

# Have you got what it takes?

Supporting victims and witnesses of crime



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### Important facts

#### The PCC Role

The previous Government's 2012 consultation 'Getting it right for victims and witnesses' proposed a mixed model for the provision of emotional and practical support for victims of crime and witnesses. This was to ensure they received the support they needed to participate fully in the criminal justice process. Following responses to the consultation, the Government Response set out a model in which Police and Crime Commissioners (PCCs) would commission most services for victims in their local area and the Ministry of Justice (MoJ) would continue to commission certain specialist services aimed at small groups of victims with complex needs, such as those bereaved by homicide and victims of rape. The MoJ also retained responsibility for the provision of practical and emotional support and information to witnesses who are attending criminal courts in England and Wales.

You can find the consultation and the Government Response here:  
<https://consult.justice.gov.uk/digital-communications/victims-witnesses>

Following assessments of local needs, PCCs developed strategies for supporting victims and witnesses and put in place appropriate support services, delivered either in-house or outsourced. In commissioning or providing services, PCCs must seek efficiency and best value for money. This includes consideration of options such as co-commissioning of services and integration of services.

Under section 143 of the **Anti-social Behaviour, Crime and Policing Act 2014**, PCCs were given wide ranging powers to commission or provide victims' services and are able to use MoJ annual grant funding to do this. Alongside this, **Section 7 of the Police, Reform and Social Responsibility Act 2011** requires PCCs to set out the victims' services that are planned for the year ahead in their Police and Crime Plan. Section 12 of the same Act requires PCCs to produce an annual report at the end of each financial year that specifies the victims and witness services that have been commissioned and provided.

When commissioning support and services, PCCs should particularly focus on the victims in the priority categories outlined in the **Victims' Code**: victims of the most serious crime, persistently targeted victims, and vulnerable or intimidated victims, to help them cope with the immediate impacts of crime and, as far as possible, recover from the harm they have experienced.

PCCs must also comply with the **EU Victims' Directive 2012/29** which came into force in November 2015. The Directive has strengthened and established minimum standards on the rights of victims of crime and their family members to information, support and protection. Services must be free of charge, confidential and available to victims irrespective of whether they have reported the crime to the police.

More information about EU Directive is available here: [http://ec.europa.eu/justice/criminal/victims/index\\_en.htm](http://ec.europa.eu/justice/criminal/victims/index_en.htm)

## The code of practice for victims of crime (the Victims' Code) and the Witness Charter

The Victims' Code sets out a minimum level of service that criminal justice agencies have to provide to victims of crime, including families bereaved by crime. Under this code, all victims are entitled to receive information about local support services in their area. The code represents a minimum level of service and agencies can decide whether they wish to provide a service that goes beyond the minimum level.

The police must make sure victims are given information about local support services and contact details for those services. They must also make sure the victim's contact details are passed to the appropriate local victims' service organisation unless the victim asks them not to.

The Witness Charter is a commitment made by the criminal justice system to meet the needs of witnesses. It is based on 34 standards which set out the level of service that witnesses can expect to receive at every stage of the criminal-justice process.

The charter applies to all who provide services to witnesses in criminal proceedings. This includes the police, witness care units, the Crown Prosecution Service, Her Majesty's Courts and Tribunals Service and the Court Based Witness Service.

More Information about the Victims' Code and the Witness Charter are available at: <https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime>

## Background

In 2015/16, a total of £63.15 million was allocated to PCCs (and, in London, the Mayor's Office for Policing and Crime and the Common Council of the City of London) by the MoJ, split by a population based funding formula.

MoJ will continue grant funding to PCCs in 2016/17 at the 2015/16 level using the existing population funding formula (updated to use 2014 population data). In addition to this core funding, MoJ is providing £4.7m to PCCs for services for victims of child sexual abuse (CSA) (also allocated through the population funding formula).

In addition to the funding provided for local commissioning, the MoJ nationally commissions the following services and these arrangements will continue in 2016/17:

- **The National Homicide Service to support people bereaved by homicide since 2010 and funding to 15 homicide support organisations who provide specialist therapy and counselling services to support people bereaved by homicide both since and prior to 2010**
- **The Court Based Witness Service to support witnesses attending court in all criminal courts across England and Wales**
- **Support for female and male victims of rape**
- **Support for victims of terrorism**
- **Support for victims of road traffic crime through a telephone helpline and information pack**

- **The Government has committed £40m for domestic abuse services between 2016 and 2020, and provided a £2m donation to Women's Aid and Safelives to support local early intervention pilots. The Home Office has committed to funding 144 Independent Domestic Violence Advisers (IDVAs) and 87 Independent Sexual Violence Advisers (ISVAs) in 2016/17.**
- **The Government has committed £40m over 5 years for a victim care contract with The Salvation Army to support potential adult victims of Modern Slavery. The contract runs from 2015/16 to 2017/18, with an option to extend for up to a further two years.**

### How do PCCs meet the needs of victims who choose to self-refer and do not report a crime?

Many victims choose to self-refer because they do not wish to involve the police. To address this challenge some PCCs have commissioned external service providers to offer emotional support to self-referrers who decide not to report a crime or do so at a later stage. Other PCCs are ensuring that victims can self-refer via website directories signposting to local support services.

### How do PCCs work together?

Interoperability is an essential dimension of local commissioning. In 2014, PCCs agreed Interoperability Protocols which set out that support should be provided where the victim resides, that support is provided regardless of whether and where the crime is reported and that whatever the different local models of support arrangements for victims put in place by different PCCs, these should be interoperable so that

they do not create an obstacle to victims being able to receive the support they need in their local area. Interoperability requires that people, processes, policy and technology work together coherently to ensure that PCCs deliver on the Victims' Code requirements.

### What guidance has been given to PCCs to inform how they should be commissioning services?

The Victims' Service Commissioning Framework was published in May 2013 and provides advice to commissioners on issues to consider; for example, the need for service providers to show the PCC that they are able to deliver two particular outcomes – helping victims to **cope** with the immediate effect of crime and **recover** as far as possible from the harm they have experienced.

A link to the Victims' Service Commissioning Framework is set out below:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/203979/victims-services-commissioning-framework.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/203979/victims-services-commissioning-framework.pdf)

