



Gloucestershire Victim Code of Practice

Scrutiny Panel

Findings from Panel 1 - 7th December 2022

The Code of Practice for Victims of Crime (VCOP) sets out the service and minimum standard for these services that must be provided to victims of crime by organisations in England and Wales. The code sets out 12 Rights which identify the service due to victims and timescales for which to provide the service.

The 12 Rights:

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 (VPS)
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

VCOP Scrutiny:

It is important that the Criminal Justice Service can continue to focus on the needs of the victims and the Victims Code of Practice provides a framework for doing this, by scrutinising cases against the 12 rights we can identify if Gloucestershire Criminal Justice organisations are providing a service in line with the statutory requirements set out in the Code.

The scrutiny of VCOP is about reviewing cases and working practises to recognise and promote good practise, identify any areas for development and support all agencies within the criminal justice system to improve, always striving to provide the best possible service to victims.

The Gloucestershire Criminal Justice Board (GCJB) is chaired by the Police & Crime Commissioner (PCC), who will be responsible for holding the criminal justice agencies to account on compliance to VCOP as the new victims bill comes forward. The VCOP scrutiny panel will report into the GCJB through the chair and this report will be circulated amongst partners and providers for transparency.

VCOP Scrutiny methodology:

The scrutiny panel is made up of representatives from the:

- Police,
- Police led Witness Care Unit (WCU),
- Courts (HMCTS),
- Crown prosecution Service (CPS),
- Prison & probation service (HMPPS),
- Commissioned support services,
- Office of the Police & Crime Commissioner (OPCC),
- Youth Offending team (YOT),
- Citizen advice bureau – Witness Service
- Restorative Justice Gloucestershire

The panel will review a specified number of cases each quarter, these cases will be identified through a crime type which will change each panel. The cases will be concluded through the criminal justice system and not be subject to any known complaint/appeal process at the time of selection. The selection of cases within the agreed theme will have personal information of individuals removed.

Panel members are provided with case details 8 weeks in advance of the scrutiny panel in order to fully review their organisation's actions, records and bring a summary of findings. The panel will then discuss cases at each panel with anonymised data. The panel will review the information and summaries provided to explore whether or not the 12 Rights under VCOP has been provided and the quality of service provided.

The statutory members of the panel will be asked to score their organisation's response to each case.

Scoring Matrix:

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

It is important to note that it is at times problematic to extract data from some areas of the 12 VCOP Rights across all technical platforms used by the various criminal justice partners. This is a challenge faced by most PCC areas not just Gloucestershire. There is however sufficient detail available to provide some useful insight into activity which in turn contributes to the overall decision relating to compliance.

Quality as well as Quantity:

As well as reviewing and scoring compliance against the Victims Code of Practice it will be expected that the panel review the quality of service provided, noting that just because it is



documented that a right has been provided will not always equate to a good service to victims.

Support services will be invited as panel members and will be encouraged to bring the voice of the victim to the panel, providing insight into views of the victim, if they were provided, or providing a more general view of the service from a victim focussed approach.

Panel 1:

The panel met on Wednesday 7th December 2022 and scrutinised 3 cases relating to knife crime, specifically the offences of – assault causing grievous bodily harm/wounding and/or possession of a bladed article.

Victim Support, who are the commissioned support service for Gloucestershire providing advocacy and specialist support to help victims of crime to cope and move on from the crime, were also represented at the panel.

Knife Crime

Violent crime, particularly crime involving knives and weapons, can be fatal for victims and has a huge impact on communities. Increases in serious violence including knife crime have created significant challenges for frontline policing and services supporting. Incidents of serious violence have increased in England and Wales since 2014. For example, offences involving knives or sharp instruments increased by 84 percent between the year to June 2014 and the year to June 2020¹.

Carrying of knives and use of them in violence can often be linked to other offending and vulnerabilities, such as criminal exploitation, misuse of and selling of drugs and gang cultures. As the number of offences with knives and bladed articles has increased nationally the criminal justice system and those partners working in it have tried to adopt zero tolerance stances.

Cases

3 cases were identified for review within this panel.

All 3 of these cases had the offence of 'Possession of an article with blade/point in a public place or Possession of an offensive weapon in a public place' alongside a victim based offence, such as an assault or public order offence.

Findings

Out of the 3 cases reviewed the panel identified all 3 cases were deemed to be partially compliant with the Victims Code of Practice.

Each case was individually reviewed and each statutory organisation assessed their deliverance of the code to build to the overall case findings.

¹ [Serious Violence Duty - Statutory Guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/103444/Serious_Violence_Duty_-_Statutory_Guidance.pdf)



Case 1:

Victim:	1 Adult male
Defendant	1 Adult male
Offences	Attempt Murder & Posses offensive weapon
Geographical Area	Cheltenham
VCOP Compliance score	2 – partially compliant

Areas of good compliance/service:

- A good needs assessment was conducted and offer of support made.
- Good communication was attempted throughout the organisations and the processes.
- A Victim Personal Statement (VPS) was offered and taken in a timely manner.
- The case progressed quickly through to court process due to a guilty plea from the defendant.
- Victim declined referral to support services but this offer was revisited on multiple occasions.
- The victim was eligible for support from the victim contact scheme from probation and communications made.

