

Duty to collaborate in the commissioning of victim support services: draft guidance for duty holders.

CHAPTER 1: Introduction to the Duty

The Duty to Collaborate

1. The “duty to collaborate” (“the Duty”) is intended to support in the collaboration and commissioning of community support services in England for victims of domestic abuse, sexual abuse, and serious violence. The Duty in sections 12-14 of the [Victims and Prisoners Act 2024] (“the 2024 Act”)¹ requires the “relevant authorities” (which this guidance refers to as “duty holders”)² for a police area to: work together when commissioning support services for victims of domestic abuse, sexual abuse, and serious violence excluding accommodation-based support (“relevant victim support services”)³; consult a range of partners; assess local service demand and provision; and use this insight to prepare, publish and implement a “joint strategy” (see chapters 3 and 4 of this statutory guidance) that demonstrates how they will collaborate to deliver and improve relevant victim support services.
2. The Duty applies to England only. Health and local authority policies and legislation are devolved in Wales, Scotland, and Northern Ireland. Please refer to paragraphs 9 – 12 for more information on commissioning arrangements for victim support services in Wales.

What does the Duty aim to achieve?

3. The Duty brings duty holders together to take a collaborative approach to local commissioning. The aim is to streamline a victim’s entire journey between relevant victim support services from the initial point of disclosure (no matter who they disclose to) and reporting (if they choose to do so) through to recovery. The Duty is intended to remove barriers to those seeking to access victim support that allows for a more holistic victim journey.
4. The Duty seeks to procure valuable insight into local demand and the current levels of service that victims receive locally. This should help target local provision and resources more effectively and increase transparency on how local funding is distributed.
5. The Victims’ Code (“the Code”)⁴ sets out the information, support, and services that victims of crime are entitled to receive from criminal justice agencies in England and Wales. The Duty supports delivery of the minimum standards set out in the Code. In particular, Right 4 of the Code entitles all victims who report a crime to be referred to support services. The Code also entitles all victims to access those services at any time, whether they have reported a crime or not. This includes any time during the criminal justice process or after it has concluded. The

¹ [Victims and Prisoners Bill - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/bills/2024/victims-and-prisoners-bill)

² As defined in section 12 of the 2024 Act – see paragraph 8 of this guidance

³ See section 12(5) of the 2024 Act.

⁴ [Placeholder for link to the new Victims’ Code. The existing Victims’ Code currently remains in force]

Code also notes that, depending on their needs and the nature of their case, victims may be offered specialist support.

The Statutory Guidance

6. This statutory guidance is issued under [section 14 of the 2024 Act]. It is intended to assist duty holders in carrying out the Duty, which includes requirements to:
 - i. Collaborate when commissioning relevant victim support services;
 - ii. Prepare a strategy on commissioning relevant victim support services and set out how they have met the requirements under the Duty;
 - iii. Ensure the joint strategy is informed by consultation with service providers, experts, victims, and other persons that the duty holders consider appropriate;
 - iv. When preparing the joint strategy, conduct a Joint Needs Assessment (JNA) to assess local need, and whether and how, those needs are being met by local services to inform local strategies;
 - v. Ensure the JNA, and in turn the joint strategy, has regard to the particular needs of children⁵ and those with protected characteristics within the meaning of the Equality Act 2010⁶;
 - vi. Publish a joint strategy on commissioning relevant victim support services;
 - vii. Implement the joint strategy; then review and revise the joint strategy on a regular basis.

7. The statutory guidance provides support to duty holders in carrying out these activities by providing information and recommendations on themes including: partnership working models, strategy development, consultation, and engagement. It provides information about assessing local need including best practice on considering the particular needs of children and those with protected characteristics. It also sets out arrangements for local monitoring of strategies to encourage continued local improvement in commissioning, and national oversight and scrutiny of compliance with the Duty. This guidance aims to build on existing collaboration, other relevant duties, and legislation. The supplementary “Useful Links and Guidance” document provides links to other relevant statutory guidance and information on best practice to support duty holders when carrying out the Duty.

⁵ Here meaning, persons under the age of 18 in accordance with [section 13(4) of the Act].

⁶ [Equality Act 2010: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/equality-act-2010)

Who does this Statutory Guidance apply to?

8. This statutory guidance applies to duty holders who are required to comply with the Duty under [sections 12 and 13 of the 2024 Act] and are:
- i. **Local policing bodies**, this includes Police and Crime Commissioners (PCCs)⁷, which represent police force areas and commission services to support victims and witnesses of criminal offences. They specifically commission services to support victims of criminal offences, including co-commissioning Sexual Assault Referral Centres (SARCs) and Child Houses with NHS England. It also 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.
 - ii. **Integrated Care Boards (ICBs)**, which hold responsibility for the planning and commissioning of health care services.
 - iii. **Tier one local authorities**, which carry broad safeguarding responsibility for the local population, and commission a range of local services. These have no statutory duties to provide community-based support to victims, but many provide specific support services for victims of domestic abuse and sexual abuse.

Pursuant to [section 14(1) of the Act], the duty holders must have regard to this guidance when discharging their duties under [sections 12 and 13].

Welsh Police and Crime Commissioners

9. This Duty applies to England only. In Wales, Welsh PCCs are encouraged to participate in partnership delivery to support victims of domestic abuse and sexual violence through separate legislation. The Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (“VAWDASV”) places a duty on Welsh local authorities and Local Health Boards to jointly prepare, publish and, from time to time, review a local strategy setting out how they will improve local arrangements and support regarding VAWDASV, in line with the principles of the Act, namely prevention of gender-based violence, domestic abuse and sexual violence, and protection and support for those affected.⁸
10. Statutory guidance for the VAWDASV Act states that regional partners (Welsh local authorities and health boards) must invite PCCs to participate in their activities under the Act, and that PCCs then become ‘invited participants’ if they accept the invitation.⁹
11. As well as being invited partners within the local VAWDASV partnership arrangements in Wales, Welsh PCCs are also statutory invitees to the Public Service Boards under the Well-being of Future Generations Act.¹⁰ Welsh PCCs continue to implement the Serious Violence Duty, as well as engaging with the work of the Criminal Justice Board for Wales Victims and Witnesses

⁷ Police and Crime Commissioners (“PCCs”) were introduced in 2012 as part of a wider package of police reform enacted by the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”). [Police Reform and Social Responsibility Act 2011 \(legislation.gov.uk\)](#). Throughout this document references to PCCs should generally be read as including Police, Fire and Crime Commissioners (PFCCs) and combined authority mayors who exercise PCC (and, where relevant, Fire and Rescue Authority) functions unless stated otherwise. The Mayor of London exercises functions equivalent to that of a PCC for the Metropolitan police force area.

