



2018/19 Annual Report

Victims' Commissioner
for England and Wales

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Introduction Overview

Welcome to my 2018/19 Annual Report for the Secretary of State for Justice. It marks the end of my sixth and final year as the independent Victims' Commissioner for England and Wales. I step down from my post on 31 May 2019. In this report I welcome my successor Dame Vera Baird who sets out her vision for the future

PREPARING MY last Annual Report as Victims' Commissioner was a chance to reflect on the past six years, the progress made in improving support for victims and the frustrations over lost opportunities to do more.

Having entered the criminal justice system as a victim of crime, my understanding of the victim experience came from the sharp end. I came into this role with a passion to ensure all victims were treated with dignity and respect. I soon realised we needed to go much further and change the culture of our justice system, one where victims were no longer viewed simply as a bystander, but as active participants, with statutory rights, access to information and the opportunity to challenge decision-makers.

Victim Strategy

In September, the Government launched its much-awaited Victim Strategy. It makes more than 80 promises, including the prospect of a Victims Law. I welcomed the Strategy, but it needs to deliver. I want to see a Victims Law with full statutory rights for victims, including the right to be informed, to be heard and to challenge. Also with criminal justice agencies required to make sure their policies and practices are compatible with these rights. Legal rights are essential if we are to change the culture of our justice system.

The Strategy also holds out the prospect of giving the Victims' Commissioner role greater statutory powers. This is long overdue and I have engaged with ministers on what those powers might be. As a starting point, I want agencies to be given a statutory duty to cooperate with the Victims' Commissioner and respond to recommendations within a reasonable timescale. Most agencies have been supportive, but this needs to be a statutory obligation and not a favour.

Last April, the Government announced its proposals to change the parole process. For the first time, victims have been able to ask for the reasons behind parole decisions and I am delighted that so far, more than 1,000 have opted to do so. This is a welcome development, and something I have long backed. In January the Government unveiled plans for a parole reconsideration mechanism, which will come into effect later in the year.

This will allow victims to challenge a decision without incurring heavy costs. Whilst I have some concerns about the scheme, which I have shared with ministers, in principle it is a step in the right direction.

We are told that the overriding aim of government policy on supporting victims is to help them "cope and recover." This is laudable, but it must apply to all victim services. Over the past year I have looked

at two services which regard themselves as "transactional" as opposed to support services.

The first is the Victim Contact Scheme (VCS), which sits within the National Probation Service (NPS) and provides victims of the most serious offences with information on the progression of the offender through their sentence and the parole process.

For me, providing victims with information is an essential part of victim support as it is critical to their recovery. In practice, this means the duties of the VCS ought to be an integral part of support services. I made my views clear in response to the Government Review of the Parole Process. I am delighted the NPS has agreed to pilot placing VCS staff in victim hubs and working alongside support staff. This has the potential of providing victims with a seamless service, before and after trial, aiding their recovery.

The second is the Criminal Injuries Compensation Scheme. This report gives details of my review, undertaken this year, into criminal injuries compensation. It concludes many victims find the compensation process re-traumatising, complex and frustrating, with poor communications and little support.

Compensation is intended to support and assist, not to re-traumatise victims. I made numerous recommendations for change, which focus on de-traumatising the process and offering more support for those who need it most when claiming.

The Government is looking at the criminal injuries compensation scheme as part of its Victim Strategy. I have asked that my recommendations be considered as part of this review.

Unfair treatment

I also challenged the Government over the unfair treatment of victims of mentally disordered offenders, who do not have the right to submit a victim personal statement or attend the panel hearing to present it. Some victims are ineligible for the support of a victim liaison officer. I am pleased the Modernising the Mental Health Act Review, published in December, endorsed my recommendations and that the Ministry of Justice is looking at how they might be implemented.

The Victim Strategy also pledged to look at the role of "victim supporters" or Independent Victim Advocates (IVA). In March I published a rapid evidence assessment on the role of IVAs, highlighting a range of benefits to victims, including a positive impact on their health, sense of personal safety and engagement with the justice system. I have long argued

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I remain concerned so few victims of sexual violence are receiving justice

vulnerable victims should all have the support of an IVA to guide them through the criminal justice journey and I trust my findings will be considered as part of review referred to in the National Strategy.

As Victims' Commissioner, my priority has always been supporting the most vulnerable of victims. I have met many victims of domestic abuse and know how difficult it is for them to disclose their suffering. It is a pernicious, and destructive crime, impacting hugely on the victim and in many cases, the children who witness it. I made detailed submissions to the Government's consultation on how to transform support given to victims of domestic abuse and continue to take a close interest.

Modern Day Slavery

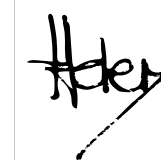
Likewise, I have been actively engaged with charities supporting victims of modern-day slavery and most recently supported a "super-complaint" into the police handling of this most vulnerable group. Also, I have been honoured to chair a summit on safeguarding in the international aid sector and a seminar on hate crime. I gave evidence at the Independent Inquiry into Child Sexual Abuse and called for a CSA Commissioner.

I remain concerned so few victims of sexual violence are receiving justice. Many

are deterred from ever reporting the crime for fear of not being believed or supported, or having to disclose every aspect of their private life. Too many victims tell me the criminal justice journey is worse than the crime itself. This must change and I touch on this issue in more detail in my report.

Another group of victims let down by society are those who suffer or are bereaved from terror attacks. I am concerned many are not receiving the psychological support they need to recover and that the distribution of funds and compensation is not working well.

Finally, I am determined my work and the work of my office should be as transparent as possible so victims can be aware of what I am doing and saying on their behalf. I have spoken at many events, and been active in all forms of media. The circulation of my quarterly newsletter continues to grow. We also launched my new and revamped website in March and I hope victims and practitioners find it useful.



Baroness Newlove of Warrington

Looking ahead – new VC Dame Vera Baird

I’m honoured to be appointed the new Commissioner for Victims and Witnesses for England & Wales

I WANT to give special thanks to my friend and predecessor in the role, Baroness Helen Newlove, who has been a powerful advocate for victims. She has used her own tragic experience to demand victims be treated with dignity and respect. I am determined to build on her legacy.

Fighting Injustice

Throughout my career I have been passionate about fighting injustice. Our criminal justice system can only be considered successful if it delivers justice to both victim and offender. It is sometimes thought that an improvement in treatment for victims and witnesses is necessarily an attack on the rights of defendants, but that is not so. Given the mass of evidence that now exists linking victimisation to subsequent offending it is my belief that positive change can benefit all.

Let me be clear, justice for victims means their voice is heard, they need to be fully considered throughout the criminal justice process and treated with respect. They have rights under the Victims Code including to be kept properly updated and given all the support they need to cope and recover.

In my previous role as Northumbria

Police and Crime Commissioner, I set up a victims’ panel that helped shape local service provision. Only by listening to victims’ lived experience can we know how to deliver what they need. I was proud that victims and witnesses were at the heart of my work and that our victim services hub, whose trustees I chaired, had a satisfaction rating of 98%.

Equally, I was proud to be the Association of Police and Crime Commissioners’ national lead for victims and witnesses, helping my colleagues exchange best practice and working on their behalf with the Ministry of Justice and other Government Departments to prioritise victims’ interests.

Now I want to hear first-hand from more victims, supportive charities and criminal justice agencies so we can all be clear about what is happening on the ground.

We know that criminal justice can feel like a hostile environment to victims and witnesses. Half of all witnesses who have attended court would never do so again. Those who would go to court to support a case of offensive weapon crime have fallen by almost 60% recently - at a time when we are all concerned about knife crime. Victims services say that victims, who are recovering from crime actually regress if they go to

court. We need to address all of this.

Rights in the Victims Code are too often not implemented. The Ministry of Justice will shortly review the Code. Let’s ensure that victims views are at the forefront of this review. I want stronger rights that are easier to access. We should demand good data is collected consistently on compliance. PCCs will play a key local role in this and the Victims’ Commissioner’s statutory obligation to keep the operation of the Code under review suggests a stronger national role in dealing with any shortfall.

Victims also need quality services to help them to cope and recover. My former colleague PCCs deliver these, using local knowledge to meet local need. I intend to press for national standards which will ensure top quality services wherever a victim lives. Also which PCCs can use in their commissioning process whilst continuing to exercise their important local autonomy.

Fantastic Role

It will be useful that I have past experience as a practising barrister in the criminal courts and as the Solicitor General for England and Wales at the heart of government. The former will help me to examine in-court treatment of victims and witnesses. Few lawyers look at our adversarial system through victims’ eyes, but doing so shows significant opportunities for improvement and change. Experience of government means that Ministers will expect me to talk to them frankly about what is possible.

In this fantastic role, a great deal is possible as long as everyone acknowledges that they too may, one day, be a victim of crime and works to ensure that current victims have all the entitlements and services they would, in that circumstance, want for themselves.



Year in Review 2018/19

From domestic abuse to the explosion in knife crime and child sexual abuse, here's a round-up of some of the issues dominating my work in 2018/19

April

I travel up and down the country visiting charities and it's so rewarding to see a service that delivers so much.

