

STRATEGIC POLICING AND CRIME BOARD
3 January 2017

Victim Services

Report of the Chief Executive

Purpose of the Report

1. Crime does not affect just the victim. It has a much wider impact on family and friends. Becoming a victim of crime can be a traumatic experience which can affect people in a variety of ways. It is important to ensure that victims who need support are able to access the right services.
2. The approach to commissioning services for victims in England and Wales forms part of a strategic move towards more personalised services for local people and investment in the voluntary and community sector. As part of this process, since October 2014 we have moved to a model where the majority of emotional and practical support services for victims of crime is commissioned locally, with responsibility transferred to Police and Crime Commissioners. At a national level, the Ministry of Justice continues to commission a witness service, a homicide service, support for victims of human trafficking, victims of rape through national rape support centres, some national telephone helplines and other support for victims of domestic and sexual abuse. The move to local commissioning has given us the opportunity to understand service delivery across the West Midlands, identify pathways and referral mechanisms and to ensure that services respond effectively.
3. The legislative responsibility for services to victims of crime has been addressed in the West Midlands by not just thinking about how to optimise the funding, but by utilising a full range of resources. We have considered many different ways of improving outcomes and partnership working while assessing a range of different services available to try and secure better outcomes, meanwhile considering value for money. The OPCC is focussed on outcome based commissioning to achieve the overarching outcomes of supporting victims to cope with the immediate impacts of crime and recover from the trauma experienced. Cope and recover are the outcomes that the commissioning of services for victims of crime seeks to address.
4. The following objectives underpin the OPCC's approach to the commissioning of victims services:
 - Support will be driven by need that is evidenced

- Specialist support will be available to the most vulnerable victims in the West Midlands
 - Continuity of care is paramount and will be available for as long as it is needed
 - The commissioning approach is consultative and collaborative as partnership working is crucial to ensure that the best services are available for victims
 - The services commissioned as part of this service are one element of a complex and varied network of support which currently exists for victims
 - Where existing baseline services exist, the OPCC will work with partners to ensure resources are appropriately allocated to prevent duplication, and to encourage local innovation in developing responses to those victims with more acute needs. One good example of this innovative approach is the OASIS Support Services being delivered by Community Vision West Midlands CIC, which offers a whole family model of culturally appropriate interventions that combine intensive one to one support with group activities and specialises in BME victims of serious crime
 - Locally, regionally and nationally commissioned services should complement not duplicate. The OPCC will continue to monitor progress in relation to a number of national funding arrangements for services for victims of serious crime, and will keep abreast of any developments as to the wider scope for national services and funding arrangements.
5. In addition to specialist victim services, all PCCs have a statutory duty to have a 1st contact, assessment and referral service for victims. In the West Midlands, this is being delivered by Victim Support.
 6. In order to comply with the requirements in the Victims' Code and the EU Directive, services commissioned or provided by the Police and Crime Commissioner must be in the interests of the victim, available whether they report a crime or not, free of charge, confidential, non-discriminatory (including being available to all regardless of residence status, nationality or citizenship), available whether or not a crime has been reported to the police and available before, during and for an appropriate time after any investigation or criminal proceedings.

The West Midlands Response

7. The Victims Commission was launched on 27 January 2015 and is the Police and Crime Commissioners Advisory Group on provision of specialist services. A link to the launch video is [here](#). The group is made up of expert representatives from across the voluntary and community sector and they contribute to and influence the priorities within the Commissioner's Police and Crime Plan, and make recommendations regarding funding and service delivery. The Commissioner makes the final decision. This group are independent of the Commissioner, but accountable to him. They are committed to improving services and bringing expertise and experience to the development of policy as they relate to victims of crime. The Victims Strategy that sets out the framework for delivery is here <http://www.westmidlands-pcc.gov.uk/media/359356/pcc-victims-services-strategy-2014-16.pdf>
8. The Victims Strategy is currently being reviewed and will be updated in the New Year to incorporate all the work that has taken place and future plans for 2017.

The Commission is also incorporating the Government's refreshed Violence Against Women and Girls (VAWG) Strategy into the work that we are doing and are looking at the possibility of a collaborative West Midlands response for the **VAWG Transformation Fund** through the Victim Commission and the Heads of Community Safety. A link to the strategy is here:

<https://www.gov.uk/government/publications/strategy-to-end-violence-against-women-and-girls-2016-to-2020>

The next section of the report details work that is taking place within the Victims Commission to address the following issues.

