular needs.

12. Consultation

12.1. Efforts will be made during the review to obtain the views of people who have used support services but this will be subject to relevant individuals being identified who are willing and able to share their experiences with the panel.

12.2. The joint inspectorate report referred to in this report included a survey of people who had used services. Although this was undertaken on a national basis, it would appear highly likely that the experience of local people is similar.

13. Service Financial Comments

13.1. The cost of undertaking the scrutiny review is provided for within the budget for overview and scrutiny. In addition, value for money issues and any potential financial implications arising from the review will be considered in liaison with the relevant finance lead. However, the funding of the majority of services for victims comes from non Council sources and outside the scope of area based grant funding. The Panel's ability to reach meaningful conclusions on value for money issues will be dependent on the availability of relevant data.

14. Use of appendices/tables and photographs

14.1. None

15. Local Government (Access to Information) Act 1985

15.1. Background papers are as follows:

The Witness Charter; Standards of Care for Witnesses in the Criminal Justice System – Criminal Justice System (August 2007)

The Witness Charter; Our Promise to You - Criminal Justice System

The Code of Practice for Victims of Crime - Criminal Justice System

CDRPs (CSPs) and LCJBs: How to Work Together - Criminal Justice System

No Witness, No Justice (NMNJ) Pilot Evaluation Executive Summary – Avail Consulting (October 2004)

Report of a Joint Thematic Review of Victim and Witness Experiences in the Criminal Justice System – HMCPSI/HMISA/HMIC (May 2009)

Report

Background

- 16.1 Victims of crime can be defined as people who have suffered harm through criminal acts. They are often also witnesses to crime. The harm suffered can include physical or mental injury, emotional suffering including grief and economic loss. It also includes people who have suffered harm as a result of the death of a person upon whom they are financially or psychologically dependant and/or to whom they are closely related.
- 16.2 The effects of being a victim of crime may not necessarily be proportionate to the seriousness of the crime. It may also affect others such as partners, relatives, parents, siblings. It may have long term effects such as depression, anxiety-related illnesses and post traumatic stress disorder.
- 16.3 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; This was introduced in 2001 and provides an opportunity for victims to make a personal statement setting out 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 where a charge is dropped or substantially reduced or increased in gravity.
 - No Witness No Justice; 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.
- 16.4 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.

- 16.5 The code sets out the services that people should expect to receive from each of the criminal justice agencies. For the first time these 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 – a national support agency for victims of crime - 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
- 16.6 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.
- 16.7 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.
 - Witness Charter; Building on the Victims' Code, this set out core standards of service that all witnesses should receive from criminal justice agencies. It is currently being implemented across England and Wales by all agencies, with the exception of the police who are expected to adopt the Charter in 2009-10.
- 16.8 Increasing the satisfaction of victims and witnesses is the overall responsibility of local criminal justice boards (LCJBs), who 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/criminal justice areas. Their membership comprises of the police force, Crown Prosecution Service, Court Service, Youth Offending Teams, prisons and probation. There is a LCJB for London and a local group covering Haringey, which is chaired by the Borough Commander for the Police.
- 16.9 The London LCJB has a specific target for increasing the satisfaction levels of victims and witnesses. The target is to increase the percentage of victims and witnesses that are satisfied with overall contact with the criminal justice system to 83%. The figure for Haringey is currently 81.6%, which is marginally above the London average of 80.3%.
- 16.10 A joint report 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. This examined the effectiveness of support to victims and witnesses and whether it was improving their confidence in the criminal justice system and included a witness and victim experience survey, undertaken by the Office for Criminal Justice.

16.11 The report identified an improvement in satisfaction levels with the criminal justice system, which the report felt was 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 amongst front line police officers and prosecutors.
- There needed to be better understanding amongst front line police officers of which special measures are 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. 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.

16.12 Locally, Victim Support Haringey provide emotional support, information and practical help for victims of crime. Victim Support is an independent charity that operates across England and Wales. It works closely with the police, courts and other parts of the criminal justice system and provides free and confidential help for victims. The Police provide the service with the contact details of victims after a crime is reported. Victims are then contacted by the service, normally within 48 hours. The service can be opted out of if a victim wishes. They can also be contacted directly. Support can also be provided for friends and family. They have a network of local offices across England and Wales which are managed by a national centre in London. They also run the witness service in every court. Most of the help is provided by specially-trained volunteers.

16.13 In addition, the Hearthstone Centre provides a service to victims of domestic violence. 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. 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.