I visited a domestic abuse refuge in Fortalice, Bolton where I met residents, past and present, and discussed their experiences of leaving an abusive relationship, the support they needed and services accessed. These conversations shaped my response to the government's consultation on domestic abuse. All victims spoke passionately about the quality support they received from Fortalice, both within the refuge and their outreach services.

My overriding memory is the victims' bravery and charity's commitment to provide a place of stability for the children living with them.

May

I welcome invitations to make speeches on strategy and policy relating to victims. It is an opportunity to challenge policy makers and call for change. In May I spoke at the Westminster Briefing Seminar and called for the Victims' Commissioner role to be given more statutory powers to call agencies to account.

I also made the case for independent victim advocates supporting victims through their criminal justice journey.



August

I visited the Co-op in Manchester to learn how victims of modern-day slavery benefit from paid work placements.

Paul Gerrard, the Co-op's Policy and Campaigns director explained how they launched the unique Bright Future Programme in 2017 with charity City Hearts to create job opportunities for survivors of modern slavery.

Fifty survivors are being given a chance to rebuild their lives through the scheme, and the Co-op have committed that up to 300 will secure placements by 2020.

It was great to see business taking a lead in supporting survivors rebuilding their lives.

June

I met Chief Coroner Judge Mark Lucraft QC to discuss the impact multiple post mortems has on bereaved relatives. The meeting was prompted by two bereaved victims, Lucy and Elaine, whose siblings were subjected to multiple post mortems at the request of the defendant. They're working hard to challenge the system and force improvements sparing other family from pain.

Sadly, I know only too well how disrespectful multiple post-mortems feel towards the deceased, my late husband was also subjected to multiple post mortems at the request of the defendants in his murder trial. Technology exists to prevent this from being necessary, and I support Lucy and Elaine's calls to standardise practices across the country.



July

Fraud is one of the UK's fastest growing crimes and wreaks a devastating impact on victims. On my visit to Sussex PCC, I was impressed to learn how PC Bernie Lawrie set up Operation Signature which advises Sussex residents how to spot a scam. Bernie identifies fraud trends and the increasingly cunning methods adopted by fraudsters. Thanks to her efforts, Bernie's helped save hundreds of residents avoid being de-frauded of their life savings. Now more than 25 forces have rolled out Operation Signature.



October

With knife crime at an all-time high, I was inspired by my visit to anti-knife crime charity, Ben Kinsella Trust to learn about their excellent work. It was depressing to hear their feedback that despite their efforts, progress is sliding backwards. Social media glamorises a dangerous gangster lifestyle and more needs to be done much earlier to identify potential offenders at junior school and divert them down a healthier path.



December

When I heard about the UK's first pilot of Justice Support dogs, I was intrigued to meet Oliver, a Labrador from the US, and handler, academic Dr Liz Spruin. Liz started working with Kent Police, supporting victims when they give evidence at police stations.

The hope is, Oliver will soon be able to accompany witnesses in court – at judges' discretion. Many crime victims naturally feel stressed at giving evidence in court. If victims feel calmer, they'll have a better opportunity to present their evidence calmly and clearly.



September

When you've suffered the worst crime imaginable, you're in a bad place. Nobody can imagine what it's like, and I know only too well how what a struggle it is to carry on. I welcomed the Ministry of Justice's inaugural cross-government Victims Strategy, which pledged to deliver reform of victim support and entitlements. I've long called for a Victims Law to put the rights of victims at the heart of our justice system. I am hopeful that the strategy will deliver, but we're not there yet.



November

True honour to be guest speaker at the Livia Awards in Westminster that celebrates excellence in road death investigation and family liaison work by Met Police Officers.

The awards ceremony serves up as a sharp reminder that even the most expensive luxury car is a lethal weapon when left in the wrong hands.



January

Criminal Injuries compensation exists to help survivors of the most violent crime who have suffered serious harm. My review on victim access to the Criminal Injuries Compensation Scheme called for wholesale reform so victims who apply aren't left frustrated or alienated by the process. Some victims claiming compensation find the process so stressful it can retrigger their original trauma.

My review attracted a great deal of interest, particularly from victims. I asked the Ministry of Justice to consider my recommendations as part of it review of the scheme.

February

I have always been interested in what other countries are doing to support victims and whether we can learn from them. I was honoured to be invited by the Dutch Ministry of Justice to be the guest speaker at a Seminar "The Victim is Here to Stay" which was looking at the progress made in supporting victims and where we might go in future. It was an opportunity to hear how other European governments were supporting victims of crime as well explain what we were doing in the UK.

March

I was invited to chair this Hate Crime conference which brought together experts from across the country to learn from one another. We drew a great mix of practitioners in the field and experts by experience. The message heard strongly through the day was the impact hate crime has on the individual and communities, as well as the need to focus on outcomes not statistics.

The Role of the Victims' Commissioner

I was appointed Victims' Commissioner on 21 December 2012 and took up my post on 4 March 2013. I was reappointed for a second three year term in March 2016 which was extended to 31 May 2019

- (1) The Commissioner must –
 - (a) promote the interests of victims and witnesses;
 - (b) take such steps as he considers appropriate with a view to encouraging good practice in the treatment of victims and witnesses;
 - (c) keep under review the operation of the code of practice issued under section 32.
- (2) The Commissioner may, for any purpose connected with the performance of his duties under subsection (1) –
 - (a) make proposals to the Secretary of State for amending the code (at the request of the Secretary of State or on his own initiative);
 - (b) make a report to the Secretary of State;
 - (c) make recommendations to an authority within his remit;
 - (e) consult any person he thinks appropriate.
- (3) If the Commissioner makes a report to the Secretary of State under subsection (2) (b) –
 - (a) the Commissioner must send a copy of the report to the Attorney General and the Secretary of State for the Home Department;
- (4) The Commissioner must prepare in respect of each calendar year a report on the carrying out of the functions of the Commissioner during the year.
- (5) The Commissioner must send a copy of each report prepared under subsection (4) to –
 - (a) the Secretary of State for Justice,
 - (b) the Attorney General, and
 - (c) the Secretary of State for the Home Department.
- (6) Reports under subsection (2)(b) or (4) must be published by the Commissioner.
- (7) If section 48 comes into force after the beginning of a calendar year, the first report under subsection
- (4) may relate to a period beginning with the day on which that section comes into force and ending with the end of the next calendar year.

THE ROLE of the Victims' Commissioner is set out in section 49 of the Domestic Violence, Crime and Victims Act 2004, as amended by the Coroners and Justice Act 2009:



The Office of the Victim's Commissioner: Dr Elaine Wedlock, CEO Russell A'Court and Rachel Hersey



I am fortunate to have the support of my small but dedicated team in enabling me to carry out my duties.

I have three full-time members of staff and four who are part-time. They are: Russell A'Court (CEO), Dr Elaine Wedlock (Head of Analysis and Review), Rachel Hersey (Head of Policy and Stakeholders), Lorraine McBride (Communications Manager), until March 2019, Katharine Porter (Research Officer), Joss Mistry (Correspondence Manager) and until November 2018, Sarah Ali (Diary Manager). At the end of the business year, we appointed a new diary manager (yet to take up post) and were readvertising for a new research officer. The team's work is broadly divided into two areas: (i) policy and stakeholders and (ii) reviews and analysis. The work is managed and overseen by Russell, Elaine and Rachel:



Russell A'Court was appointed Chief Executive in October 2016. Prior to this he has worked across government, including a frontline benefit office for the homeless in central London, to presenting at immigration appeals to working in the House of Lords. He has a keen interest in criminal justice and has worked in sentencing policy, as well as running a large public protection casework operation.



Rachel Hersey is Head of Policy and Stakeholder Engagement at the Office of the Victims' Commissioner. She develops the commissioner's position on areas of policy which affect victims and witnesses of crime, to make sure that they are treated with the dignity and respect they deserve. Rachel has a range of experience from within government having worked for the Department for Transport; Department of Health; and the Ministry of Housing Communities and Local Government. She however started her career as a local radio journalist at the BBC.



Dr Elaine Wedlock is Head of Reviews and Analysis. She leads on a series of reviews into ensuring that victims and witnesses of crime in England and Wales receive their entitlements under the Victims' Code and with the compassion and dignity that they deserve. Elaine has more than 15 years' experience in applied public sector social research. She previously led her own research consultancy business, working with government and third sector organisations. Elaine was a Senior Research Officer in the Home Office and the Department of Communities and Local Government, carrying out extensive quantitative and qualitative research, impact and process evaluations of government policy, and systemic reviews.

Victims' Commissioner's Advisory Group

As well as my office, I also have the able support of my Advisory Group which meets four times a year to discuss current victim related issues, and advise me on how I should handle them. As can be seen at the back of this report, the members come from a range of backgrounds with diverse skills and experiences.

Definition of victims

As was acknowledged in my joint report with University of Portsmouth, some victims dislike the negative connotations occasionally associated with the term 'victim'. Some victims and many non-statutory agencies prefer to use the word 'survivor' and I respect their view. For the purposes of this report however, I've again generally used the term 'victim' because it's the term that most agencies use and understand when referring to someone who has experienced victimisation.

