

Clauses 12-14: Victim support services

Overview

The Bill introduces a joint statutory duty on Police and Crime Commissioners (PCCs), Integrated Care Boards (ICBs) and local authorities to work together when commissioning support services for victims of domestic abuse, sexual abuse and other serious violence¹ – so that services can be strategically coordinated and targeted where victims need them.

This duty relates to services that support victims outside of safe accommodation (“accommodation-based services”), which has its own legislative framework under the Domestic Abuse Act 2021.

Key measures

To improve how support services for victims are planned locally, the Bill puts in place a statutory framework to bring together the relevant bodies that commission (arrange provision of) services and requires them to:

- **Collaborate with each other when commissioning the relevant victim support services** – this can enable a shared understanding of what support is available or needed and improve strategic coordination across local areas. The Bill does not prescribe how this collaboration should happen, so that local areas can choose what works. Instead, the Government will work with local areas to understand successful partnership structures and make recommendations within supporting statutory guidance.
- **Prepare and publish a local strategy on commissioning victim support services** – This enables transparency of the aims and approaches for each areas commissioning priorities and how they have met the requirements under this duty.
- **Ensure the strategy is informed by certain activities**, including existing assessments of victims’ needs, including children and those with protected characteristics. The relevant authorities must

¹ The duty applies in relation to: (a) domestic abuse, which has the same meaning as in the Domestic Abuse Act 2021; (b) criminal conduct of a sexual nature; and (c) serious violence, which includes violence against property and threats of violence but does not include terrorism within the meaning of the Terrorism Act 2000

also consult victims, providers and other relevant bodies so that strategies reflect their voices and are informed by necessary information and expertise.

- **Review and revise the strategy from time to time**, so that it reflects changing commissioning landscapes and emerging local need. Implementation will take place as soon as practically possible after the guidance has been published. We expect local areas to publish their first strategy within 12 months of commencement. [or following the next PCC election if that comes shortly after]. Following this, guidance will set out that we expect areas to review the strategy annually and revise it in full at a minimum of every four years.

The Bill also **enables the sharing of relevant information** to achieve these requirements. We anticipate that this would be anonymised data to help assess local need and understand effective interventions, such as police recorded crime data, or other demographic data.

Who the duty will apply to

The duty will be placed on the following bodies in England:

- PCCs, who represent all police force areas in England² and commission services to support victims and witnesses of criminal offences, including commissioning local Sexual Assault Referral Centres jointly with NHS England;
- ICBs, who hold responsibility for the planning and commissioning of health care services for their local area, including mental health services, and urgent care; and
- Tier one local authorities in England,³ who are responsible for a range of local services, and many provide specific support services for victims of domestic abuse and sexual abuse.

The duty is on local rather than national commissioners, as local commissioners commission the majority of local victims services and know local needs and victim pathways best.

² Which for these purposes includes the Mayor's Office for Policing and Crime in relation to the Metropolitan Police district and the Common Council in relation to the City of London police area, as well as West Yorkshire Combine Authority and Greater Manchester Combined Authority

³ Including county and unitary councils (other than London Boroughs), the Greater London Authority and the Isles of Scilly Council.

The duty requires that local commissioners come together based on police area. A full list of which ICBs and local authorities fall within each area will be included within the guidance.

This is a joint duty, and the legislation does not specify a “lead organisation”. We expect that PCCs will act as a “convener” to drive activity, as they have a wider responsibility for supporting victims of crime, and the duty is based around police area. The convening body will receive additional funding to carry out this role, and the statutory guidance will set out full responsibilities of the convener. This will include organising meetings, producing the strategy with input from all partners, and leading on the regular review and reporting of the strategies’ progress.

The duty applies to England only. There is already legislation in Wales (Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015), which creates a similar duty. Officials will continue to work with the Welsh government to set out clearly in guidance the interaction between VAWDASV and the duty to collaborate in England.