⁸ [Violence against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015 \(legislation.gov.uk\)](#)

⁹ [statutory-guidance-for-the-commissioning-of-vawdasv-services-in-wales.pdf \(gov.wales\)](#)

¹⁰ [Well-being of Future Generations \(Wales\) Act 2015 – The Future Generations Commissioner for Wales](#)

Taskforce. This demonstrates the ongoing partnership in Wales between reserved and devolved authorities who are tackling gender-based violence, domestic abuse, and sexual abuse.

12. In Wales, PCCs co-commission Sexual Assault Referral Centres (SARCs) with NHS Wales and there is a new 'hub and spoke' model of SARCs being rolled out. This model was agreed in 2019 following development work with health, police, voluntary and community sector, victims, and survivors. This programme is health-led and is a collaboration with policing (regional police forces and PCCs) and the voluntary and community sector.

What is the geographical boundary of the Duty?

13. The Duty applies separately to each of the 39 police force areas in England. A police force area is the geographic area this guidance refers to as a "local area."¹¹

Who has been consulted in developing this statutory guidance?

14. [The Ministry of Justice has worked in collaboration with relevant central government departments, duty holders, and the victim support sector in developing this draft statutory guidance. This version has been published to enable Parliamentary consideration during passage of the Victims and Prisoners Bill. Before issuing guidance, the Secretary of State must [under s14(2) of the 2024 Act] consult such persons as the Secretary of State considers appropriate.]

Can other crime types be included in the Duty?

15. The Duty covers support services for the relevant victim support services of (domestic abuse, sexual abuse, and serious violence). It does not prevent commissioners from collaborating in relation to other crime types if that would benefit their local area.

The Public Sector Equality Duty

16. As set out in section 149 of the Equality Act 2010, when exercising their functions pursuant to the Duty, duty holders must have due regard to the need to:
 - i. Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act;
 - ii. Advance equality of opportunity between persons who share a relevant protected characteristic;
 - iii.
 - iv. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

¹¹ [UK police forces | Police.uk \(www.police.uk\)](https://www.police.uk)

CHAPTER 2: Collaboration

Overview

17. Under the Duty, duty holders within a local area are required to collaborate when commissioning relevant victim support services.
18. All duty holders will have an equal role in decision making and complying with the Duty. Whilst the Duty does not specify a ‘lead organisation’, each area should nominate a “convenor” (see section 2 of this chapter) to coordinate activity.
19. It is expected that collaboration facilitated through the Duty should lead to changes in commissioning practices, resulting in;
 - i. **Improved join-up between services.** Identifying where collaboration can increase impact which will lead to efficiencies in working practices and better value for money from funding and resources;
 - ii. **Services that better respond to local need.** By sharing data, evidence and insight, areas will build a common understanding of common need and be able to identify and fill gaps in services;
 - iii. **Increased local transparency on decision-making, processes.** This includes increasing local understanding of why commissioning decisions have been made, and how these will meet the needs of the community.
20. This chapter sets out the guidance on collaboration and partnership arrangements in relation to:
 - Section 1: The collaboration forum.
 - Section 2: The role of the Duty convenor.
 - Section 3: Reaching consensus.
 - Section 4: Interaction with other relevant duties and guidance.
 - Section 5: Data sharing principles and compliance.

Section 1: The collaboration forum

21. The [2024 Act] does not specify the forum through which duty holders must fulfil their obligations to collaborate under the Duty. It is for the duty holders to decide on the appropriate partnership model through which a “collaboration forum” should be convened.

What is the collaboration forum?

22. The collaboration forum is the local area arrangement through which duty holders convene to fulfil the Duty. When setting up a suitable forum, or selecting an existing one and determining attendees, duty holders should ensure that:
 - The forum is (or can be) chaired by a “Duty convenor” (see section 2);

- The forum meets at the appropriate frequency; it is recommended this is on a quarterly basis;
- The forum allows for substantive discussion on relevant commissioning activity, data and insight, joint strategy content, publication, and progress against aims.

Who should attend the collaboration forum on behalf of the Duty holders?

23. Duty holders should arrange for “representatives” to attend the collaboration forum. These representatives should each be of the appropriate seniority to allow for decision making and the sharing of information in the forum. It is up to duty holders to ensure that membership reflects the specific needs of the local area.
24. Representatives should have the necessary authority to sign off actions agreed in the collaboration forum. In cases where additional or higher-level sign-off is required, attendees should update the group on the timeline and process for this.
25. By exception, duty holders may choose to delegate representative attendance. In cases where the delegated representative does not have the authority to sign off decisions in meetings, the delegated representative should take steps to agree actions with the lead representative outside of the collaboration forum and as soon as practicable.
26. Representatives should be able to make a meaningful contribution to the discussion on all crime types that require consideration under the Duty. Representatives should have the relevant insight and/or expertise on commissioning the variety of services that may be required to support both adults and child victims.
27. Roles and responsibilities of individuals within duty holders may differ in each local area, however, it is suggested those with the following responsibilities may be best placed to attend the collaboration forum:
 - Heads of commissioning or commissioning leads of commissioned services;
 - Policy/commissioning leads in an Office for Police and Crime Commissioner, local authority or ICB commissioning leads or NHS England regional leads;
 - Local authority strategic leads of relevant victim support services;
 - Public health leads;
 - Deputy Police and Crime Commissioners;
 - Police and Crime Commissioners;
 - Violence Reduction Unit Directors;
 - Designated Adult Safeguarding Leads;
 - Designated Child Safeguarding Leads;
 - Child and Adolescent Mental Health Transformation leads;
 - Children and Young People’s Commissioning leads.