I accept the definition given in the Victims' Code when considering relevant policy areas. But the legislation which underpins my role as Victims' Commissioner, makes clear my remit includes all victims, regardless of the type of crime committed against them or whether they report it to the police.

Second Term Strategic Plan

Following my reappointment in 2016, I published my Second Term Strategic Plan which sets out the broad outline of my strategy for the remainder of my second term, which expires in March 2019.

It built on my work in my first term of office, set out in previous Annual Reports.

Throughout my second term, my focus was on making sure that victims of crime were supported as they cope and recover from the impact of crime. It is essential that all victims receive their entitlements set out in the Victims' Code, and that they're treated as individuals, with recognition given to their individual needs.

In working to achieve this, I championed the cause of victims in forums across the criminal justice systems, as well as agencies which have a statutory duty to provide support to victims.

Successful implementation of this strategy is dependent on the cooperation of those responsible for supporting victims, providing services and developing policy and practice.

My Strategic Plan set out five overarching strategic aims:

- A.** Work with all criminal justice agencies to ensure that victims of crime and witnesses are treated with humanity and decency at all times, to aid their ability to cope and recover from the impact of crime;
- B.** Monitor and report on criminal justice agencies' compliance with the requirements of the Code of Practice for Victims of Crime and the Witness Charter; identifying areas that are deficient and making recommendations based on evidence of best practice;
- C.** Review the provision of victim services on the basis of the four principles identified in "What Works", namely: communication, procedural justice, inter-agency cooperation and professionalisation, and make recommendations on how services should develop and improve;
- D.** Through regular contact with victims and practitioners of victims' services, articulate a view of the criminal justice system from the perspective of victims; review and challenge decisions taken by policy makers and those responsible for developing practice;
- E.** Through gaining first-hand knowledge and understanding of victims' services, identify and actively promote examples of best practice and excellence.

Victim's Services and the Victim's Code

My overriding priority throughout my time as Victims' Commissioner is to ensure all victims receive the high-quality services they deserve, which means that they are supported through the criminal justice system and helped both to cope and recover



that the Ministry of Justice and Department of Health work together to deliver on the recommendations of my report. I met Ministers from both Departments in February and was delighted they committed to do just that. This work is now underway.

As a first step, in March 2019, plans were made by the Chief Probation Officer to put in place specialist Victim Liaison Officers who will be trained in the mental health review process to so that they have expertise in supporting victims of MDOs.

Victim Satisfaction

In June 2018 I published the second part of my review into victim satisfaction. In August 2017, I published the first part of this scoping review into how victims' satisfaction with the police is monitored, measured and used to improve their interaction with victims.

This second part in the series explored how Police and Crime Commissioners (PCCs) measure, monitor and utilise victim satisfaction feedback to inform and improve service design and delivery. This is very important as it reflects my commitment for the victim voice to be heard throughout the criminal justice system. I want to be particularly sure this is happening within victim services, and that service providers are both listening and responding.

Based on the thematic analysis of 21 PCC survey responses, the review found most participating PCCs were collecting and using victim feedback to help improve support services for victims in their local areas.

Victim satisfaction feedback remains an important ➤

During the year, I've published five reviews and reports and started work on two further reports, supporting victims of anti-social behaviour and looking at the support offered to bereaved victims following murder abroad, which will be covered in my successor's first Annual Report.

Victims of mentally disordered offenders

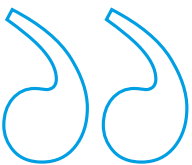
In June 2018, I published a report calling for victims of mentally disordered offenders (MDOs) to be given the same rights as all other crime victims.

The trauma and distress experienced by victims of serious sexual and violent crime, including homicide, are the same irrespective of the status of their offender.

As such, it is only right that victims of all such crimes should receive the same level of support and the same entitlements. Entitlements under the Victims Code are intended to provide support for all victims throughout their criminal justice journey and in turn, help them cope and recover.

The report was based on a review of relevant policy and the

In June 2018, I published a report calling for victims of mentally disordered offenders (MDOs) to be given the same rights as all other crime victims



experiences of nine bereaved victims of homicide, where the crimes were perpetrated by mentally disordered offenders. It concluded that the current position does not offer equal treatment to these victims. Instead, the Victims' Code makes a distinction between victims whose offenders are serving prison sentences and those who are patients detained in mental health hospitals.

There is yet further distinction made between the victims of "restricted" and "unrestricted" patients. These distinctions, based upon the status of the offender, result in a disparity of treatment for the victim.

In December 2018, I was pleased Sir Simon Wessley's report "Modernising the Mental Health Act", recommended

I REMAIN concerned by statistical and anecdotal evidence suggesting victims are not always receiving their entitlements set out in the Victims' Code. This is unacceptable. Victims deserve better.

Monitoring compliance with the Victims' Code of Practice is difficult as the data is inconsistent or non-existent. My office initiated

discussions with the Association of Police and Crime Commissioners about the possibility of developing a compliance dashboard.

This work was subsequently overtaken by the MoJ on how to monitor compliance effectively. From 1 April, Police and Crime Commissioners were given responsibility for monitoring Victims' Code compliance

within their local areas. I support this initiative and feel sure my successor will want to take a close interest in how this develops.

Collating and monitoring information, both locally and nationally, is absolutely vital. There needs to be a clear structure and those analysing the data need to be able to offer an independent assessment of performance.

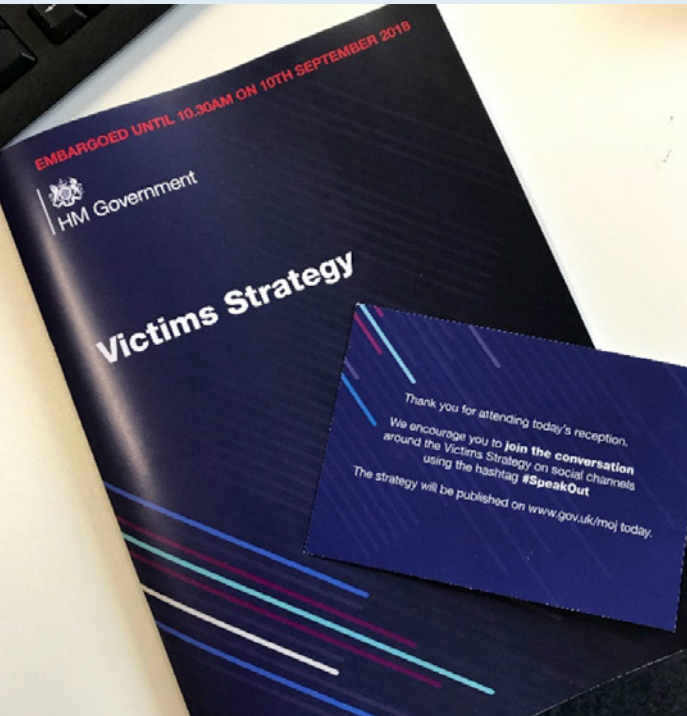
I've made no secret of the fact I believe this national role should fall to future victims' commissioners, with a requirement that they produce an independent assessment and on arrival, report that is submitted to Parliament. I made representations to Ministers on this issue and hope they will take this on board.

We also need to build awareness of the Victims' Code and make it far more accessible. At present it is a 39,000 word document, set out over 104 pages, listing 189 entitlements. Drafted by civil servants, its language is pitched at graduates. Recent evidence suggests as many as four in five victims are either not aware of the Code or their entitlements. This must change.

I welcome the commitment set out in the Government's Victims Strategy to make the Code more accessible and easier to understand. However, if this is to become a reality, we must give it the priority it deserves.

We need to understand the demographic profile of victims and how they access information. This includes not only listening to established victim organisations, but seeking to engage harder to reach groups. In the meantime, and with the small resources available to me, I'm determined to make things better for victims. I do this by undertaking reviews of victims' services, raising issues of concern with Ministers and criminal justice agencies and highlighting victims' concerns through the media, speaking events and my role in Parliament.

All my work is based upon regular meetings with victims across the country, as well as practitioners of frontline services and those responsible for policy making.





temperature check of how victim support services are working. The Ministry of Justice will shortly introduce its new reporting requirement for PCCs, a framework which focuses on outcomes (e.g. to what extent a service has helped victims to cope and recover from the effects of the crime they experienced) and outputs (e.g. number of referrals).

In my report, I called for PCCs to continue seeking victims' views in a systematic way, and using that information to deliver targeted improvements to the services they provide.

I recommended the MoJ should reflect how their new reporting framework could include measures of victim satisfaction along with data on outcomes and outputs. This would give a full picture how victims are supported, using this

information to improve services for victims.

Victim Personal Statements

In October 2018 I published my fourth annual review analysing data from the Crime Survey of England and Wales (CSEW) on Victim Personal Statements (VPS).

VPSs are an entitlement enabling victims to make a statement expressing how they have been affected by a crime. These annual reports give me an insight into the provision and take up of this important entitlement. They follow my 2015 review in which I made several recommendations for the government and heads of criminal justice agencies on how to improve the VPS process.