PRIORITIES

9. **Hate Crime:** Healing the Harms: Identifying best how to support victims of Hate Crime

Every year hundreds of thousands of people in England and Wales suffer prejudice and hostility due to their identity or perceived 'difference'. This can include acts of physical violence, as well as the more 'everyday' forms of harassment and intimidation. Such victimisation is more commonly referred to as 'hate crime', which is defined by the College of Policing (2014: 3) as:

'Any crime or incident where the perpetrator's hostility or prejudice against an identifiable group of people is a factor in determining who is victimised.'

Hate crime has come to be associated with five identity strands: namely, disability, ethnicity, religion, sexual orientation and transgender status. The issue of under-reporting has been further highlighted through research which illustrates that the majority of hate crime victims do not report their experiences to the police or through available third-party reporting systems. There are a number of reasons for this including the way that victims:

- 'normalise' their experiences of hate crime
- feel concerned about not being taken seriously
- worry about retaliatory violence or making the situation worse
- have little confidence in the criminal justice system
- may lack the time and emotional strength required to talk to a third party about their experiences

Research also highlights that the majority of hate crime victims are not aware of or know how to access support services. This is especially concerning given that a growing body of research evidence shows that acts of hate crime cause significant emotional and physical damage to the well-being of victims, their families and wider communities. It is because of the significant levels of under-reporting and the relatively low uptake of support services that we lack a comprehensive understanding of how best to support those affected by hate crime.

The OPCC is working with the Force to develop a West Midlands approach to responding to Hate Crime. Leicester University will be undertaking research that will give us a better understanding of the needs of victims of hate crime. The research will:

- Explore hate crime victims' emotional, physical and health support needs
- Identify hate crime victims' awareness of existing support services
- Capture hate crime victims' experiences and expectations of support services
- Determine whether existing support provision is meeting the needs of hate crime victims
- Fundamentally – do people recognise the term 'Hate Crime'?

The research will look at perceptions and experiences of hate crime, experiences and expectations of support services, both statutory and voluntary and community sector, and

make recommendations that will have relevance beyond the West Midlands. The research will start in January 2017, with a report to be delivered by April 2017.

10. Domestic Abuse

The strategic assessment process, scanning and consultation with other agencies as part of the priority setting has identified that a significant area of risk for all partners is the Multi Agency Risk Assessment Conference (MARAC) where information is shared on the highest risk domestic abuse cases. The MARAC originated in 2003, to encourage a more robust approach to addressing domestic abuse. It was based on identifying victims at high risk as a result of assessment using the DASH (domestic abuse, stalking, & harassment/ honour based violence) form.

MARACs should be structured around a quality assurance process, based on the 10 principles outlined below:

- Identification of high risk cases from all agencies
- Referral criteria being clear and transparent
- Representation of all relevant agencies at MARAC
- Engagement with the victim – victim should be at the centre of the process, there to support and represent the victim at MARAC
- Research and information sharing – to be relevant and proportionate
- Action plans should be SMART
- Volume of cases should be commensurate with the local population
- Administration – should promote safety, efficiency and accountability
- Strategy and governance: MARAC should be sustainable & embedded in local partnerships
- Equality: MARAC should deliver equality of outcome for all

Many agencies should be represented at MARAC, namely Police, Housing, Health, Education, Probation, Drug & Alcohol & Mental Health agencies, as well as specialist Domestic Abuse agencies through IDVA's (independent domestic violence Advisors). The purpose of the MARAC is to ensure the safety of victims of domestic violence.

The Independent Domestic Violence Advisor (IDVA)

An IDVA role is critical to the effective functioning of MARAC in the absence of the victim being present. The IDVA also operates to an IDVA Charter based on the following principles:

- Assuring **Safety**
- Providing an excellent service to high **risk** victims
- Respecting the **diversity** of the local community & ensuring access to all
- Understanding of coercive control & **dynamics of domestic violence**
- Ensuring **independence** of the IDVA, particularly to be viewed as independent from other agencies
- The IDVA is well managed and able to ensure a high quality service
- Promoting a **co-ordinated response** to ensure a good multi agency response
- All are treated with **respect**, and the service upholds the seven principles of public life namely openness, honesty, integrity, accountability, selflessness, objectivity and leadership.