External attendance at collaboration forum meetings

28. It may be appropriate for experts and subject area leads to attend the collaboration forum on an ad-hoc basis to provide subject-level expertise. This may include bringing in department leads for other relevant services, such as Local Authority Housing. It is recommended that

consideration be given by the duty holders on the most appropriate way to involve victims and the victims' sector in these meetings to encourage co-production and a collaborative approach. It may be beneficial to allow for standing membership of representatives with lived experience or to invite victims' group representatives to meetings on relevant agenda items and represent the victims' voice.

How should arrangements for partnership working be formalised?

29. It is recommended that duty holders agree key terms for collaboration and formalise this in a Terms of Reference. This should specify the named representatives from each body, terms for how collaboration will take place, and a process for reaching collective consensus. The Terms of Reference should include a framework for data and information-sharing across duty holders.

Section 2: The Duty convenor

30. All duty holders have an equal role in decision making and complying with the Duty. However, to ensure effective coordination of collaboration activity between the duty holders and to provide the necessary administrative support to the development and implementation of the joint strategy, it is strongly encouraged that a representative from the local police body take on the convenor role. This is due to the fact that commissioned services will likely be across a police force area (though this should not discourage broader collaborative commissioning of services a regional or broader level).

What are the responsibilities of the convenor?

31. The convenor should have ongoing responsibility for the following:

- i. **Convening the collaboration forum:** oversight over: scheduling and planning local meetings at a minimum of quarterly annual intervals, relevant agendas, producing minutes, and keeping track of deadlines and actions;
- ii. **Ensuring appropriate representation** and attendance across all duty holders;
- iii. **Overseeing the development of the joint strategy:** As per chapters 3 and 4, agreeing and coordinating the production of a JNA and joint strategy, ensuring that this meets all legislative requirements and is developed with input and appropriate agreement from all duty holders and leading an annual review and revision and publication of the strategy at least every four years;
- iv. **Oversight of risk management:** Monitoring of an appropriate system to manage risk related to delivering the Duty.

Alternative arrangements in London

32. It is expected the occupant of the Mayor's Office for Policing and Crime (MOPAC) will convene the Duty across the Metropolitan police force area, in collaboration with London boroughs and the Greater London Authority. The Common Council will also play a role in relation to the City of London Police Force.

Section 3: Reaching collective consensus

33. Decision making should be made by collective agreement and where possible all partners should work towards reaching a consensus. It is expected that disagreements should be settled locally.
34. Duty holders should agree a process of decision-making including steps of escalation where it is not possible to reach a consensus. This process should consider the role of the convenor in dispute resolution. Duty holders are encouraged to define dispute resolution mechanisms in the Terms of Reference.
35. In the case of serious concerns, such as safeguarding, legal risk, or data breach, duty holders should act immediately and either contact the relevant emergency services or relevant organisation.

Section 4: Interaction with other duties and guidance

36. Duty holders and the collaboration forum should be aware of other multi-agency working arrangements that relate to crime or safeguarding responsibilities when exercising functions under the Duty. This section provides an overview of the main interaction with other relevant duties.
37. **Serious Violence Duty:** The Police, Crime, Sentencing and Courts Act 2022 places a duty on police (Chief Officers), local authorities and ICBs, justice (probation and youth offending teams), and fire and rescue, to work together to prevent and reduce serious violence in a local area, and prepare and implement a strategy in relation to these strategies. PCCs may choose to collaborate with local partnerships and take a lead convening role to support the development and implementation of the local strategy.

How does the Duty interact with the Serious Violence duty?

- The Serious Violence duty and the Duty should work in parallel to achieve a more coordinated response to serious violence. Specifically, duty holders should consider needs assessments or data collected as part of the Serious Violence duty when considering local need under the Duty.

38. **Local Authority Domestic Abuse duty:** Part 4 of the Domestic Abuse Act 2021 places a duty on local authorities to assess the need for accommodation-based support and prepare strategies to provide such support for victims of domestic abuse and their children in a local area.

How does the Duty interact with the Local Authority Domestic Abuse duty?

- Relevant needs assessments produced by local authorities in delivering the duties under Part 4 of the 2021 Act should also be considered under the Duty. It is likely that victims accessing support whilst living in safe accommodation may also, or will subsequently, require access to support services in the community as required by the Duty.

- Accommodation-based support is excluded from the definition of "relevant victim support service" and is therefore not captured as part of the Duty. Funding provided for accommodation-based services under Part 4 of the 2021 Act cannot be used to commission community-based services under the Duty.

39. Health and Care Act 2022: Part 2c of section 14Z50 of the Health and Care Act 2022 requires ICBs to set out in their five-year joint forward plan any steps they are taking to provide services for victims of abuse. Section 14Z45 of the Health and Care Act 2022 requires ICBs to make arrangements for the individuals (and their carers and representatives, if any) for whom services are, or may be, provided to be involved in the planning and development of services. Part 5 of Section 116ZB sets out a responsibility for joint local health and wellbeing strategies between the local authority and ICBs.

How does the Duty interact with the Health and Care Act 2022?

- The Duty aims to build on the multi-agency working encouraged under the Health and Care Act 2022 such that ICBs may seek to use information to develop a strategy under the Duty. The Duty aims to ensure victims and survivors, whether they are adults, children, or their caregivers, have the opportunity to be heard and shape joint strategy of the collaborative forum. The Duty aims to build on existing section 116 agreements for joint local health and wellbeing strategies.

40. The Children Act 2004: This places a duty on local authorities to promote co-operation with partners and other agencies to improve the wellbeing of children in their area. It also places duties on a range of organisations and individuals to ensure they also give sufficient regard to children in need of help and safeguarding.

