



**STRATEGIC POLICING AND CRIME BOARD
04 February 2014**

**Victims and Restorative Justice Funding
Update**

PURPOSE OF REPORT

1. The purpose of this report is to update members on the current situation regarding funding for victims of crime, which transfers to Police and Crime Commissioners (Commissioners) in October 2014. They will be responsible for commissioning locally most of the emotional and practical support services for victims of crime that are provided by the voluntary, community and social enterprise sector. These services help victims to cope with and recover from the impacts of crime.
2. The Ministry of Justice (MoJ) will retain responsibility for commissioning certain specialist services and £22 million of the core budget has been allocated for these national services. Support includes services for those bereaved through homicide, rape support centres, court based witness services, human trafficking and some telephone helplines such as BRAKE.
3. With the move to local commissioning of victims services, the Ministry of Justice has been engaging with all Commissioners to consider the options in commissioning approaches to ensure effective, value for money arrangements for referrals to support services. The current model is run centrally, and supports a mechanism for referral by police into victims' services. This includes provision of information on the services available to victims, arrangements for assessing the type of support needed by victims where required, and onward referral to local support or other specialist support.
4. In May 2013 Helen Grant, the previous Victims Minister, asked Commissioners to choose between national and local commissioning of the baseline referral service for victims.
5. During the summer the MoJ held a series of roadshows across the country that briefed Commissioners and heard their views on the proposals.
6. The APCC held an event on the 19 September where Commissioners asked for transition arrangements to be developed. A working group of Commissioners with

differing views regarding local and national commissioning was launched to work with MoJ to create transition arrangements and seek solutions that addressed the needs and aspirations of the vast majority of Commissioners.

7. The working group on Victims Commissioning includes Kevin Hurley, Police and Crime Commissioner for Surrey; Alun Michael, Police and Crime Commissioner for South Wales; and Dorothy Gregson, Chief Executive for Cambridgeshire. They have been working with the MoJ to create transition arrangements and seek solutions that address the needs and aspirations of the vast majority of Police and Crime Commissioners.
8. In November 2013, the MoJ issued grant agreement to Police and Crime Commissioners (PCCs) through the Association of Police and Crime Commissioners relating to local commissioning of victims' support services (including Restorative Justice services).
9. The MoJ has provided £20.8m to PCCs in 2013-14. This is one-off funding provided to enable PCCs to:
 - Build the capacity and capability of potential providers of services for victims (including potential providers of restorative justice services) from the Voluntary, Community and Social Enterprise Sector
 - Commission restorative justice services if capacity and capability are sufficient in relation to these services
 - Prepare for local commissioning.

The Current Situation

10. Funds were not provided until relatively late in the financial year, and the MoJ has not specified in which financial year the funding must be spent, however they are not expecting PCCs to roll over large funds. They have asked for a report on expenditure for 2013-14 and specific plans to spend any rollover on capacity and capability building (in relation to both Restorative Justice and wider victims' services provision) and in preparing for local commissioning in 2014-15.
11. Only where plans are in place for spend in relation to capacity and capability building and in preparing for local commissioning will roll over be allowed, and it is not possible to roll over funding for the actual commissioning of Restorative Justice services or wider victims services.
12. Concerns have been raised by PCCs regarding the timescales for spend in this financial year, and the MoJ are satisfied that, given the one-off nature of the 2013-14 payment, and that it is for capacity and capability building and preparing for local commissioning, they are not setting a precedent that could be applied to other annually managed grant funding by allowing roll-over.
13. The MoJ is now preparing new grant agreements to govern the annual funding of PCCs for the provision of victims' services and restorative justice, and there is no proposal that PCCs be allowed to roll over any elements of future funding.

MoJ funding of Victim Support in 2014-15

14. The MoJ currently provides a grant to Victim Support for c£38 annually for 3 services:

- Referral arrangements and associated supported services
- A court based witness service
- A homicide service.

The court based witness service and homicide service will continue to be commissioned nationally through the MOJ following a period of competition.

15. The referral and associated support services will continue until March 2015, however a number of PCCs have confirmed that they wish to put their own arrangements in place from October 2014. PCCs have also made it clear that they want to have a role in oversight of the referral and associated support services throughout 2014-15.

16. The MoJ will therefore be offering Victim Support grants in 2014-15 for the following:

- Referral arrangements and associated support services (including the Victim Support Line.
Apr 2014 – Sept 2014: As currently in place – a ‘core service’ that will be specified in outline terms within the grant
Oct 2014 – Mar 2015: As currently in place, except for those areas which it has been agreed will not be involved in a central MoJ scheme for this period
From April 2015: Referral services will be commissioned by PCCs and MoJ will take no role unless asked to by PCCs
- Court based witness service
Apr 2014 – Mar 2015: As currently in place – a ‘core service’ that will be specified in outline terms within the grant
(the service will be competed in 2014 for nationally commissioned provision from April 2015
- Homicide Service:
Apr 2014 – Sept 2014: As currently in place – a ‘core service’ that will be specified in outline terms within the grant
(the service will be competed in early 2014 for nationally commissioned provision from October 2014)

Proposals from Victim Support and the APCC PCC working group on regional arrangements for referral and associated services to begin in 2014

17. In line with the proposals from the working group, it is intended that PCCs have a role in oversight of the referral and associated support services throughout 2014-15. This will be developed in the grant agreement between MoJ and Victim Support for 2014-15.