I am disappointed to report that the data reveals little progress since 2013/14. In terms of the proportion of victims offered the opportunity to make a VPS by police, only one in six recall the offer being made. Yet more than half of victims offered a VPS chose to make one, and of those who did so, the majority felt it had been taken into account by the criminal justice system.

There continues to be certain demographic groups who are less likely to be offered the opportunity to make a VPS. Here, I found discrepancies by age, religion, marital status, long-term illness/disability, area type, region and offence. Overall, these figures reiterate the importance of the VPS to those who make one, and how ensuring a VPS is offered to all victims is crucial.

Criminal Injuries Compensation

In January 2019 I published my review into victims' whole experience of claiming criminal injuries compensation. It covered their experience of the Criminal Injuries Compensation Authority (CICA), as well as their wider



experience of seeking and receiving support in making their applications. My findings were underpinned by a wide range of evidence, having engaged with more than 200 victims, as well as CICA staff, lawyers, victim support services, police and crime commissioners and the judiciary.

I was struck by the victim's conviction on the shortcomings of the current criminal injuries compensation process. Some clear themes emerged, including the fact many victims feel re-traumatised by the process of seeking compensation, they are baffled by its complexity and frustrated by the lack of communication. Support from local victim services in making a claim was patchy and in some areas, non-existent, resulting in victims resorting to using lawyers to make their claims, with most taking 25% of the final award as their fee.

The review made recommendations for improvement so that criminal injuries compensation helps de-traumatise victims, by simplifying the Scheme and provide victims with the support they need to make their application.

I am calling for victims to have free legal support if the complexity of their case or severity of their injuries warrants it. I want victims to have a single point of contact or named case worker in the CICA to deal with their application.

The Scheme should be more transparent so victims have a clear idea about the process and timescales. Victims should also automatically be kept up to date about their cases and receive acknowledgements when their documents are received by the CICA.

Victims should be able to apply up to two years after reporting the crime, or one year after the trial so

they don't have to apply when the trial is still under way.

Other aspects of the rules of the Scheme should be reviewed by the Ministry of Justice, such as the handling of cases where the compensation is held in trust, and the exclusion of victims or reduction of awards on grounds of conduct or unspent convictions.

I am pleased the MoJ is currently undertaking a review of the Criminal Injuries Compensation Scheme and have committed to

considering my recommendations as part of this review.

Victims' Advocates

In February 2019 I published my rapid evidence assessment into victims' advocates. The report assessed the strength of the existing evidence base on advocacy interventions provided to victims of crime in England, Wales and other jurisdictions.

I have long held the view traumatised victims need an advocate to help them navigate the criminal justice system. They do not have lawyers to advise them. Whilst many officials are helpful, they represent the interests of their respective agencies and not the victim. This needs to change.

The report found advocates deliver benefits for victims, in terms of their mental and physical health and their sense of wellbeing. They can provide advice and guidance and challenge other professionals if entitlements are not being delivered.

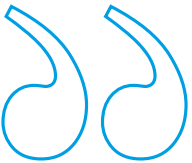
Advocates can also deliver assistance to the criminal justice professionals they work alongside. An example of this is the trust that advocates build with victims which can, over time, be extended to other professionals involved in a victims' case.

The report concluded by highlighting some of the beneficial elements of these advocacy interventions that could be taken forward in future victim advocacy models, as well as issues highlighted in the previous literature that should be considered further.

The Government's Victim Strategy makes a commitment to explore the role of victim advocates or "supporters" and I trust my research will feed into and inform this exploration.



The review made recommendations for improvement so that criminal injuries compensation helps de-traumatise victims, by simplifying the Scheme and providing victims with the support they need to make their application



Police and Crime Commissioner Visits

As well as my reviews, I am committed to visiting local victim services across the country, meeting with practitioners, victims and Police and Crime Commissioners

THESE VISITS are essential in helping to inform my thinking on how best to support victims and witnesses. They also feed into the representations I make to Ministers and policy makers.

When visiting local services, I am keen to see examples of innovative services providing victims with the support and care. I am also interested in looking at the quality of the interaction between the service providers and victims they serve.

I visited 14 areas over the year, and below I offer a snapshot of my findings.

Nottinghamshire

The day with the PCC for Nottinghamshire started with a general discussion about the state of policing and victim services in Nottinghamshire. The PCC and Chief Constable described how they were committed to maintaining neighbourhood policing and recognised the value of building good links with the community.

We talked about moves to better protect and respond to victims of domestic abuse. There were concerns that funding for sexual and domestic violence advocates is not included in core government funding. The PCC and Chief Constable reported body worn camera evidence is especially helpful in domestic abuse prosecutions, and the need make the protective orders application process swifter.

I met a number of domestic abuse practitioners who told me funding was a major source of concern. They felt they were unable to provide a fully effective service due to lack of resources. One example is that they no longer have an "emergency fund" to help victims. They told me they often struggled to find hostel placements and were having to turn people away or explain that it will take several days.

This is putting victims at risk, as all too often, they have to return to the perpetrator. They also expressed frustrations with their

experience of the family courts and CAF/CAS; the lack of use of police bail; and the need for specialist domestic abuse training for social workers and in schools.

Dorset

The PCC and Chief Constable showed me their recently launched #cutyourstrings videos, made in conjunction with Bournemouth University, which brilliantly illustrates what constitutes coercive control. They have the ambition for this to become a national campaign.

This was good to hear, as domestic abuse is now a specialist theme in the local CPS, which means cases should be heard within six weeks. The PCC was about to advertise for the first paid victim complainant post.

Worryingly, they were aware of at least two examples of prosecutions being dropped because of lack of availability of Registered Intermediaries. There is a shortage and the PCC and his team felt the MoJ response to the situation was insufficient.

Dorset now has two 'digital dogs' which can sniff out computer and mobile chips in searches.

I also met with six victims of domestic abuse who gave very positive feedback regarding local police response and support services. But they also had common concerns regarding the lack of understanding of domestic abuse shown by social services. The financial impact of escaping an abusive relationship was a recurrent theme, including one lady who lost her own business, and another who was left owing £90k worth of debt. The group told me of their concerns regarding the family courts ordering contact between an abusive partner and their children.

West Yorkshire

I was pleased to begin my day in Wakefield by launching West Yorkshire's new victims' services for the county. This is a £3.6m to Victim Support to continue to provide core support to victims and witnesses for the next three years. Through this support service, victims can be referred to a growing range of specialist services, such as restorative justice.

I hosted a round table to discuss the response in West Yorkshire to non-recent child sexual abuse. I was joined by organisations who provide services to victims/survivors of CSA and also survivors themselves. We had an informative discussion about the issues short-term funding was causing in providing appropriate support to adult survivors and the difficulty in accessing trauma informed therapy. The common theme was a need for multi-agency working to support survivors otherwise they fall between the gaps of neither receiving NHS or PCC funded support.



Sussex

On my visit to Sussex I heard about the PCC's work to reduce stalking and fraud in Sussex. The Financial Abuse Safeguarding Officer DC Bernie Lawrie talked impressively about the importance of protecting vulnerable elderly citizens from fraud. Since launching Op Signature, the model has been adopted by 25 police forces nation-wide.

The co-founder of Sussex charity Veritas spoke about how funding enabled her to provide personal support for stalking victims and training more than 700 police officers to better understand the crime.

I also spoke with the Chief Constable Giles York about the importance of digital safeguarding, particularly for victims of



Helen with manager of support hub and PCC.

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next three years



Helen and CSA survivor Detective Constable Gary Cliffe, West Yorkshire.

domestic abuse. I was pleased to hear the Force had recently managed to collate enough evidence to bring forward a case for coercive and controlling behaviour. I was also told about the sensitive work of the Sex Offender Investigation Team.

Cumbria

We had a lot to cover on my visit to the Cumbria's PCC in Barrow-in-Furness. We were based for the day at Barrow's Women's Centre. Over the past six years, the centre has provided an integrated women's centred service to vulnerable, socially excluded and female ex-offenders. Cumbria's PCC is currently building on this model to enable women across Cumbria to have the same access to support services. They hope this will result in fewer victims reaching crisis point and the need for specialist support, reducing demand on statutory services.

I felt privileged to meet many victims and survivors at the centre helped by PCC funded projects, including individuals affected by: inter-family domestic abuse; rural crime; child sexual abuse; and women currently in the criminal justice system.

Merseyside

In August I went up to Liverpool to visit the Merseyside PCC. We started the day with ➤





Helen with Catch 22

a great discussion about how her office commissions victims' services and the new model of commissioning they are now using in the region. We also discussed the impact the Manchester bombings have had on demand for therapeutic services.

Discussions then moved to supporting young people who become entrapped in county lines operations, with a presentation by the charity Catch22. I was impressed by the dedication of their project to ensure young people in Merseyside were given the support to escape exploitation.