How does the Duty interact with the Children Act 2004?

- Local authorities, ICBs and the chief officer of police within a local authority area are statutory safeguarding partners under the Children Act 2004 (as amended by the Children and Social Work Act, 2017). The duty holders under the Duty should take into account the responsibilities under the 2004 Act when considering commissioning services for child victims and their families.
- Duty holders should have particular attention to the statutory guidance, Working Together to Safeguard Children 2023, issued under the Children Act. This includes a framework for the three local safeguarding partners (the local authority, an ICB for an area, any part of which falls within the local authority area, and the Chief Constable for police for a police area, any part of which falls within the local authority area) to make arrangements to work together to safeguard and promote the welfare of local children, including identifying and responding to their needs.

Section 5: Data sharing principles and compliance

41. Duty holders should ensure disclosures of personal data are only permitted if they are in compliance with the data protection legislation as defined in section 3 of the Data Protection Act 2018, as well as the UK General Data Protection Regulation (UK GDPR), the Data Protection

Act 2018 and regulations made under the Data Protection Act 2018.

42. It is the responsibility of the duty holders to ensure that any data published under the Duty is compliant with the data protection legislation outlined above. The Data Sharing Governance Framework.¹²

43. [placeholder for guidance on local data sharing].

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CHAPTER 3: Developing a joint strategy

¹² [Data Sharing Governance Framework - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Introduction

44. [Section 13 of the 2024 Act] requires duty holders to prepare, publish and implement a joint strategy for the exercise in the area of their functions in relation to relevant victim support services. This joint strategy is intended to enable a local response to improve collaboration of victim support services.
45. In preparing the joint strategy, [Section 13 of the 2024 Act] requires the duty holders to make reasonable efforts to obtain the views of victims in that police force area and consult with service providers of victim support services and such other persons as the duty holders consider appropriate. This is intended to ensure the joint strategy is informed by the necessary insight and expertise.
46. [Section 13 of the 2024 Act] also requires duty holders to (a) assess the needs of victims of relevant victim support services in the police force area for relevant victim support services, (b) assess whether and how those needs are being met by the services which are available (whether or not provided by the duty holders, and (c) have regard to those assessments when preparing the joint strategy.
47. When preparing the joint strategy and making a needs assessment, duty holders must have regard to the particular needs of victims who are children (meaning those under the age of 18); or have protected characteristics within the meaning of the Equality Act 2010.
48. Once prepared, [Section 13 of the 2024 Act] requires duty holders to publish the joint strategy, implement the strategy, keep it under review, and from time to time prepare a revised joint strategy. It is recommended that joint strategies are reviewed annually and then revised and published every four years.
49. Any existing relevant material from other related strategies should be incorporated, where relevant, to reduce duplication of work (for example, Police and Crime Plans, Integrated Care Board plans to commission services for victims of abuse, the strategies and needs assessments from the Serious Violence Duty or Part 4 of the Domestic Abuse Act 2021 or the Local NHS joint five year forward plans).
50. This chapter sets out a four-step process for joint strategy development.
- Step 1: Baselining the joint strategy: mapping current practice, funding streams and the local area landscape of victim support.
 - Step 2: Developing a Joint Needs Assessment (“JNA”).
 - A. Considerations when identifying victims and assessing support needs;
 - B. Identifying and assessing existing needs assessments;
 - C. Conducting a ‘gap’ analysis of need.
 - Step 3: Setting commissioning priorities and objectives for the draft joint strategy.
 - Step 4: Monitoring and review of the joint strategy.
51. This chapter also includes a section on consultation with victims, providers, and other relevant persons. Duty holders should plan to consult throughout the steps described in this chapter to ensure the experiences and expertise of these groups are considered. This is particularly important when developing a JNA and consulting on content for commissioning priorities and objectives for the joint strategy.

Step 1: Baselineing the joint strategy: mapping current practice, funding streams and the local area landscape of victim support

52. Duty holders should conduct an exercise at the start of strategy development to map current local service provision, funding, commissioning cycles and commissioning priorities. They should identify the existing resources, people, and information (e.g., analytical) in place to map local need, and what existing needs assessments, strategies and evidence reviews have been conducted. This is a foundational step towards identifying the parameters of the joint local needs assessment in step 2 and setting the priorities for the joint strategy in step 3.

Suggested areas of baselineing

- Mapping local area commissioned services, commissioners and funders. This should include both services commissioned by duty holders and nationally commissioned services that operate in the local area.
- Mapping current collaboration mechanisms (e.g., existing boards and partnerships, joint grants, procurement processes, data sharing, engagement, referral systems, service collaboration).
- Mapping processes to understand local need (e.g., existing needs assessments and gap analysis and analytical resources).
- Identifying the commissioning baseline for children and those with protected characteristics in the local area.

Step 2: Developing a JNA

53. Assessing local need ensures that commissioning intentions are informed by an understanding of the needs of victims and whether these needs are met by existing services. As such, there needs to be a review or “needs assessment” of the current and future needs of the local population to inform a suitable joint strategy. It also provides opportunities to support service improvements, reduce service overlaps, address gaps, and move resources. Refer to [section 2.1] of the Ministry of Justice Victim Services Commissioning Guidance¹³ for principles of how to approach and undertake a needs assessment. Duty holders should note that the JNA should be recorded in a self-contained document and should be shared with the Ministry of Justice within 12 months of the Duty commencing.

A. Considerations when identifying victims and assessing support needs

54. To build a picture of local need it is important to understand the demographics of victim cohorts in a local area. By understanding the prevalence of domestic abuse, sexual abuse and other

¹³ [add link once available]

serious violence, including the full range of offences that fall within these categories (see glossary for examples) and those with multiple and overlapping needs within those cohorts, duty holders can ensure that support services are meeting those victims' needs. This should include considering the need for 'by and for' services or specialist services (see glossary). Duty holders should consider the needs of victims who have chosen to report a crime and seek support equally to those victims who do not engage with the police or statutory services.