18. At a regional and national level this could include PCCs:

- Receiving and commenting on regular reports on performance and outcomes achieved in their area/region within the terms of Victim Support’s contract with MOJ
- Receiving and commenting on regular reports on service delivery costs/value for money in their area/region.

19. MoJ are therefore proposing that PCCs establish regional arrangements with other PCCs and Victim support for the 2014-15 period in relation to referral and associated services. In the West Midlands, we have set up a Victims Commissioning Board for the region, chaired by the SPCB's Victim Champion Cath Hannon. Also represented on the Board are the DPCC's from Staffordshire - Sue Arnold, Warwickshire - Eric Wood and West Mercia - Barrie Sheldon.
20. MoJ have said that they will develop a baseline model for the regional arrangements. At a national level, the APCC PCC Working Group will undertake the oversight function of this service.
21. There is an assumption underlying these new oversight arrangements is that, within the grant agreement and therefore available to all PCCs to see, there is a clearly specified 'core service' with a shared understanding on the limits for PCCs to vary that service without incurring additional cost. Additional services beyond this core service will be available to PCCs should they choose to commission and fund them – nationally, regionally or individually.
22. The core service would have to meet all of the obligations set out in the Victims Code, ie:
 - All victims must be automatically referred to support services
 - All victims must be contacted by the support service (although the exact method and number of times they are contacted may vary)
 - Victims needs must be assessed and information provided
 - Onward referral for support where necessary
 - Access to support must be available for victims who choose not to report the crime to police
 - Details of victims support services must be widely publicised.
23. There may be some limited scope within the grant to vary the nature of the service provided at no additional cost. For example, how often and by what means victims of certain crimes types are contacted. However, this could only be done within the same overall workload, and any additional costs would have to be borne by PCCs.

Witness Service and Homicide Service

24. These services will be commissioned nationally and therefore all governance and management arrangements will be retained by the MoJ. The MoJ have proposed that PCCs have an interest in these in relation to how they fit with local services and that information on these services should be provided to PCCs where this is asked for and helpful to discussions.

Next Steps

25. There will be a number of regional MoJ/PCC events in the New Year, as well as a number of themed seminars on referral, particularly in those areas with an interest in commissioning referral and associated services from October 2014.
26. There are a number of key dates that underpin the work taking place and they are as follows:
 - Capacity and Capability workshops for the VCSE sector begin in February and run until the spring

- There will be an announcement confirming grant extensions until the end of Sept 2014 for organisations in receipt of Ministry of Justice General Funding, including homicide peer support organisations
- There will be an announcement regarding services for domestic violence and sexual violence, along with a paper giving greater clarity about who funds what in relation to domestic violence and sexual violence
- An updated commissioning framework will be issued
- Regional engagement events between MoJ and PCCs/offices – dates to be confirmed
- Referral and associated services: thematic engagement events – dates to be confirmed
- National services: advert for market engagement on Homicide Service.

February

- National services: Rape Support Fund grant recipients
- Referral and associated services – areas who have indicated they wish to commence arrangements from October 2014 have been asked to submit final proposals by the end of February

March

- Referral and associated services: areas commencing from October 2014 finalised. MoJ grant to Victim Support for referral and associated services from Oct-Mar 2015 finalised.
- National services: advert for market engagement on Witness Service.

April

- PCCs given final victims' services budgets for 2014-15 and 2015-16
- April 2014: Anti-Social Behaviour Bill reaches Royal Assent and subject to parliamentary process PCC powers to commission victims services are legally strengthened.

FINANCIAL IMPLICATIONS

27. The current allocation for the West Midlands is as follows

	PCC Preparatory funding 2013-14	Indicative funding 2014-15 (£23)	Indicative funding 2015-16 (46m)
Victims	691,072	1,123,000	2,246,000
RJ	188,030	305,000	tbc
Total	879,102	1,428,000	

LEGAL IMPLICATIONS

28. The funding will be issued as a grant under s56 of the Domestic Violence, Crime and Victims Act 2004.

The Commissioner has responsibility to gain the views of the public with specific mention of victims of crime, in the policing area about matters concerning policing and crime. These requirements are set out in the Police Act 1996 as amended by the Police Reform and Social Responsibility Act 2011.

RECOMMENDATIONS

29. The Board is asked to

- i) note the updated contents of the report
- ii) note that the Commissioner will be making decisions on spend regarding the Victims and Restorative Justice allocation for 2013-14 in line with the timescales given by the MoJ.

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