Aims/Objectives of Scrutiny Review

16.14 It is proposed that the review will look at the totality of support for victims of crime:

- From its initial reporting
- During its investigation
- Through the judicial process and its aftermath.

16.15 It will aim to obtain an understanding, from the victim's point of view, of how easy it is to access support, its effectiveness and where improvements could be made. There are particular sections of the community who are at greater risk of being victims of crime, such as young people, people from some minority ethnic groups and women and the review will consider how services currently meet their particular needs. In addition, people who are victims of crime have a disproportionate risk of being a victim again. This is particularly true of violent crime.

Terms of Reference/Scope

16.16 It is proposed that the terms of reference be as follows:

"To consider the range, accessibility, quality and co-ordination of support provided by local partners to victims of crime and make recommendations to the responsible agencies on how this might be improved"

16.17 As part of this, the review will consider:

- The LCJBs response to the joint inspectorate report
- Co-ordination of services
- How the views of users are sought and responded to
- The use of restorative justice
- Value for money

Methodology

16.18 The review will undertake its work through the following:

- Interviewing key stakeholders to obtain their views
- Obtaining the views of service users,
- Considering relevant documentary and research evidence, including information on the cost and funding arrangements for services provided
- Looking at best practice elsewhere
- Providing an element of external challenge

Membership of Review Panel

16.19 The membership of the review panel will be as follows:

Cllrs Aitken (Chair), Davies, Egan and Patel.

16.20 There is a specific expectation from the Home Office that scrutiny work involving the police will include involvement from the police authority and input will therefore be sought from the link member for Haringey from the Metropolitan Police Authority. In addition, the Committee has previously agreed that input would also be sought from Haringey Community and Police Consultative Group for scrutiny exercises on community safety issues and it is therefore recommended that they be invited to nominate a representative for co-option onto the Panel.

Consultation and User Involvement

16.21 The review would benefit greatly from receiving the views of local service users on their experiences. However, obtaining this may prove to be a challenge as victims may not be willing to participate particularly if their experience of being a victim has been traumatic. It is proposed that the feasibility of this be discussed with service providers. It may also be possible to obtain the views of service users through speaking to representatives of organisations who have experience of working with victims such as Victim Support.

Key Stakeholders

16.22 Key stakeholders are as follows:

Council

Cabinet Member for Enforcement and Safer Communities
Head of Safer Communities Unit
Domestic Violence Co-ordinator

Partners

Haringey Local Criminal Justice Board
Police Service
Metropolitan Police Authority
Court Service
Crown Prosecution Service
Victim Support Haringey
Hearthstone

Community/Service Users

Haringey Community and Police Consultative Group

Independent Expert Advice

16.23 The Panel may wish to consider if their work would be assisted by the provision of some independent expert advice. This could “add value” to the review by:

- Impartially evaluating current practice providing advice on successful approaches and strategies that are being employed elsewhere
- Suggesting possible lines of inquiry
- Commenting on the final report and, in particular, the feasibility of draft recommendations.

Provisional Evidence Sessions:

16.24 It is proposed that these be as follows:

Meeting 1 – 13 October:

Aim:

- To obtain a strategic overview of local services and how they are co-ordinated, funded and provided

Background Information:

Relevant policy/strategy documents

Possible Witnesses:

Head of Safer Communities Unit

Meeting 2 – 2 November:

Aims:

- To obtain the view of relevant service providers

Background Information,:

Possible Witnesses:

Manager - Victim Support Haringey

Domestic Violence Co-ordinator – Haringey Council

Meeting 3 – 26 November:

Aims

- To obtain the views of criminal justice partners
- To consider the response of the Haringey LCJB to the recommendations of the joint inspectorate report requiring local action

Possible Witnesses:

Chair of Haringey LCJB

Crown Prosecution Service

Courts Service

Meeting 4 – To be arranged

Aims:

- To obtain the views of people who have used the service and representatives of the local community

Possible Witnesses:

Volunteers from Victim Support

Service users

Meeting 4: Conclusions and recommendations – 14 January:

Aim:

- To consider appropriate conclusions and recommendations

Background Information

Evidence considered by the Panel

Implementation of Recommendations

16.25 The recommendations are likely to fall within the terms of reference of the LCJB. There is no previous experience of engagement with the LCJB and the Committee does not have any formal powers relating to them. However, many of the agencies on the LCJB are also on SCEB and it is chaired by the Borough Commander.