I also met the team at CityHearts who work with victims of modern slavery. Unusually, they also have a team dedicated to supporting victims who have now left the National Referral Mechanism (NRM). This is where I'm hearing victims are at their most vulnerable at being sucked back into exploitative situations. I am grateful to the residents who allowed me to visit them in their safe house provided by CityHearts

Greater Manchester

Much of my discussion with the Deputy Mayor for Great Manchester, centred on the provision of services for victims of the 2017 Manchester bombing, many of whom are understandably still requiring support. This meeting highlighted how supporting victims with mental health needs can be caught up in bureaucracy of whether therapy is accessed through the NHS or victim support services.

Making sure that front line officers understand the nature of exploitation and modern-day slavery, so that they can properly identify potential victims



Helen and Phil East (Deputy Chief Executive, Salford Foundation)

The Deputy Mayor highlighted that without the mass swell of public generosity, the authority would not have been able to support the victims in the way they did.

I spent the afternoon with the Salford Foundation who gave me an amazing flavour of their work with young and vulnerable people in diverting them away from criminality and/or exploitation. The practitioners were so passionate about the young people they help and making sure front line officers understand the nature of exploitation and modern-day slavery, so that they can properly identify potential victims.

North Yorkshire

I had a good discussion in North Yorkshire with the PCC and her team about what the 'Victim's Journey' looks like in their county. They have brought victim support in-house and believe this is giving victims of crime a swifter, more bespoke support package. I was also interested to learn about the work of their Independent Victim's Advocates; I want to see this type of one-to-one support being made available to all vulnerable victims and victims of serious crime nationwide.

It was encouraging to hear of the research commissioned by the PCC to understand why they have a low take-up of the Victim Personal Statement.

I met victims of various crimes through the day, all of whom had different stories

to tell of the way they felt the judiciary in particular has treated them as victims in the criminal and family justice system.

The PCC also highlighted the challenges in providing locally accessible victim support services in North Yorkshire, given the size of the county and poor public transport. Remote accessibility has become a particularly problem following local court closures.

Staffordshire

The focus of this visit was support for non-recent victims and survivors of child sexual abuse. I am grateful to the survivors I met, with the PCC, in Stafford shared about their experiences. One survivor I met, is also a serving police officer in child protection. His contributions gave a very interesting perspective in terms of his own support needs and current police practices. Other survivors around the table, spoke of a variable response from individual police forces, some much better than others.

The principle concern to the survivors was the feeling of being believed by the person they were disclosing their abuse to. We heard how the reaction of that first responder has a massive impact on nature of any continued engagement with the criminal justice system.

Devon and Cornwall are carrying out interesting work in supporting commercial victims tackling cyber fraud. They also have a volunteer service that helps elderly victims of fraud. I'm keen to see this type of service delivered more widely across the country.

Wiltshire

My day in Devizes covered the range of work underway in Wiltshire and Swindon involving police and partner agencies to protect young people at risk of criminal exploitation. I heard about police operations to rescue young people coerced into delivering drugs on behalf of so-called county lines gangs, reaching out from their city bases to towns such as Swindon and Chippenham. There was also discussion about support from volunteer mentors for young people at risk of becoming vulnerable victims.

I was impressed to learn how Wiltshire Police is collaborating with a range of partners to protect children and young people. Early intervention with children at risk of exploitation really chimed with my own

concerns. The passion displayed by the early intervention officers I met shone through and was inspiring.

The PCC and Chief Constable also spoke to me about the challenges they face in providing good victim care when faced with individuals who are unable to access the right mental health support they need through lack of funding. They also spoke about the impact court closures have had in their local area, with people being forced to travel much further to unfamiliar court houses.

West Mercia

My visit to Telford had a special resonance, given the recent high-profile cases of child sexual exploitation in the town. I was particularly interested in seeing the work carried out by the PCC and Chief Constable ➤

The passion displayed by the early intervention officers I met shone through and was inspiring



Ellie and Will from Loudmouth productions, West Mercia

to support these young people, as well as the safeguarding arrangements designed to prevent future generations from being vulnerable to exploitation. However, they both expressed concern about the long-term impacts on the child victims, for example, what proportion have now got criminal convictions as a consequence of the exploitation they suffered.

The highlight of the day was visiting Telford Park School in Stirchley, where I watched a play by 'Loudmouth Productions' with the school's Year 9 pupils (13-14 year olds). The interactive performance highlighted a number of key issues and encouraged the children to ask questions and give advice to the characters. The play was not an easy watch. It addressed issues such as child sexual exploitation and coercion. Yet the children watched with keen interest.

After the performance, I spent time with a smaller group of pupils to try and understand their appreciation of the issues raised during the afternoon. They were forthcoming in their questions and gave me hope that they knew how to keep safe, and how to raise concerns if needed.

Essex

It was good to hear from the Essex PCC that his policing priorities included child sexual abuse, sexual assaults and domestic abuse. Fraud and issues around banking protocols were on the rise and other work involved human trafficking and Modern Slavery. The PCC and Chief Constable were



committed to placing victims at the heart of services and fostering community and volunteer engagement to drive forward initiatives.

Essex has been selected as a pilot area for the devolution of Rape Support Funding from the Ministry of Justice. It is one of five areas selected for the pilot to match money to service needs. The victim feedback has been positive and the PCC would welcome a move away from a centralised system to one that allowed for local flexibility to reflect local needs. The PCC was also keen to encourage better working with partners in the voluntary sector, Social Care and Health to help victims come forward and seek support.

I received a warm welcome, at the Centre

for Action on Rape and Abuse (CARA), based in Colchester. This is one of six premises that collectively make up the Essex Rape Crisis Partnership (ERCP), also known as Synergy Essex and which is commissioned to deliver the ISVA service in Essex. They employ a range of therapists, counsellors and advocates who run group sessions and it was great to meet and hear the positive feedback from victims who had been supported by CARA.

Leicestershire

My day with the PCC for Leicestershire kicked off with a run through of the services they offer victims through their Victims First project, including a live web chat facility. I then met with a victim of transgender

hate crime who explained the difference her Victims First case worker was making to her ability to cope and recover from the crimes committed against her.

I visited the local Sexual Assault Referral Centre. It was lovely to see the collaboration with retail giant, Next, who base their corporate HQ in the county, to make the

environment as stress-free as possible for victims. The victim I met at the SARC does fantastic work to support other victims with her peer-support network via social media.

The last stop of the day was to launch the PCC's Sexual Violence and Abuse design workshop. It was really impressive to see service providers and victims at the heart of the design of the re-commissioning process. Again, the victims and survivors I met at the workshop were giving back, by using their own experiences to support and help others.

Gwent

We were based for the day in the PCC's victim services hub – Connect Gwent – in Newport. I saw how victims are triaged by the team, using a single needs assessment to prevent having to retell their story to all the different services providers they're likely to come into contact with during their recovery.

As reflected in other conversations around the country, the PCC and Chief Constable described



Helen visits Connect Gwent to find out how they support local victims.

the stresses on their resources in having to provide mental health services out of the police budget. For example, they now have mental health workers based in the control room to help support callers in mental health crisis.

I also spent time with a number of different victims who received help through Connect Gwent. It was reassuring they all spoke so highly of the support they received. Their experiences, however, highlighted the impact poor communications from police officers can have on a victim. For example, a number of the victims I met, spoke about being kept in the dark about charging decisions and court dates.

South Wales

My last PCC visit of my term was to Newport where discussions on the preventative work the police and PCC are focusing on, to avert crime in the region. Interestingly the Force have managed to maintain their PCSOs to maintain a constant level of community policing. I am a passionate believer in the importance of visible community policing.

Their approach to victim services and the policing model is trauma informed, which seeks to understand the vulnerability of individuals to crime caused by a range of factors, but specifically adverse childhood experiences. Officers talked me through the specific issues they have in the area with child exploitation, linked to the increasing number of children's homes. I am also grateful to the partners from the Serious Violence Prevention Project who also came to tell me about their work.

I am a passionate believer in the importance of visible community policing



VC's View

Victims Strategy

In September 2018 the Government launched its much-awaited Victims Strategy, more than 80 recommendations for change. When it was launched in No.10, Downing Street, I welcomed the strategy as a way forward, but we must remember that a strategy is simply a means to an end



FOR ME, the purpose of the strategy is to deliver better support for victims. This means making their criminal justice journey a positive experience whilst helping them to rebuild their lives. Victims deserve nothing less.

Victims' Rights

The strategy holds out the opportunity for a Victims Law. This is something I have been calling for throughout my time as Victims' Commissioner. It is long overdue, but nevertheless welcome.

For many victims, the criminal justice system can appear a hostile environment. The process of getting justice can be as traumatic as the crime itself.

We need to change the culture of our justice system. But this can only happen by putting victims on a level playingfield with offenders. This does not mean we have to diminish the rights of offenders to achieve this. There is no trade-off between victims and offenders. It is about giving justice to all, both offenders and victims.

I have long argued we can only make this change this by giving victims statutory rights. I am proposing these rights should cover three areas:

- the right to be informed;
- the right to be heard; and
- the right to challenge.

All criminal justice agencies should be required to demonstrate their policies and procedures are compatible with these core rights and should be held to account if they don't.