55. The effects of crime can have a wide-reaching long-lasting impact on victims. Many of the effects are common across all crime types resulting in some common support needs, including access to information about rights and support navigating the criminal justice system. Duty holders should consider the demand for victim support 'multi-crime' services which are needs-led rather than crime-led. This ensures the type and level of support is based on the victims' personal risk, impact assessment and support needs.
56. Duty holders should be aware that, within victim cohorts, the experiences and personal circumstances of individual victims will vary. There are a number of factors that can affect the breadth and depth of impact, such as the nature of the crime, isolation/access to support networks, disability, and language and communication barriers. It is important that support services meet the needs of victims specified under the Duty, including those who have multiple support needs.
57. Duty holders should be aware that the victim of crime may also be the perpetrator of a crime. An effective intervention should be preventative whilst ensuring the needs of the victim are addressed. This is particularly the case for children that harm and children that are harmed, especially in sibling sexual abuse.
58. There may be challenges in identifying certain cohorts where victims may not recognise themselves as a victim of a specific crime type or, in some cases, as a victim at all. For example, in cases of modern slavery, the primary way in which these victims access local services is through contact with the police; However, they may not recognise themselves as a victim or may fear statutory authorities, and so disengage from seeking support. Duty holders should be aware of existing guidance such as the Modern Slavery Statutory Guidance to support them in understanding how to identify these victims and assess their needs.¹⁴
59. The accuracy, completeness and useability of data related to victim cohorts is likely to vary across offences. It is important for duty holders to recognise where there are gaps and identify where other methods can be used to fill gaps, for example, through expert reports or by seeking additional information in the consultation process.
60. Where victims with no recourse to public funds (NRPF) are eligible to receive support from statutory services under the Duty, the needs of these victims should be fully considered by duty holders.

¹⁴ [Modern Slavery: statutory guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\) and non-statutory guidance for Scotland and Northern Ireland \(accessible version\) - GOV.UK \(www.gov.uk\)](#)

61. The useful links and guidance section document provides further information on best practice and commissioning considerations for different cohorts.

Considering the particular needs of children

62. Victims who are children will have needs that are distinct from adults and Duty holders should consider the following factors when assessing need:

- The benefits of specialist children’s provision, with a collaborative multidisciplinary approach to assessing and responding to the needs of the child from initial assessment onwards;
- The overlap between the needs of children and protected characteristics they may have, such as being disabled or LGBT;
- The needs of children in care or care leavers;
- The transition between adult and child services for young people;
- The needs of children who may be victims of other serious violence or domestic-abuse type harm in their own partner relationships;
- The needs of children who may be displaying harmful behaviour in their own relationships, for example in adolescent relationships or towards parents or caregivers;
- The needs of the non-abusive parent and wider family including those impacted by children who may be displaying harmful behaviour, such as caregivers or siblings;
- The needs of neurodivergent children, children with Special Educational Needs and Disabilities (SEND) and children with mental health issues;
- The needs of children who may be victims of child criminal exploitation or sexual exploitation, or who are both victims and offenders;¹⁴
- The needs of children who are born from rape;
- The needs of young carers;
- The needs of unaccompanied asylum seeking and refugee children;
- The benefits of specialist children’s provision;
- The importance of creating sustained relationships with children when accessing support services;
- The importance of advocacy to ensure the child’s voice is heard and allows choice in the support they receive;
- Ensuring the best interests of the child are the primary consideration in all actions and decisions;
- Providing support to children as soon as reasonably possible, avoiding undue delay.

63. Duty holders will find it useful to refer to the Working together to safeguard children 2023: statutory guidance for more information on considering the particular needs of children.¹⁵

Considering the needs of those with protected characteristics

¹⁵ [Working together to safeguard children 2023: statutory guidance \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114141/Working_together_to_safeguard_children_2023_statutory_guidance.pdf)

64. The protected characteristics as set out in the Equality Act 2010 are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
65. Duty holders should consider the needs and specific barriers to access of victims that may have one or more of these protected characteristics. To gather this information, duty holders may need to review local demographic data, referral and/or demand data.
66. Victims' need may also be affected by life circumstances or life experience. These characteristics, circumstances and experiences may combine and overlap and lead to victims having particular needs, requiring rounded consideration by those providing support. These victims may also experience increased barriers to accessing services. Examples of contextual factors and risks include:
- Disabilities or learning difficulties;
 - English not being a first language;
 - Having an offending history or being an offender;
 - Mental health conditions;
 - Physical health conditions;
 - Homelessness, sleeping rough, or having no fixed address;
 - Immigration status;
 - Living in rural and isolated areas or away from local areas, communities, family, and friends;
 - Socio-economic status;
 - Substance misuse.
67. Duty holders should also consider:
- Whether there is a good understanding of the needs of victims with protected characteristics, and how data collection should be strengthened to enable this;
 - Whether funding streams in an area are available on a level playing field to all service providers, including considering what support smaller services who may face barriers in applying for funding may need;
 - The importance of co-production with representative groups to design and evaluate services.

Considering the needs of backgrounds which may be more likely to be socially excluded

68. Duty holders should also consider the needs of backgrounds which may be more likely to be socially excluded in their area. These include, for example, any population group that is socially excluded, homeless people, people with drug and alcohol dependence, vulnerable migrants, Gypsy, Roma and Traveller backgrounds, older people, and people in contact with the justice system.