Background

Victim support services – including medical, emotional, therapeutic and/or practical – are crucial for victims to be able to cope with and recover from the impact of crime. They are arranged by multiple public sector bodies, including PCCs, ICBs and local authorities.

There is currently no framework that brings these commissioners together to consider the commissioning of victims services. Services are not always coordinated, and victims can find them disjointed to move between. In December 2021, the Ministry of Justice consulted on whether more formalised collaboration structures could help to improve service provision. We heard examples of where collaboration helped improve services, but this was not in place consistently.

The consultation response in May 2022⁴ set out the Government’s intention to introduce a legislative duty to collaborate. The duty is one part of wider work taking place across the justice system and government to improve support for victims.

⁴ [Delivering justice for victims - consultation response \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

The duty focuses on adult and child victims of domestic abuse, sexual abuse and other serious violence, as these are particularly traumatic crimes with a high number of victims each year. These victims typically access a range of services across health, local authorities and policing. The duty does not direct funding and is not intended to affect support available for victims of other crime types. Local commissioners will retain their flexibility to determine where funding is best spent to meet the needs of victims in their area.

Funding for victim and witness support services has more than quadrupled by 2024/25, up from £41m in 2009/10. NHS England's current programme for mental health, sexual assault and domestic abuse services will increase with an additional £20m over the next three years, up from £42m in 2021/22.

Expected outcomes and monitoring impact

We expect that strategies created through the duty will increase collaboration and information sharing across the range of commissioners who arrange support services in local areas.

As a result, victims should experience a more joined up pathway, accessing the right support, at the right time. This means:

- **Quality support**, with victims accessing the right support and knowing what is available to them, enabled by better coordinated and targeted local use of resources and interventions
- **Timely support**, with victims accessing support at the right time, facilitated by better join-up so victims can more seamlessly move between services

Changes in commissioning processes should lead to:

- **Reduced duplication** by commissioners through increased joint-working
- **Common understanding** of local need and effective available provision
- **Transparency** on decision-making, including how they are informed by consideration of needs assessments and engagement with victims and providers

We will set out in statutory guidance how frequently local areas should review and revise the joint local commissioning strategy, and how they should monitor progress and measure impact.

National oversight

In our consultation response, we set out our intention to set up a national oversight group to consider the published strategies and discuss solutions to local challenges.

It is expected this national oversight will;

- Consider progress against local objectives or KPIs set out in the joint local commissioning strategy required under the duty; and
- Be a forum to highlight and share good practice, discuss solutions to local challenges identified through the strategy and escalate local issues nationally.

The statutory guidance will set out what form the national oversight structure will take.

Funding to support this duty

To deliver the new requirements under this duty, activities and estimated costs have been set out for illustrative purposes within the impact assessment. These are based on the best information currently available. We will continue to refine estimates as we work with partners to develop the detail of the collaborative activity required.

Alignment with other duties

Victim support by its nature interlinks with a range of related issues including community safety, preventing and reducing serious violence, child and adult safeguarding, and the provision of safe accommodation. Further detail will be developed in statutory guidance on how this duty and its related activity will interlink with other, similar duties and policies in this space, alongside other practical issues relating to the delivery of the duty.

Guidance for how this will work in practice

Statutory Guidance will support local commissioners to deliver the duty. We expect it to cover:

- **How collaboration will work in practice, beyond the specific legislative requirements**, including convening the duty and the requirements of the collaboration forum areas must use to deliver the duty.
- **Strategy development**, including what should be considered when preparing the strategy as per legislative requirements and the recommended content of the strategy, and timelines for the strategy's publication and review.
- **Oversight and monitoring of the duty** detailing the role of the national oversight and expectations on local areas to self-monitor their delivery of the duty's requirements and its impact locally.

We have heard that areas would welcome the opportunity to engage with us in the development of the statutory guidance. We will continue to work with other government departments, local commissioners and the victim support sector as we develop the statutory guidance.

During passage of the Bill, we intend to publish a draft of the guidance to enable Parliamentary consideration, followed by a form of formal consultation.