Compliance

The National Strategy commits to reviewing and amending the Victims' Code. Importantly, it also commits to putting in place arrangements for monitoring compliance. This is important, as there is no point of amending the Code if we have no means of checking that victim entitlements are being delivered.



We know compliance with the Code is, at best, variable. As I set out in this report, the Victim Personal Statement is a key entitlement, giving victims a voice in the courtroom. My own research show victims find it cathartic and it can help their recovery.

Yet the Crime Survey for England and Wales shows fewer than one in six victims recall being offered the chance to make a VPS. If a victim has no recollection of the offer being made, how can they exercise their entitlement to make a statement.

A Code that offers a host of entitlements, but where compliance is patchy, there is no effecting monitoring, no consistent collection of data and where four in five victims are

completely unaware of its existence cannot offer victims justice.

Going forward, there are plans for PCCs to take responsibility for monitoring local compliance, as well as simplifying the Code and building public awareness. We have to be sure of getting these right – or else amending the Code will rightly open us to the allegation of window dressing.

I also want to see the Government go one step further. There needs to be an annual national assessment of Code compliance. The assessment needs to be a public document – rather like an inspection report. And, again like an inspection, it needs to be undertaken independently of government.

The Victims' Commissioner is responsible for monitoring the operation of the Code. This is why I have been calling for future Commissioners to be given the authority and resources to publish such an assessment. A national report, presented to Parliament, which highlights good and poor practice - holding agencies to account if they let victims down.

Criminal Injuries Compensation

I particularly welcome the commitment in the Victims Strategy to review the criminal injuries compensation scheme. Earlier in this report, I set out the findings of my own report on this subject.

I regard criminal injuries compensation as an integral part of the support on offer to victims. Yet my review found that the process of applying for compensation can be extremely stressful, in part because victims have to again repeat their story. For someone struggling with PTSD, this can be retraumatising.

We need to remember these are victims of serious sexual and violent crimes. They need to be treated with sensitivity and care. Fewer than 4 in 10 victims recall being told by the police about claiming compensation. How many victims have not applied simply because they are unaware?

And many PCCs are not including support for victims in making a criminal injuries application when they are tendering for local victims services. This compels victims to go through solicitors.

The Victim Strategy is an opportunity to make a real difference to the victim experience by addressing all of these issues.

Victim Advocates

The Victims Strategy also makes reference to examining the role of "victim supporters". I have long called for independent victim advocates to support vulnerable and traumatised victims. I prefer the term advocate as it better explains what they do.

Our justice system can be a lonely and demoralising place for victims struggling with the trauma of crime. An "independent victims advocate" or IVA is a professional who represents the interests of the victim.

Able to inform and explain, they can make sure victims receive their entitlements. They can challenge other agencies and speak on behalf of the victim.

And they do this by building a relationship of trust and understanding with victims.

My Rapid Evidence Assessment (REA), summarised earlier in this report, draws upon international literature and concludes that advocates are beneficial both to victims of crime and to the wider criminal justice system.

I believe advocates can transform the victim experience of the criminal justice system and make a real difference to their recovery. So, the cautiously worded commitment in the Strategy is a welcome opportunity for me and others to make what I believe is a powerful case.

Victims' Commissioner - the Power to Challenge

We have now had a Victims' Commissioner for 10 years. It is time to review how future commissioners can best champion the victim cause. I believe my successors need more than just a voice – they need statutory clout to call others to account.

I am not calling for draconian powers to direct others. On the contrary, it is not unreasonable, for example, to impose a statutory duty on criminal justice agencies to cooperate with the Victims Commissioner. Most do already, but it should be a legal requirement and not a favour.

Neither is it unreasonable to require agencies to respond to my successors' recommendations and to do so within a reasonable timescale. Appointing commissioners to undertake deep dive reviews and then not responding to their findings is disrespectful to victims.

The Victim Strategy promises to review the powers of the Victims' Commissioner and it is important that it delivers.

It is time to review how future commissioners can best champion the victim cause



Giving Victims a Voice

The role of Victims' Commissioner has very little statutory power, but what I do have is the power of my voice, speaking up for victims, highlighting gaps in services and reflecting victims' experiences to the public. I actively pursue new media opportunities as a vital part of my work in fighting for fair treatment for those who don't have a voice



Media-wise, 2018/19 has been pretty much non-stop. We built relationships with key journalists such as crime and home affairs correspondents, TV and radio producers and national radio reporters, expanded our presence on social media, investigated new media channels, responded to a much higher volume of press enquiries and organised media visits and filming requests.

If the sheer volume of press requests is a reflection of society's interest, it all points to increased awareness of the issues facing crime victims. It's why I've tried to accept media requests wherever possible, to highlight my campaigns and messages, reaching out to the widest possible audience across TV, radio and online.



Communications Strategy

We updated our Communications and Social Media Strategies to define and assess our themes and goals and found it's helped shape the way we approach comms.

Media Milestones

Meeting new media opportunities head-on in 2018/19, we have gained more than 2,000 Twitter followers introduced new features, **tracked Twitter stats, created press campaigns for my Reviews and Reports, nurtured relationships with journalists, written, presented and produced videos for the Ministry of Justice, Parole Board, Twitter and conferences, launched my website, rolled out new corporate branding, drafted communications and digital strategies, guest blogged and even voiced videos.**



VC Reviews

We have engaged the media to launch each of my Reviews. My interviews included; *R4's Today*, *BBC Breakfast*, *Victoria Derbyshire*, *ITN*, *ITV*, *5 Live*, *Sky News*, *BBC Online* and *File on Four* as well as numerous local radio stations.

Another focus was growing press opportunities in the regions. On visits, we made it a focus pro-actively to approach local TV stations including *BBC Midlands Today* and *London Live*. We also approached a host of local papers, including the *Shropshire Star*, *Warrington Guardian*, *Islington Gazette* and *Kilburn Times*.



As our twitter army grows daily (rising more than 200 followers a month), it drove new supporters to our work, raising awareness as well as driving debate and genuine two-way conversations.

My office is doing more work with analytics, including tracking our tweets so we have a better understanding of who is engaging with us and what issues are attracting the most attention. We will use this information to inform our future work and to reflect on what more we can do to reach out to those groups of victims whose voices are seldom heard.

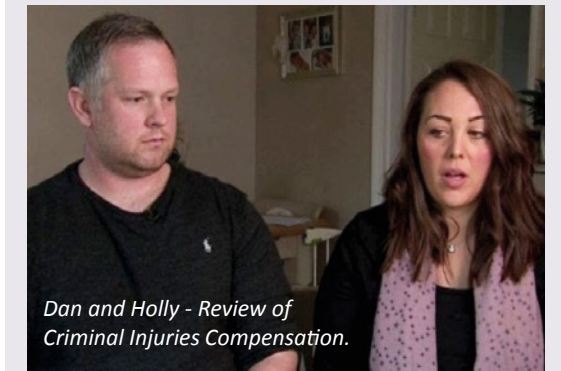


Criminal Injuries Compensation Review

I was pleased our criminal injuries compensation review attracted so much interest. Criminal injuries compensation exists in recognition that serious harm has been inflicted upon a victim, and to help them cope and recover. My review found this recognition can be cathartic for victims, as well as helping them in so many practical ways.

Yet, my review also found many victims claiming compensation find the process so stressful that it can retrigger their original trauma. This is a result of being required to constantly repeat their story, as well as delays, uncertainty and poor communication.

The publicity surrounding the review prompted many victims to contact my office and share their own experiences. It is just one example of how press coverage of my work helps me to engage with individual victims and hear first-hand their concerns.



As part of our **Criminal Injuries Compensation** review in January '19, the story of Daniel Murphy and Holly Brannigan gave a very human insight as they described how the compensation process forced them to constantly "relive" the trauma of attack.

Their case-study highlighted the problems faced by crime victim (Daniel) who had his jaw broken in an unprovoked attack in 2014. Nearly four years after they began their claim, they remained locked in dispute with CICA.

We found the use of Daniel and Holly's case study allowed their voice to shine through, and highlight some of the difficulties victims can face when seeking compensation.



Website

When my new website was launched, it was worth the wait.

Packed with information on issues affecting victims and examples of good practice when providing support, you can browse my latest news, tweets, speeches, reports and newsletters, I hope the new website will attract more victims and service providers so that it becomes a vital tool for my successor in promoting her work and engaging with victims.

One feature, the Victims' Journey will assist victims by describing each stage of their criminal justice journey and offering practical advice. It reflects the challenges they face.

The website is also mobile-friendly which means it displays well, whether you're using your phone, tablet or laptop.

VC Logo

In January, we launched new VC logo. Out went the tired, blue sunset, replaced by a butterfly, a symbol of hope in uplifting pink.



Key influencers

My office is constantly looking at new ways of reaching out. We approached key influencers including; Ministry of Justice, Met Police, Parole Board, Association of Chief Constables and Youth Justice Board to retweet and help market our launch.

We prepared articles, images and a video across our digital channels to encourage cross-traffic engagement and boost readership. For extra exposure, we stuck clickable links on our emails. Our website launch tweet made a big impression.