An effective IDVA service working through a co-ordinated MARAC response, can save lives. Safelives¹ <http://www.safelives.org.uk/> asserts that “Over 60% of victims who get help from IDVA’s and MARAC’s tell us that the abuse stops. And that means it saves lives.” Further they say that 71% of victims felt safer and 68% said their quality of life had improved.

How MARACS function without an effective IDVA

During the summer of 2016, Birmingham MARAC’s were not able to provide an IDVA service to women judged as high risk for six weeks, providing telephone contact alone due to capacity issues.

MARAC’s without an IDVA prioritise a ‘risk led’ approach. Research has identified this to be a flawed approach. A MARAC that cannot provide the support of an IDVA can actually work against victims as shown by research in Middleborough². Middleborough MARAC was the subject of a pilot where a needs based IDVA service supported women at MARAC (2013). The baseline data at the beginning of the pilot showed that the MARAC was not operating effectively, though all agencies providing services to women and women were engaging at some level.

The baseline research identified that:

- Though agencies provided services through the MARAC process, there was no reduction of risk.
- There was frequent reporting of risk from all agencies, but there was no corresponding action to manage, divert, or assess the perpetrators actions.
- It was asserted that as women were not prepared to make statements or were seen as ‘unreliable’, a number of opportunities to progress criminal matters were missed.
- Women felt overwhelmed by the number of agencies involved in their case and felt they were forced to comply with agency requirements, rather than feeling supported by them, leading to poor engagement.
- Women held the view that no-one could help them and nothing would make a difference.

The MARAC was operating effectively with all agencies complying with actions. However the lack of progress gave rise to the perception that victims obstruct progress, rather than viewing them as in need of protection. What was happening was that the MARAC process becomes a recording exercise, as without an IDVA, there was no method to manage or reduce risk.

Delivering outcomes for intractable cases

The Middleborough research involved providing a holistic support service through an IDVA to support the MARAC. The cases chosen were viewed as the most intractable, 39 cases had the following profile:

- 39 cases accounted for over 356 incidents reported to the Police since referral to MARAC
- 37 of the male perpetrators had history of offending with over 500 convictions listed over 5 years
- All victims were female with poor history of engagement
- 67 children were involved in these 39 cases, 20 of whom had been ‘removed’ and all children were known to Children’s Services

¹ Safelives website – ‘Helping high risk victims of domestic violence fast’ 5th Oct 2016

² ‘How a needs led approach to MARAC cases delivers effective outcomes: the evidence’ Becky Rogerson ‘My Sisters Place’

The pilot involved IDVA's using a needs based approach, providing in-depth support – much as IDVA's operate in the West Midlands region. *The pilot was very successful as the IDVA was able to develop a relationship of trust and confidence with the victims*, thus enabling good engagement.

Engagement was key to co-operation with other agencies and of delivering the outcomes in all cases. The outcomes were:

- The MARAC repeat victimisation rate reduced to 36% from 50%, a reduction of 14%
- In quarter one, there was a reduction of repeat incidents of 86%
- In quarter 2, the reduction was 41%, this being breach of injunctions and so a positive indicator, as 5 women were able to pursue breaches through the criminal justice system with the support of the IDVA.
- Women were supported with housing, emotional support, finances, child protection issues, and other practical issues that made a real difference to their lives.
- 16 cases had restraining orders and injunctions.
- In 15 cases, there were no further incidents and women reported feeling safe.
- In 2 cases, further incidents & women's engagement led to perpetrators being subject to MAPPA (multi agency public protection arrangements)
- 16 cases progressed to court with IDVA support, resulting in 12 convictions.

There was good progress in 31 'intractable' cases with women reporting feeling more supported, and more confident and more in control of their lives – "I don't know why I didn't accept help before, I just couldn't cope, I can't believe how low I got".

The IDVA support role was critical to the success as it resulted in getting women engaged, encouraging their co-operation with the IDVA, but also with other agencies. Emotional support and having a voice at MARAC, enabled women to feel supported, rather than feel overwhelmed by agency input.

Research has found that MARAC's in themselves do not produce positive outcomes for victims. Farthing³ in her research into MARAC effectiveness found MARACs were limited in their effectiveness due to the primacy given to short term intervention and the lack of feedback mechanisms. She found that MARAC's appeared to function as if they were designed for the benefit of agencies, supporting them to fulfil their duty of care and work together, rather than being designed directly for victims. Without IDVA support, victims lost confidence in services, felt disempowered, angry and failed to engage effectively.