Areas of less compliance/service:

- Police - The crime being recorded and subsequent written details sent out did not occur in reasonable timescales and it has not been documented that the victim was provided in writing with crime details and/or the victim of crime booklets which means opportunities to provide a vast amount of information about the criminal justice system may have been missed. It is possible that the booklet was provided and officers simply forgot to record this detail, unfortunately for the purpose of scrutiny and inspection if it hasn't been recorded we cannot report that it has happened.
- Police - The recording of one crime was also missed from the report. Accurate crime recording is vital to ensuring that we capture the number of affected persons, crime recording effectively counts the number of victims of crime, including where the state is the victim. It also acts as one of the quickest ways to identify someone's history of offending or victimisation on police systems. Any link between a person and a crime is sensitive personal information and as such there is a duty under the Data Protection Act for the information we hold to be accurate.
- Police - The victim was provided with key event updates through the investigation, however, the record of updates through the court process were not well documented.
- CPS provided communications in timescales but reflect the content of the letter sent was not in keeping with the seriousness of the offence.
- Witness Care Unit did not take on their VCOP obligations as the Officer in Charge (OIC) requested to maintain contact throughout the process. This is not necessarily a negative but in this case there was no clear communication from the WCU to the OIC about all the VCOP responsibilities they are taking on.
- HMPPS/WCU - The victim was eligible for support from the victim contact scheme, however, the information provided to them from WCU was not up to date and did not provide equality and diversity data.
- Police - The victim's property was not returned from police in a timely way.

Reflection/Summary:

This case fits into the partial compliance score, however, the panel reflected on the quality of service provided for this case and whilst it was clear the OIC of the case has made good communication efforts there were some issues with the service. The officer wanting to keep contact throughout has negated the Witness care in providing some further key information and whilst they have continued to provide updates to the officer it may not have equated to timely updates to victim.

CPS have provided letter communication but the victim contact scheme from Probation reports issues with the address that was provided. This was the same address used by Police & CPS so there are some concerns that other letter communications may not have been received as we are not clear when the address has changed.

This case benefited from an early guilty plea that meant the court process was not drawn out but it was clear and evident that the view of the victim was difficult to ascertain from the engagement with statutory partners and as such the quality of service and victim journey is being assessed from an organisation view as opposed to feedback/comments from victim. Panel go on to further discuss how we obtain views of victim.

Case 2

Victim:	1 Adult male
Defendant	1 Adult male
Offences	Section 18 – Wounding with intent & Posses knife/bladed article in public place
Geographical Area	Gloucester
VCOP Compliance score	2 – partially compliant

Areas of good compliance/service:

- A needs assessment was completed and identified the enhanced service the victim is eligible for.
- The police and CPS pursued an evidence led prosecution noting the seriousness of the offence.
- VPS was taken despite the victim not being engaged in the beginning of the investigation.
- The case progressed quickly through to court process owed to a guilty plea from the defendant.
- Referral to support service was made by police but initial contact was declined from victim. Victim later self-referred to Victim Support.
- The victim was eligible for support from the victim contact scheme from probation and communications made, but victim did not engaged.

Areas of less compliance/service:

- Police - The crime being recorded and subsequent written details sent out did not occur in reasonable timescales. It has not been documented that the victim was provided in writing with crime details and/or the victim of crime booklet which means opportunities to provide a vast amount of information about the criminal justice system may have been missed. It is possible that the booklet was provided and officers simply forgot to record this detail, unfortunately for the purpose of scrutiny and inspection if it hasn't been recorded we cannot report that it has happened.
- Police - There was a lack of recording of police information on the crime enquires making it difficult to assess the service offered.
- Witness Care Unit and CPS did not make contact with victim due to victim not wanting to engage initially.
- HMPPS/WCU - The victim was eligible for support from the Victim contact scheme however the information provided to them from WCU was not in required timescales.
- Victim support reported that once the victim was engaged with their service they had a large amount of dissatisfaction with their experience of reporting and being supported through the process.
- Victim felt they were not provided with correct service or information from the police or CPS. Victim believes if they were given all of the information at the beginning they may have supported the prosecution. Victim has also stated they believe the colour of their skin and previous encounters with the criminal justice system directly impacted the service they received.

Refecation/Summary:

This case fits into the partial compliance score, however, the panel reflected on the quality of service provided for this case, and whilst there are some strong positives to take from the pursuit of an evidence led prosecution for a serious offence, there was clearly scope to try to engage the victim more or at the very least provide more information so they can make informed choices.