B. Identifying and assessing existing needs assessments

69. Duty holders should first seek to bring together and assess existing needs assessments and strategies that will support the identification of relevant cohorts and their likely needs. These include, but are not limited to, the following:

- **Local serious violence strategic needs assessment (SNA):** carried out by local partners under the serious violence duty, indicates levels of serious violence and volume of victims in an area;
- **Joint strategic needs assessment (JSNA):** carried out jointly by local authorities and Health and Wellbeing Boards to improve local health, social care, and public health outcomes;
- **Local safe accommodation needs assessments:** carried out by Tier 1 local authorities under Part 4 of the Domestic Abuse Act 2021 give an indication of level of need for support within relevant safe accommodation in their local area;
- **Local needs assessments or user data from service providers:** may give an indication of the numbers of victims accessing services, waiting list times, and the types of services victims require;
- **Strategic assessments:** carried out through Community Safety Partnerships introduced by Section 6 of the Crime and Disorder Act and bring together local partners to formulate and deliver strategies to tackle crime and disorder in their communities.¹⁶

C. Conducting a gap analysis

70. Duty holders should use the findings from the JNA and any engagement and consultation to conduct a gap analysis. This is an exercise using the available evidence to compare need to existing provision. This will enable Duty holders to understand where there are gaps or duplication in service provision and consider what services should be commissioned and prioritised in the joint strategy.
71. The gap analysis should include consideration of other drivers of need for victims' services, such as considering groups with low demographic population volumes that require specialist support but are too small to have dedicated services locally. In these cases, duty holders should identify what regional or national services could improve the reach of these specialist services to victims.
72. The gap analysis should consider the needs and safety of victims who may move across police force area boundaries to access services and identify how working across local areas can ensure victims can continue to access the right support in a timely manner.

Step 3: Setting the priorities for the draft joint strategy

73. As a result of the baseline exercise and through the findings of the JNA, duty holders will have a shared understanding of existing commissioning priorities and current collaboration mechanisms. This insight should be used to consider what new commissioning priorities should be included in the joint strategy.
74. Duty holders should, in setting priorities, consider the services that will be commissioned over the lifetime of the strategy and agree what commissioning activity should be prioritised to

¹⁶ [Crime and Disorder Act 1998 \(legislation.gov.uk\)](https://legislation.gov.uk)

ensure impact and better value for money from funding and resources. For example, this could include pooling resources or sharing back-office functions, strengthening referral systems, alignment of consultation and engagement and, through contracts and/or co-commissioning.

75. These priorities should be used to set strategic local objectives for what outputs and outcomes duty holders will achieve through the strategy and detail the activity that will be delivered to meet the objectives. Objectives should follow the SMART criteria and be – specific, measurable, achievable, relevant and timebound.

Step 4: Monitoring and review of the joint strategy

76. Duty holders should set out a plan for monitoring and evaluating local delivery against local objectives in parallel to these being set.
77. The joint strategy should set out how the objectives will improve the experience of victims and include a plan for how this will be measured, for example, timeliness of access, quality of support, victims' experience, and victims' continued engagement with the criminal justice process, where relevant (attrition).

Consultation and engagement

78. Duty holders should engage with victims, service providers and other relevant persons throughout the steps described in this chapter. It is recommended that an engagement plan is created to ensure the right groups and organisations are consulted. Duty holders should approach consultation as a two-way process. The expectation for contribution and review of products should be made clear and efforts should be made to be transparent on how consultation will inform the JNA and joint strategy.
79. In acknowledgment of their contribution, it is best practice to consider payment or other forms of compensation to victims and providers for their time and input.
80. The supplementary useful links and guidance document has further information on best practice on consulting and engaging with victims and providers.

Consulting with victims

81. Engaging with victims and those with lived experience who are in receipt of or in need of services, will give duty holders information on the experience of accessing services, how services are meeting the needs of victims and insight which can improve commissioning. Areas of consultation with victims which support information-gathering include:
- The type of support that victims wanted to access compared with the support services they received, including therapeutic support, advocacy, and victim support;
 - How aware victims are of the support that is offered locally, and what more can be done to improve awareness of available support;
 - The experience of victims who have accessed support services, for example, how helpful the service was in identifying and meeting need, how smooth the transition was between services at the different stages of support, and overall satisfaction with the service received;

- The experience of victims who have a) decided not to access support services (identified through police feedback where a victim reports a crime but chooses not to seek support or focus groups, youth, or community groups) or b) chosen not to report a crime but who wish to access a support service;
- The experience of victims through the justice process and what support they wanted to access alongside criminal and family court investigations.

82. In terms of how to consult, forums such as ‘survivor’ or ‘victims’ forums may exist in local areas. These forums exist for victims to share their experiences and to offer support to one another. It may be useful, where such forums are willing to engage with duty holders, to consult with such forums. Duty holders should also use local victims’ panels, made up of those with lived experience of crime and experts in victim support and other victims’ groups. In places that do not have active forums or groups, duty holders should consider alternative methods, including surveys in a local area to capture wider views.
83. Targeted engagement may be needed with groups that are underrepresented. Duty holders may wish to consider alternative mechanisms to engage these groups, such as flyers in community hubs or hosted events to gather the views of the community.
84. There may be cases where it is not appropriate to engage directly with victims, for example, where those victims are children or vulnerable adults. Duty holders should also consider victims who have been actively traumatised by their experience of crime and assess the suitability of direct engagement. In cases where direct engagement is not appropriate, the views of these groups may be gathered via their representative, advocate, or a relevant charity.
85. When engaging with victims, duty holders should consider taking a trauma- and risk-informed approach, which considers factors such as the best timing of engagement with victims. Duty holders may want to refer to the working definition of “trauma-informed practice.”¹⁷ In preparation for consultation, it is important to be clear about what survivors can expect during the process and what information will be shared afterwards.

Consulting with service providers

86. Service providers play a pivotal role in enabling victims to receive the right support at the right time. Early and regular engagement with service providers provides valuable insight on local need and service provision including:
- To what extent the local demand for victim support is met by current service provision;
 - How service provision is adapted to meet the particular needs of children and those with protected characteristics;
 - How service providers seek the views of service users and victims, and how this is fed into service design and delivery;
 - Information about referrals between services for victims with evolving and or multiple needs;
 - Information about referrals between the police and services for victims;
 - How procurement processes impact on providers ability to bid for, plan or deliver a quality service.