Curious to find out more? Visit victimscommissioner.org.uk.

Newsletter

Launched in 2017, we have published four digital issues of VC News to date, aimed at victims, practitioners, stakeholders and victim groups. Featuring a mix of news, reports on frontline organisations and expert columnists, feedback continues to be positive, and our mailing list is steadily growing.



VC REVIEW OF VICTIM PERSONAL STATEMENTS

VC Videos

Increasingly, video clips are being used as a means of sharing information. I am keen to present my work and messages in as many different mediums as possible, in order to reach out to the widest range of people. In the second half of the year, we started using short, relatable Twitter videos, combining film, text and imagery, to explain our reports concisely and clearly.

In September, we collaborated with the Ministry of Justice for a video I presented, on making a Victim Personal Statement. I also 'voiced' a video on the victim journey through the parole process, which was released by the Parole Board and can be found on our website.

VC's View

Supporting Survivors of Child Sexual Abuse

I'VE MET many survivors of child sexual abuse and have been profoundly moved by their pain and sense of being let down by those meant to look after them. Their anger and frustration that they were not listened to is real and heartfelt.

I have also been privileged to attend and speak at meetings of support groups. I work closely with organisations such as NAPAC. Their CEO, Gabrielle Shaw, is a member of my advisory group and I am grateful to her and her team for their advice and briefings.

I was pleased to give evidence to the new All-Party Parliamentary Group for adult survivors of sexual abuse. My

views on the treatment of victims of sexual crimes are covered elsewhere in this report. My concerns regarding belief; disclosure; and a victim focused response apply equally to victims of non-recent sexual abuse. The additional thoughts below reflect my views specific to adult survivors of nonabuse;

My visits to victim support services across the country tell me that on the ground, services are struggling to cope as so many more survivors find the courage to come forward and ask for help. This is no reflection on the professionals who are doing their very best, but simply a consequence of rising demand and limited provision.

For example, in 2017 NAPAC answered 8,500 calls and emails on their national support line and email service - less than a tenth of the number (nearly 90,000) who were trying to get through during this period.

Traumatic life experiences can have a significant impact on people's lives, increasing the risk of poorer physical and mental health and unemployment, as well as poorer social, educational and criminal justice outcomes.

Survivors need the support of highly trained and specialist counsellors to deal with the effects of trauma. ➤



I therefore want the Government to do five things:

Social agency response: Dealing with all of these issues requires the cooperation of health services, schools and colleges, job centres, housing authorities and social services, to name but a few. I want to see a statutory duty for these agencies to cooperate in developing plans to enable each survivor to move on and lead fulfilled lives.

Capacity: Ensure that there are enough practitioners in all of these services who have the training and skills to be able to assist survivors. I sense there are parts of the country where there are simply not enough practitioners to cope with the volume of demand. However, I am not sure there has ever been a national audit, looking at both supply and demand and identifying where gaps exist. Support for survivors must not be a postcode lottery.

Training: Staff in a wide range of agencies, including health, education, housing and social services need to be trained in the needs of adult survivors and be part of multi-agency support packages. I am concerned that there is insufficient resources to meet these wider training needs, nor that training, when on offer, is always accredited. This needs to be addressed.

Funding: I recognise that to deliver the support called for, will inevitably cost money. We owe it to survivors, many of whom have been let down badly in the past, to make sure resources matches demand. In the past, funding has been divided on a population basis and not according to the number of survivors known to be living in any one area. We need to have a mechanism whereby the funding follows the individual.

Appoint a CSA Commissioner: All of the above requires coordination and collaboration. It needs to be driven by

the centre. Currently, responsibility for survivors is divided across so many agencies and government departments. We are about to appoint a Domestic Abuse Commissioner to perform the role of working across government, championing the needs of domestic abuse victims, auditing the support available and reporting to Parliament. I welcome this, but believe there is an equally pressing need for a Child Sexual Abuse Commissioner to perform exactly the same function. Such is the complexity and the scale of such a task, we cannot operate as we are at present.



The provision of services to support victims/survivors of child sexual abuse varies across the country – victims and survivors can face a postcode lottery, with the prospect of receiving excellent services in some places, but inadequate ones in others. Agencies, however well-meaning, often work in silos, leaving survivors constantly having to repeat their stories and battle to be heard. I believe we need a CSA Commissioner, appointed by government and with statutory powers. This commissioner can champion the needs of victims and survivors, monitor the support on offer to them and hold the police and all other criminal justice agencies to account. A CSA Commissioner can ensure the issues facing victims and survivors of CSA are at the centre of public debate, and that their voices are heard.

VC's View

Gangs and Knife Crime

Throughout the past 12 months our newspaper headlines have been filled with heart breaking stories about young people falling prey to vicious knife attacks. At the time of writing this report, there have been more than 40 fatalities since the beginning of the year

THESE FATALITIES have taken place in various communities, including inner cities, provincial towns and commuter villages. Appalling brutal crimes inflicted by one young person against another. It is hard to know which is the most shocking: when they appear to be premeditated, carried out coldly and calmly against an identified target; or when they are totally random.

This is not just a police issue. I believe police tactics alone will not prevent violence. We need to sit down with parents, neighbours, and communities all of whom have a part to play and have an open and honest conversation.

Much of the work in preventing these terrible deaths needs to be done a long time before a teenager starts walking the streets with a knife. No child is born with a knife in his hand. Instead, there is a point in the lives of some of them when a knife is seen as a must have fashion accessory.

We need to build relationships with communities and engage with parents, as well as working in schools to identify those most at risk in being sucked into this culture of violence. We need to get to them before that point is reached. ➤



I am also concerned about the lack of action against those turning a blind eye to the glamorising of serious violence and a criminal lifestyle



Anti-knife crime charity ‘Ben Kinsella’, poster.

we can only achieve this if schools, police, social services and health agencies work together.

I am also concerned about the lack of action against those turning a blind eye to the glamorising of serious violence and a criminal lifestyle. I include in this, the tech companies and radio stations playing and hosting songs aimed at teenagers, which speak blithely about the carrying of weapons. Enforcement action must be taken against those playing chicken with our children’s lives.

But tech companies are not the only people turning a blind eye. Many of these crimes are driven by criminal gangs fighting a turf war in our streets and housing estates. The battles are triggered by the lucrative trade in “recreational” drugs, earning gang leaders and some of their followers “easy” money.

Many of those who buy drugs would regard themselves as respectable citizens. For example, they take socially responsible decisions, like drinking fair trade coffee or worrying about the future of the environment. But at the same time, they are funding the violent gangs that are causing deaths of young people and creating fear on



our streets. By their actions, middle class recreational drug users are, in part, directly responsible for this.

As well as getting others to act responsibly, there needs to be an effective law enforcement response. And for that to

happen, we need to be sure the police have the tools to do the job. By this, I mean both the resources and the statutory powers.

The additional government funding announced in March by the Chancellor is welcome as undoubtedly, it will help police forces strengthen their immediate response to knife crime. This additional money will enable the police to increase the number of officers available to carry out targeted patrols in crime hotspots and disrupt gangs and crime groups.

It means they are better equipped to regularly undertake a range of tactics, such as test purchasing in shops, weapon sweeps and engaging directly with young people about the dangers of carrying and using knives.

That being said, the extra funding is only a drop in the ocean. If the government is looking at the Scottish public health model, there needs to be sufficient resources to create sustainable programmes. Only then will young people within these communities feel we are serious about protecting their lives and the lives of others.

We also need to re-evaluate our caution in using stop and search. I know many fear this tactic alienates young people from the police. But I also know communities want this to protect their young families. They see enough heartache and pain, and are at a loss of what they can personally do. And so, my view is that it is not what you do, but how you do it. For example, if your intelligence is wrong and the youngsters you have stopped and searched have nothing to hide, then apologise. It makes a big difference to the person on the receiving end.

At the end of the business year, I received an invitation to take part in the Prime Minister’s round table meeting on tackling the scourge of knife crime. Government needs to take the lead on this. But if we are to be successful it falls to all of us to play our part, communities, police, schools, tech companies, broadcasters, to rise to the challenge and eradicate this cancer so that all our children can walk the streets without being in fear.

Meeting Victims and Practitioners

AS WELL as working with criminal justice agencies, I have built links with the charities and third sector groups who support victims 365 days of the year. I never cease to be impressed by the amazing work undertaken by these people. Their commitment and dedication to victims is heart-warming and often inspirational. They work on shoestring budgets, using ingenuity and sheer determination to keep their projects going and improve the support they’re able to provide.

I have set out below the groups I’ve met with or spoken to over the year. These are not the only organisations I have come into

contact with. On my travels to visit Police and Crime Commissioners, I have met many more.

This year, I met a number of charities responsible for supporting victims of domestic abuse. Many victims have told me how they have been able to rebuild their life and self-esteem only with the aid of their support workers. Other charities have been supporting victims of modern

day slavery. The work they do, for example offering victims the chance to move into paid employment, has been inspiring.

I also meet support workers who help victims of sexual violence. This year, it has been valuable to learn more about the work of those charities supporting male victims.