The lack of detail recorded by the officer makes it challenging to be confident that good service was actually offered and a choice to decline them made by the victim.

This case benefited from an early guilty plea that meant the court process was not drawn out and despite the victim not being a part of the initial investigation and process a victim personal statement was taken from the victim and used in court.

The overall feeling from the victim as reported by the victim support service is of dissatisfaction and one that they were unfairly treated due to their ethnicity. It is clear that this is a case of VCOP compliance nearly meeting its obligations but actual service to victim from the Victim's perspective not good enough and from a panel perspective very difficult to properly ascertain with limited recorded detail.

Case 3

Victim:	3 Child Victims
Defendant	1 Adult male
Offences	Affray & Posses knife/bladed article in public place
Geographical Area	Cheltenham
VCOP Compliance score	2 – partially compliant

Areas of good compliance/service:

- The crime was recorded without unjustified delay and in line with crime recording timescales.
- Needs assessments were completed for all victims and their nominated family members were present and communicated with throughout.
- VPS was offered to all victims and one taken from the victim that wanted to provide one.
- Victim of crime booklet was provided to all victims which provided information on the Criminal justice system, VPS, compensation, complaints procedures for the police and what to expect when reporting a crime.
- Referral to support service was made by police for all the victims but support was declined by the nominated family members.
- The case progressed quickly through to court and this is thought to be owed to a guilty plea from the defendant.

Areas of less compliance/service:

- Police - Although the crime was recorded within the timescales it has not been documented that the victim was provided in writing with crime details.
- Police - Whilst a VPS was taken from one victim unfortunately this was not signed and was very short with limited detail.
- CPS and Police did not ensure the VPS was signed and there is no record from CPS or HMCTS as to whether the VPS was actually read in the case. It is not clear if the fact the VPS was unsigned caused issues with it being used in court or if there was another reason.
- Police - Victim was provided with key event updates through the investigation however the record of updates through the court process were not well documented.

Reflection/Summary:

This case fits into the partial compliance score, there are areas of good service and practice as far as VCOP compliance is concerned. The panel reflected on the quality of service provided for this case and there are some strong positives to take from the prompt recording and response to the initial report and good communication between police and the victim's family members. It is not, however, document if a witness assessment was conducted prior to taking a written statement from the victims. As children they would have been entitled to have their evidence gathered via a video interview rather than a written statement and given their age an assessment of whether



intermediary is needed for communication aid should have occurred. It may be the case that this was all considered and discussed but the lack of this being recorded means the panel cannot be confident this good quality service was provided.

There is also no mention of whether the victims were happy for communications to be through their parents. For children that are victims of crime VCOP allows their parents, if appropriate, to receive the rights on their behalf, however as these victims were teenagers deemed able to provide a written statement we would expect their views to at least be sought in whether they wish to be contacted themselves and this was also not documented as something that was considered and discussed.

In order to be truly victim focussed we must be seeking the views of the victim, regardless of their age, what is then done with those views will depend on circumstance, age and other factors.

Ensuring the victims have the victim of crime booklet is a great step in empowering victims to make informed choices and the VPS forms an important part of some victims journey.

Whilst the VPS is led by the victim we would hope the officer taking the VPS would advise a victim to take time to prepare and consider how they are feeling to assist in a detailed VPS being taken. It is shame in this case the VPS was minimal and we cannot be confident it was used in the case.

This case benefited from an early guilty plea that meant the court process was not drawn out.

Because the victims were not supported by a support service we have no measure of the service they feel they received and as such again we can only summarise the quality of service and victim journey assessed from an organisation view as opposed to feedback/comments from victim.

Using the findings to make a difference

In reviewing the cases we want to ensure we provide feedback to individual practitioners and supervisors about the case specific positives and places for improvement but also want to ensure the processes and policy are providing the right support to allow a good service.

In the cases reviewed individual feedback will be provided to each practitioner or supervisor identified from any of the organisations involved on the factors that require improvements or future learning. Positive feedback will also be provided and highlighted to supervisors where appropriate.

The representatives from each organisation at the VCOP Scrutiny panel will be expected to review themes and trends that may appear from the panels over the course of the year and it is expected that this will feed into organisational wide training, changes or feedback where appropriate.

Processes that were identified as either not being in place or not serving the purpose will be requested to be reviewed.

An action plan is in place and the chair of the panel is responsible for overseeing the completion of these actions.



What has been clear from the first panel is the victim's voice is paramount to establishing the difference between a text book compliant service and good service felt by those it is intended for. For this panel we were able to hear the voice of one victim who had been vocal to the support service but going forward we would like to find a better way of including this. This will be reviewed for next panel.

From the selection process it was clear we need to ensure a good balance of guilty plea cases and not guilty plea cases to ensure we are understanding the service for both outcomes. The panel will also, where possible, include a mixture of Crown court and Magistrates court cases as well as trying to include both adult defendants and youth.

The next scrutiny panel will be held on 15th March 2023.