

POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE

JOINT AUDIT, RISK & ASSURANCE PANEL

PAPER MARKED

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Report of	CHIEF CONSTABLE
Subject	CODE OF PRACTICE FOR VICTIMS OF CRIME (VCOP)
Date	TUESDAY 27 APRIL 2021
Author	DETECTIVE SUPERINTENDENT CHRIS BAKER

Purpose of Report

1. The purpose of this report is to apprise the panel of progress made to date in respect of the force's compliance with the Code of Practice for Victims of Crime in England and Wales (VCOP).
2. The report will also describe key changes to the Code which came into effect on April 1st, 2021, and to explain the work undertaken by the force in readiness for, and to ensure compliance with, the new Code.

Background

3. VCOP is the set of rights and minimum service standards that each victim who reports a crime can expect from police and partner agencies within the Criminal Justice System. These include Police and Crime Commissioners, the Crown Prosecution Service, Witness Care Units, HM Courts and Tribunals Service, the Parole Board, HM Prisons and Probation Service, the Criminal Cases Review Commission and the Criminal Injuries Compensation Authority.
4. As the first point of contact for victims in the vast majority of reported crimes, it is natural that the police play a key role in ensuring victims' rights are met and that they are supported throughout an investigation from beginning to end.
5. A programme of work commenced in January 2017 when an audit by independent external auditors Mazars identified key areas for improvement. The force adopted the following recommendations:

Communication with Victims

The Force should implement an appropriate process to ensure that each victim receives a written acknowledgement of the crime they have reported. This should include the basic details of the offence and confirmation of the communication with the victim should be recorded on the Niche system.

Providing Information to Victims

In line with the Communication with Victims recommendation above, the Force should ensure that it provides victims of crime with information on what to expect from the criminal justice system in line with the VCOP. Consideration would be referral to online information through the email and text communications it sends to Victims.

Needs Assessment

The action group should look to implement a consistent procedure for recording the needs assessment of victims in Niche. They should consider a process map that shows how needs assessment should be recorded dependent on the situation.

6. A strategic improvement group was established to deliver against these recommendations, headed by the Detective Superintendent for Neighbourhood Investigations.
7. The VCOP Delivery Group was established, with an identified operational lead (Detective Inspector) responsible for co-ordination and implementation of process changes to ensure victims' rights were met and to monitor performance against the strategic aims. This group meets every six weeks, chaired by the Strategic Lead to provide direction, oversight and scrutiny of workstreams to improve the confidence and satisfaction of victims.
8. The group chair reports to the Strategic Disclosure and Criminal Justice Board chaired by ACC Sandall, as well as the East Midlands Regional Victims' group chaired by DCC Harwin, Lincolnshire Police.
9. The group works to the VCOP Delivery Plan, which describes multiple strands of work to improve victims' services and compliance with the Code by investigators. This is a rolling plan, published for each performance year, which sets individual objectives and milestones for their delivery.
10. Quarterly updates are also provided to the Investigations Management Meeting attended by crime managers from across the force by the Detective Inspector responsible for operational delivery. This forum provides clear direction to crime managers responsible for delivery and compliance by their teams.

Developments

11. Following the Mazars audit recommendations, the VCOP module was created within the Niche crime report field to record all interactions between the crime recorder and / or investigator and the victim.