¹⁷ [Working definition of trauma-informed practice - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

87. Duty holders should consider how to reach out to both commissioned and non-commissioned services to hear from a representative range of organisations.
88. Some areas may have in place regular engagement forums, such as ‘service providers networks,’ that they might want to make use of when fulfilling the requirements of the Duty. These forums are a space for service providers and local stakeholders to discuss and engage with local duty holders on a range of topics, as well as sharing good practice. They are therefore likely to have valuable insight which can inform the joint strategy. Primary care networks and hospital patient user forums may also be useful groups to consult.
89. Duty holders may also want to engage directly with organisations or charities and other voluntary organisations that work with victims in the local area. In places that do not have active engagement forums, duty holders should consider alternative methods including surveys, and one-to-one or group meetings with service providers.
90. Consultation should include specialist and ‘by and for’ organisations, as well as organisations that provide services for children. It should also include multi-crime support services that support victims of multiple crime types where these include domestic abuse, sexual abuse, and other serious violence.

Consulting with other relevant persons

91. Duty holders may consider it appropriate to consult experts on certain matters when preparing their strategies and make use of resources and best practice guidance created by subject matter experts. They may find it helpful to consult on specific commissioning issues by engaging independent national representatives for victims including, but not limited to, the:
- Victims’ Commissioner for England and Wales;
 - Domestic Abuse Commissioner for England and Wales;
 - Children’s Commissioner for England;
 - Independent Anti-Slavery Commissioner (UK).
92. Duty holders should also consider wider community consultation of non-victims and people in a local area who may have valuable input on local need and an interest in how local services are commissioned and funded.

CHAPTER 4: Strategy content, Consultation, Publication and Revision

93. The first joint strategy should be published within 12 months of the Duty commencing, reviewed, and updated with relevant changes annually. Thereafter, it should be fully revised and published at a minimum of every four years to reflect the changing commissioning landscape and local need.

94. This chapter deals with:

- Section 1: What the joint strategy should include;
- Section 2: Consultation and publishing the joint strategy;
- Section 3: Joint strategy review and revisions;
- Section 4: Local monitoring and evaluation.

Section 1: What the strategy should include

95. The joint strategy does not need to follow a specific format but should include content that addresses each of the headings in the following section.

Baseline exercise

96. The joint strategy should include a summary of the baseline exercise paragraph and a rationale for how this insight has informed development of the joint strategy (paragraph 52).

Joint Needs Assessment

97. The joint strategy should set out the approach taken to assess local needs and provide a summary of the key findings (paragraphs 53 – 72). It should contain evidence and insight gained from the JNA, consultation and gap analysis, and a rationale for how this has informed local objectives for the joint strategy. It should include a section on how duty holders have considered the particular needs of children and those with protected characteristics.

98. It should include information on which groups and individuals have been consulted and a summary of the findings of this consultation under the headings of a) service providers; b) victims; and c) other relevant persons.

99. The Joint Needs Assessments should be sent to the Ministry of Justice as a self-contained document within 12 months of the Duty commencing.

Commissioning priorities and objectives

100. The joint strategy should detail what services will be commissioned in the four-year period covered by the joint strategy and the collaborative commissioning activity that will be prioritised (paragraphs 73 – 74). It should include evidence of how the JNA and consultation have informed or will inform future decisions.

101. It should include information on which groups and individuals have been consulted and a summary of the findings of this consultation under the headings of a) service providers, b) victims, and c) other relevant persons.

102. Duty holders should include information on what services or commissioning decisions will be a priority for the coming spending period and what services are being decommissioned or not renewed, and the reasons why. This should include a summary of the remaining gaps in services identified through JNA and, where applicable how collaboration activity will help address these.
103. Areas should set local objectives in line with the commissioning priorities that will be achieved during the 4-year period the strategy covers and include these in the joint strategy (paragraph 75).

Transparency of the joint strategy

104. For transparency, the joint strategy should set out what consultation has happened on the draft joint strategy ahead of publication and a summary of the findings (paragraph 108). This should include which groups and individuals were consulted, including if the wider public has been consulted.
105. This section should include information about where the joint strategy will be available (for example, on duty holders' websites) and what adaptations have been made to ensure the joint strategy is fully accessible (paragraph 109). The joint strategy should include how the duty holders plan to communicate and promote the final joint strategy to those who have contributed, and to the wider public.
106. The Terms of Reference document could be included as an annex to the joint strategy and should confirm: what forum is being used for the Duty; named representatives from each body and details of their role; confirmation of the convenor; the arrangements for data sharing (paragraph 29).

Local monitoring arrangements

107. The joint strategy should include a section for how duty holders will locally monitor and collectively evaluate the impact and effectiveness of the joint strategy and in subsequent strategies, progress against previous strategies (paragraph 76 and 77).

Section 2: Consultation and publication of the joint strategy

108. Ahead of publication, it is recommended that duty holders conduct a form of consultation on the draft joint strategy. This should include seeking the views of victims, service providers and other experts who have contributed to development of the joint strategy but may also seek to capture views of the wider population in a local area who may have an interest in how local services are commissioned and funded.
109. Once a draft joint strategy is finalised and agreed by the duty holders, the joint strategy should be placed on the websites of the duty holders, published in an accessible format, and in such other form as the duty holders consider appropriate. When publishing and disseminating the joint strategy, duty holders should include considering whether publication of the joint strategy requires language translation and/or accessible versions, such as an easy-read or British Sign Language publication.

110. The joint strategy should be submitted to the Ministry of Justice within seven days of publication. This should either be as a weblink to where the strategy is published or as an attachment (PDF or Word version).

Section 3: Joint strategy review and revisions

111. Led by the convenor, it is recommended that the joint strategy is reviewed annually, so that Duty holders can collectively assess progress against aims and update in line with any commissioning or spending decisions.

112. When carrying out this annual review, duty holders should consider:

- Any new commissioning activity that is planned or has been carried out since the joint strategy was last reviewed;
- Any significant changes to needs, demands or demographics;
- Any services that have been de-commissioned and may have led to a gap in services;
- How progress is being made towards the objectives set and risks;
- Whether it would be useful to carry out further engagement to monitor the success of the strategy.