IDVA's provide a holistic approach and are able to support women across many needs, from housing, children, to the criminal justice system. IDVA's also enable MARAC's to be effective as IDVA feedback allows for support to be timely and co-ordinated. IDVA's also deliver real outcomes for victim safety and for the effective use of scarce statutory and voluntary resources, as well as reducing repeat victimisation.

The Victims Commission recommend a West Midlands MARAC IDVA service that responds to those victims of domestic abuse at high risk.

11. Sexual Violence

The Commissioner has approved the continuation of support services to victims of sexual abuse. In early 2015, voluntary sector organisations were invited to bid for funding from the

³ 'MARAC outcomes research summary findings' R. Farthing 2011

Home Office but administered by Stephen Betts, the previous Norfolk PCC. There were 2 funding streams available.

Fund 1: Child Abuse Inquiry Support Fund (£2m available)

This fund was established to support non-statutory organisations in England and Wales which have experienced an increase in demand as a direct result of the announcement of the Child Abuse Inquiry on 7 July 2014.

Fund 2: Child and Adult Victims of Sexual Abuse Support Fund (£2.85m available)

This fund was established for non-statutory organisations in England and Wales providing support to victims of sexual abuse to help meet the increased demand on those services.

Organisations can provide local services, or national services.

The funding was allocated for a 15 month period. Each PCC has been given a ringfenced amount of Victims Fund for CSA. In the West Midlands it is £235,000. We have made up the shortfall of £85,000 to ensure that the services are continued. Please see a link to the Commissioner's decision below:

<http://www.westmidlands-pcc.gov.uk/media/431900/WMPCC-029-2016-Support-Services-for-Victims-of-Sexual-Abuse.pdf>

12. Modern Slavery

The Anti-Slavery Network is developing the strategy for the West Midlands on behalf of the Victims Commission. Issues under discussion include:

- What is the legal and statutory context in which this sits?
- What does MS look like in the West Midlands, what is the scale – national and local picture, what forms of MS are we looking at?
- What is the scoping that has taken place to determine/evidence the current picture
- What is the West Midlands structure – strategic and operational levels
- What partners are involved and what can be expected from them?
- What should the West Midlands approach be?
- What support services should we be considering commissioning for victims of MS?
- Case Studies
- What should the delivery and commissioning framework within which the OPCC should be responding to the needs identified.

13. The Victims Journey

The Victims Commission needs to do some further work on the Victims Experience/Victims Journey. All Police and Crime Commissioners have a legal duty to consult with victims, ensuring that the needs of victims are identified and met. We need to have:

- An improved understanding of the quality and impact of victim services across the West Midlands.
- Evidence concerning improvements that may be required, for example, either regionally, across specific local areas or for particular cohorts of victims.
- Insight into the best way of embedding the victims' voice into the commissioning process in the future.
- Support for a stronger commissioning process that has improving outcomes for victims at its heart.

It is important that we listen to and hear the voice of victims concerning:

- What their priorities are from victim services?
- Whether services they have accessed meet their needs?
- How services could be improved in the future?

We need to understand and map the journey of victims through different services by consulting with victims about their experiences. This will provide a range of important information for the OPCC in terms of the effectiveness of service/support pathways, barriers to access, and how service/support pathways can be improved in the future. The aim will be to understand where pressures in the system are, where victims journeys could improve and how commissioning can effectively respond to meet victims' needs.

It is also important from the perspective of victims, that we embed independent and objective consultation mechanisms into the system to ensure that the PCC hears from victims first-hand in addition to the existing mechanisms built into the commissioning process. The Victims Commission is currently developing this piece of work.

Financial Implications

14. The table below sets out the financial allocation for the projects above.

Service Provided	Crime Type	Total allocation
Hate Crime Research	Hate Crime	£22,757
MARAC IDVAs	Domestic Abuse	£350,000
Support services for victims of historic sexual abuse	Sexual Abuse	£318,413
Total		691,170

Legal Implications

15. The funding is issued as a grant under s58 of the Domestic Violence, Crime and Victims Act 2004.

16. Schedule 9 of the Police Reform and Social Responsibility Act 2011 provides Commissioners with the powers to award crime and disorder grants to any organisations and projects they consider will help them achieve their crime prevention aims and wider priorities.
17. The Police Reform and Social Responsibility Act 2011 states that the PCC must make arrangements for obtaining the views of victims of crime in that Area.

Alethea Fuller – Policy and Commissioning Manager, Police and Crime Commissioner West Midlands