12. Using this module, the recorder or investigator documents key information including whether the victim has been referred to support services, provided with information about their rights, whether a needs assessment has been completed including how often they would like to be updated with progress in the investigation, whether they accept or decline support services, their preferred methods of contact and category of prioritisation for support.
13. Victims are provided with a physical leaflet or web link explaining their VCOP rights and signposted to Victim First, the free and confidential support service for victims of crime in Leicester, Leicestershire and Rutland commissioned by the Police and Crime Commissioner.
14. From November 2019 Leicestershire officers and staff were required to meet six **expectations** to ensure consistency and focus in the provision of services to victims:
 - 1) All victims should be provided written details of their crime number
 - 2) Victims should be signposted to support services given an explanation of expectations of the Criminal Justice System
 - 3) Victims should be informed of their right to make a Victim Personal Statement
 - 4) A needs assessment be conducted
 - 5) Victims will be updated at least every 28 days for open investigations
 - 6) All contact with victims must be recorded using the VCOP Occurrence Enquiry Log on the Niche crime record
15. These expectations were underlined by guidance, internal communications and were factored into specific training in preparation for the implementation of the new force operating model in March 2020.
16. Performance is measured against these standards by six-monthly audits of Niche crime records, confidence and satisfaction surveys and, since October 2020, by monthly extraction and analysis of Niche VCOP data by a dedicated analyst.
17. The monthly data is specifically measured against the expectations where data can be extracted from the Niche system. The extraction of accurate and reliable data remains a challenge, reliant upon Niche users completing the correct fields and ensuring they use the VCOP module rather than standard investigative OEL.
18. There is currently no means of searching for or retrieving victim updates utilising standard OEL templates, or of confirming receipt by the victim of the Niche crime occurrence number.
19. The force is currently working with the four other East Midlands forces – all of them Niche users – to explore methods of data extraction which will address these data gaps.

20. The monthly data set provided to the VCOP Delivery Group measures compliance with the explanation of rights and expectations, signposting to victim services (Expectations 2 and 3) and assessment of the victim's needs (Expectation 4).
21. While in most cases a victim in direct contact with the police is informed of their crime reference number at the first contact (Expectation 1), an automated process has been developed to ensure victims receive their crime number and a link to their rights by email, SMS message or both at the time the Niche record is created.
22. This is of particular benefit to those who use the Single Online Home to report crime. This process is expected to be launched in May 2021. As a failsafe to protect vulnerable victims, the process will exclude certain crime types where there is a risk of covert access by a third party such as a perpetrator, for example in domestic and sexual abuse cases.
23. Work is ongoing to improve the accuracy of the monthly Niche data. While the search parameters are limited to crimes with victims and exclude crimes against society such as public order or misuse of drugs offences, the data extracted has a built-in assumption of "one victim, one crime" and measures whether the VCOP fields have been completed for every relevant offence. This does not take account of offences in which there is one victim but multiple different crimes recorded from the same incident.
24. Significant improvements in compliance with National Crime Recording Standards and expansion of the Crime Bureau mean it is commonplace for multiple linked offences to be recorded as a result of one report from a victim. The VCOP standards are completed on of those recorded offences, which means that linked crimes "fail" automated compliance audits. This skews the compliance data.
25. This issue has been raised with the Niche system project managers, Minerva, to seek an automated solution which will automatically populate the VCOP fields of all linked crime occurrences.
26. The monthly data provides a force performance overview and is broken down by department, Neighbourhood Policing Area and shift pattern to identify areas for improvement.
27. Six-monthly manual audits are conducted to assess data which cannot be extracted automatically from Niche. This includes whether there is a record of victim updates at least every 28 days.
28. The latest audit (December 1st to 31st, 2020) showed that 65.5% of recorded crimes with an identified victim had a completed VCOP report. The audit demonstrated that in 10% of cases with no VCOP report, 10% were linked to a master record which did have the VCOP record completed.
29. Of the occurrences audited which did not have a completed VCOP report, 91.4% contained evidence within the standard occurrence logs that victims had been signposted

to victim services. This data was extrapolated to demonstrate overall compliance with signposting to support services of 75.2%