113. Each relevant body should make others aware of any changes to activity that they need to reflect in the joint strategy. Any change to the objectives or priorities should be agreed by all three duty holders.

Section 4: Local monitoring and evaluation

114. Duty holders should have a clear approach to monitoring and evaluating local delivery against objectives set out within their joint strategies. This should include agreeing an approach on monitoring how the delivery of objectives in the strategy are improving outcomes for victims. It is recommended that duty holders lead an annual review and refresh with relevant information updated followed by publication of joint strategies at least every 4 years.

CHAPTER 5: Oversight

115. [Section 13 of the 2024 Act] requires that duty holders to keep the strategy under review, and from time to time prepare a revised joint strategy.
116. The Ministry of Justice will monitor progress in relation to the Duty requirements. A national oversight forum will act as a central point for resolving strategic delivery challenges, consider published joint strategies and evaluate the overall impact of the Duty.

National oversight

117. Duty holders are required to publish joint strategies. The information provided in these joint strategies will be used to confirm that duty holders have fulfilled the requirements set out in [section 12 and 13 of the Act].
118. The publication of joint strategies will give central government valuable insight into local demand and the current levels of service that victims receive locally. It will also provide insight into the barriers to collaboration and examples of good practice.
119. We anticipate that the intelligence gained through joint strategies, informed by joint needs assessments, will assist government in strengthening the evidence base used to inform a coordinated and strategic national approach to funding.

National oversight group

120. We will establish a national oversight forum for the Duty. This Ministerially led group will scrutinise joint strategies and assess how well the Duty is executed nationally, share best practice, and help devise plans for improvements that local areas will work towards.
121. Membership for this group will include Ministers from key Government departments and senior representatives from the duty holders participating in the Duty.
122. National Commissioners, including the Domestic Abuse Commissioner for England and Wales, the Victims' Commissioner for England and Wales, the Children's Commissioner for England, and the Independent Anti-Slavery Commissioner, hold positions to make valuable contributions and will be invited to attend.
123. It is our intention to invite experts from the victim support sector and those with lived experience to feed into relevant topics and agenda items.

Glossary

Victim

As defined in [Section 1 of the Victims and Prisoners Act]. The definition of a victim covers individuals who have suffered harm as a direct result of being subjected to or witnessing a crime, bereaved by a crime, a person born from rape and, where the person is a child, seeing, hearing, or experiencing the effects of domestic abuse (in line with the Domestic Abuse Act 2021).

This includes child victims of crime (persons under the age of 18), including children who witness, hear, or experience the effects of domestic abuse.

Not everyone who has experienced domestic abuse, sexual abuse, or serious violence chooses to describe themselves as a 'victim' and other terms may be preferred such as 'survivor.' Both terms are recognised, however, this guidance uses the term 'victim' to be consistent with the terminology of the [Victims and Prisoners Act].

'By and for' services

Specialist services that are led, designed, and delivered by and for the users and communities they aim to serve (for example, victims and survivors from ethnic minority backgrounds, deaf and disabled victims, and LGBT victims).

Domestic abuse

As defined in part 1 of the Domestic Abuse Act 2021¹⁸. Behaviour falls under the definition of domestic abuse if it consists of physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour, economic abuse, or psychological, emotional, or other abuse such as stalking. just

Serious violence

As defined in [Section 1 of the Victims and Prisoners Act]. The definition includes violence against property and the threat of violence but does not include terrorism within the meaning of the Terrorism Act 2000 (see section 1 of that Act)¹⁹. In relation to [section 12 (7 and 8) of the Act], in considering whether violence amounts to serious violence, the relevant 35 authorities must, in particular, take into account— (a) the maximum penalty which could be imposed for any offence which the conduct constitutes, and (b) the impact of the conduct on any victim.

This guidance also refers to the Serious Violence Duty (as part of the Police Crime Sentencing and Courts Act 2022)²⁰ and the Serious Violence Strategy 2018. Here the decision as to whether violence is serious should be made by the specified authorities in a local area, based on maximum penalties, prevalence, and impact of violence on the community in the local area. There should be a

¹⁸ [Domestic Abuse Act 2021 \(legislation.gov.uk\)](https://legislation.gov.uk)

¹⁹ [Terrorism Act 2000 \(legislation.gov.uk\)](https://legislation.gov.uk)

²⁰ [Police, Crime, Sentencing and Courts Act 2022 \(legislation.gov.uk\)](https://legislation.gov.uk)

focus on homicide, knife crime, gun crime, or criminality where serious violence or its threat is inherent, such as county lines drug dealing.

There is also flexibility to focus on other related types of serious violence including (but not limited to) alcohol related violence, criminal exploitation, modern slavery, violence against women and girls (VAWG) which can include stalking, domestic abuse and sexual offences, and violence targeted towards male and LGBT victims. Duty holders should note that serious violence can also include the threat of violence.

Sexual abuse

The term “sexual abuse” in this guidance is shorthand for criminal conduct of a sexual nature [Section 12 of the Act]. This covers a wide range of offences including rape, child sexual abuse, as well as non-contact offences of a sexual nature, and can be recent or historical.

Joint Needs Assessment (JNA)

In the Duty, this is an analysis of current and long-term issues relating to domestic abuse, sexual abuse, and serious violence. This involves identifying the needs of victim cohorts, including children and those with protected characteristics and making an assessment as to whether and how these needs are being met by local support services.

Support service

This is a service provided to victims to help them cope and recover from the impact of crime and navigate the criminal justice system if they choose to do so. These services may be provided in-house by the commissioning body or outsourced as an independent support service.

Specialist support service

These services are where the primary purpose is to support people affected by a particular crime. They might also be set up to, or have elements designed to, support victims with relevant protected characteristics, such as age, religion, or belief, disability, and sexual orientation. These services support victims with additional and / or complex needs, such as mental health or drug and alcohol misuse.

Placeholder – Useful links and guidance document

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