30. In almost 69% of cases victims had provided a preferred method of contact, the priorisation was assessed, the frequency of updates agreed and victim support offered.
31. The audit showed 82% of reports open for less than 28 days showed victims had been provided written details of their crime number. In 57.8% of cases victims were updated at least every 28 days or in line with their preferred frequency of update.
32. The importance of compliance with the Code is reinforced through training, briefings and guidance and is built into the force's Investigation Standards Policy which incorporates a checklist for supervisors and includes VCOP compliance monitoring.
33. Telephone surveys of victims are conducted to assess satisfaction and provide a further yardstick against which to measure compliance with VCOP.
34. Satisfaction data for the 12 months from February 2020 to January 21 showed significant increases in satisfaction for victims of burglary (from 81.2% to 92%), violent crime (73.5% to 75.2%), hate crime (72.2% to 77.3%) and ASB (69.8% to 75.9%). Overall satisfaction for all burglary and violent crime has risen from 77.3% to 83.6%.
35. A further audit of a sample of Niche crime records was conducted by Mazars on March 17th, 2021. At the time of writing, the audit report is awaited. However DI Dimmock, the VCOP operational lead present during the audit, reported that of 15 cases examined, 13 complied with the existing VCOP expectations.

Implementation of the 2021 Victims' Code

36. On April 1st, 2021, the Ministry of Justice introduced the revised Code of Practice for Victims of Crime in England and Wales. The Code sets out 12 overarching standards that victims can expect from police and partners in the Criminal Justice System.
37. The rights are:
 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 and have services and support tailored to your needs
 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
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38. The work undertaken by the force in defining and measuring standards, setting a delivery plan and maintaining strategic oversight in the preceding 18 months meant that it was well placed to implement the new code.
 39. The Information for Victims leaflet and web link (attached as an appendix to this report) has been revised to reflect and explain the 12 rights. The new leaflet provides links to the full Code of Practice and links to support services and organisations to assist victims through Criminal Justice processes and compensation. The wording and design have been amended to provide a warmer, supportive experience for victims, as well as providing access to advice on crime prevention. The leaflet is also embedded within the Victim First website.
 40. It is intended that in order to fully meet Right 1, Easy Read and translated versions of the new Code will be developed for people with learning disabilities or who have difficulty with reading and for victims whose first language is not English.
 41. The launch of the new code has been accompanied by an internal communications campaign, team and departmental briefings and the development of face-to-face training which will be delivered to all Neighbourhood Police Officers over 10 weeks between April and June 2021.
 42. While responsibility for meeting the majority of the rights will be the responsibility of police, Leicestershire's Witness Care Unit and Criminal Justice partner agencies will be responsible for delivery of rights 8 to 11. The Witness Care Manager is a member of the VCOP Delivery Group.
 43. As the Leicestershire Police strategic lead, Detective Superintendent Baker is a member of the National Police Chiefs' Council Victims and Witnesses Performance Sub-group to support the development of a consistent national VCOP performance framework.

Recommendation:

44. It is recommended that boards notes the contents of this report and the ongoing developments to ensure the victims code is embedded across Leicester, Leicestershire and Rutland.

Implications

Financial: Cost of design and translation services – negligible impact.

Legal: This Code is issued by the Secretary of State for Justice under section 32 of the Domestic Violence, Crime and Victims Act 2004.

Equality Impact Assessment: It is recognised that the Code must be accessible to, and understood by, all victims of crime. While not every protected characteristic can be practically catered for, work is ongoing to increase accessibility to the Code. For individual needs not met, ensuring access to and understanding of the code will be the responsibility of the individual officer or member of staff having contact with the victim.

Risks and Impact: Compliance with the Code of Practice – Legitimacy

Link to Police and Crime Plan: Victim Care

Background Papers

None

Officer to Contact

Detective Superintendent Chris Baker, VCoP Strategic Lead, Crime and Intelligence Directorate

Email: Christopher.baker1079@leicestershire.pnn.police.uk

Phone: 0781 051 8094

Detective Inspector Ross Dimmock, VCOP Business Lead

Phone: 0116 248 6374

Email: ross.dimmock@leicestershire.pnn.police.uk

Attachments

Leicestershire Police: Information for Victims of Crime