The terrible increase in knife crime has resulted in me meeting those who help

Their commitment and dedication to victims is heart-warming and often inspirational



children avoid getting involved in gangs and criminality. As we work hard to tackle the increase in knife crime, these charities will have a critical role to play.

I am conscious that covering such a wide geographic area, and with so many organisations involved in supporting victims, I have only been able to touch the surface. To make best use of my time and resources, my office put in place a comprehensive stakeholder engagement plan.

Looking forward, I hope the new revamped website and newsletters will also be vehicles for my successor to highlight the excellent work taken by victim supporting charities.

The table overleaf is a list of the organisations with which I have had either face-to-face meetings or conference calls. ➤



Events

It is always an honour to be invited to visit groups across the country and speak at their special events. As ever, it hasn't been possible to accept every invitation but I have tried to maintain a geographical spread.

I've tried to attend the launch of new services as well as visit new, innovative practices. I have been particularly keen to visit groups who support vulnerable groups of victims and survivors.

Often these events are a great opportunity to celebrate success and achievement.

Name of Organisation	Date of Contact
Women's Aid	17 April
Fort Alice, Bolton	20 April
National Association for People Abused in Childhood	30 April
Safer Lives	14 May
St Joseph's Family Centre	14 May
Respect	15 May
East Surrey Domestic Abuse Service	17 May
Hestia	23 May
Onside Youth Zones	7 June
Youth Violence Commission	18 July
Tell MAMA	23 July
Co-op Brighter Lives Project	14 August
The Survivors Trust	6 October
Families Need Fathers	9 October
Sisters for Change	10 October
Advocacy Support Victims of Northern Ireland Troubles	8 November
Children's Society	13 November
CEASE UK	13 December
GANGS	24 January
Cheshire Integrated Anti-Stalking Unit	25 January
INQUEST	29 January
G4S SARC Visit	14 February

Speaking events – national seminars

Many of my speaking engagements have been at regional events arranged by criminal justice agencies, police and crime commissioners. However, I welcomed the opportunity to speak more widely about victims' policy and practice. This gives me the chance to raise more strategic issues as well as challenge the status quo.

In May I spoke at the Westminster Briefing Seminar, setting out the case for a Victims' Law, which includes statutory rights for victims. I also used this as a platform to advocate the Victims' Commissioner role be given enhanced statutory powers to enable future office holders to hold agencies and government fully to account.

In July I was invited to address a seminar hosted by the Cambridge Faculty of Law on the effectiveness of the parole process. It gave me the opportunity to describe this process through the eyes of a victims, focusing on transparency, the right to challenge and the right to be heard. I am not sure my views were welcomed by everyone present, but it was a useful opportunity to remind practitioners of the rights of victims.

I was asked to chair a seminar convened by the Public Policy Exchange which looked at the recently launched Victim Strategy. The day was useful in hearing contributions both from the podium and the floor and to be able to make my own views known.

In October I chaired an international summit on Safeguarding in the Aid Sector which was hosted by Department of International Development. The summit was hosted in response to the safeguarding issues highlighted in the national press in response to allegations of sexual exploitation.

In February I attended and spoke at a seminar hosted by the Dutch Ministry of Justice, which was looking at the development of policy and practice in respect of victim rights in criminal justice systems. The seminar was a useful opportunity to make contacts from other jurisdictions and learn from the work they were doing.

I was delighted to chair a seminar hosted



I was delighted to chair a seminar hosted by Westminster Insight, in March, which focused on the issue of hate crime. This horrible crime manifests itself in many different forms and sadly, is on the increase



by Westminster Insight, in March, which focused on the issue of hate crime. This horrible crime manifests itself in many different forms, and sadly, is on the increase. There were some insightful contributions and all attendees were able to benefit from the learning it offered.

I also chaired and spoke at a seminar organised by Westminster Briefing, which looked at the Victims Code, how it should be improved and monitored. This is a subject close to my heart and it was an opportunity to express my concerns about delivering victim entitlements.

My last major speaking engagement as Victims' Commissioner was in April,

addressing the Annual Conference of ASB-Resolve. Anti-social behaviour is a scourge in many communities and a subject close to my heart. I was able to set out my concerns about the failings of the community trigger and how all too often, the authorities fail to appreciate the accumulative impact of persistent ASB.

Individual Cases

Although I am prevented by law from taking up individual cases, I believe it's a key part of my role to meet victims, listen to their concerns and, where possible, signpost them to the agencies and organisations which might be able to help them.

Many victims understand I cannot take up their cases, but they do want someone to listen. And if I am able to share these experiences with service providers and policy makers, they can illustrate the issues I want to raise. In some cases, their views have directly led to improvements in practice.

I now have a part-time correspondence manager who supports me in responding to correspondence. This is a new role within the office and it is difficult to imagine being able to cope without this valuable support.

The correspondence manager is generally the first point of contact for victim communications. We aim to comply with the Government standard of responding to enquiries within 20 working days and letters from MPs, on behalf of their constituents, within 8 working days. The handling of personal correspondence falls within GDPR requirements and my website provides details of our privacy notice.

We received 565 items of correspondence from or on behalf of individual victims; some of these were a single exchange and some involved a number of exchanges. Although this works out as an average of nearly 50 enquiries a month, there were significant peaks, usually following media coverage or the publication of one of my reviews. For example, my review on criminal injuries compensation generated a great deal of public interest.

The table below lists the top 10 issues on which victims have written to me:

In some complex cases, my office arranges for me to meet with the victim face to face or over the telephone.

It's so touching when victims say how much they valued the letters from my office. My frustration all too often, is that I am unable to do more to help.

Key	Anti-social behaviour	Assault	Child Sexual Abuse	Domestic Abuse	Fraud	Murder	Civil	Sexual Assault	Contact Scheme	Criminal injury compensation	Other Issue
No.	77	33	22	30	21	22	66	23	26	168	77

Speaking Up for Victims

My role as Victims’ Commissioner is independent from Government, but throughout my term, I have held regular meetings with ministers and policy makers, as well as senior officials from a range of criminal justice agencies to raise issues of concern and secure a better deal for victims

I PLACED great importance on my meetings, as an opportunity to influence policies and practice, based on the feedback I receive from meeting victims. It is an important part of my role.

From January 2017, and in line with my commitment to greater transparency, notes of some meetings have been placed on my website so victims and practitioners can see the issues I am raising and the response of the agency concerned. My office has also tweeted about the meetings and some of the key issues raised.

The tables set out the meetings I have held with agencies, policy makers and Ministers since April 2018.

Crown Prosecution Service (CPS)

Throughout my term I have met regularly with the Director of Public Prosecutions (DPP). I am grateful to Alison Saunders, who retired in October, for all her support and commitment to improving the experience of victims in the justice process. It was also a pleasure to meet her successor, Max Hill.

I raised concerns about the fall in the number of rape charges and whether that indicated a change in policy or practice. In my final meeting, the DPP reassured me the CPS was not changing the way it took decisions on whether to make a charge for rape or sexual

Name	Date
OfSTED	16 April
London Emergencies Trust (and other charities supporting victims of terror)	19 April
Criminal Injuries Compensation Authority	23 April
Director of Public Prosecutions	24 April
National Criminal Justice Board	30 April
Secretary of State for Justice	1 May
Minister for Victims	3 May
Commission for Countering Extremism	3 May
Professor, Sir Simon Wessley – Review of the Mental Health Act	16 May
Parole Board chair and CEO	4 June
Chief Coroner	4 June
Commissioner for Modern Day Slavery	7 June
Director of Public Prosecutions	7 June
CEO of Victim Support	12 June
Minister for Vulnerability, Safeguarding and Counter Extremism	19 June
Parliamentary Under Secretary of State for Justice	28 June
Commissioner for Countering Extremism	17 July
Offensive Weapons Bill Committee	19 July
CEO of the Charities Commission	30 July
CEO HM Courts and Tribunal Service	4 September
CEO Criminal Injuries Compensation Authority	9 October
CEO Serious Fraud Office	10 October
Director of the National Probation Office	10 October
CEO Youth Justice Board	15 October
Lord Chief Justice	15 October
Director, Sentencing Council	16 October



assault. Such decisions were based on the available evidence and whether there was a public interest. The CPS appetite for pursuing such cases remained the same. The overall drop in sexual violence cases being referred to the CPS meant fewer cases were being considered.

Another ongoing concern was disclosure practices. The DPP has kept me updated on work within the CPS to monitor how disclosure was being handled. I was given assurances that CPS staff are examining cases carefully, making sure issues concerning disclosure have been handled appropriately. This means that at any one time, there will be several thousand cases under active consideration. The DPP is aware

this caution was interpreted by some as a reluctance to make a charging decision, but in reality, it was the CPS working to “get it right”.

I welcomed the care taken, but the inevitable consequence of this approach is additional delays, which is having an adverse impact on victims. I feel they are “being lost” in the middle of this protracted process and in turn, this is making them reluctant to come forward and report.

Anecdotal evidence also suggested that prosecutors often had little contact with victims, and did not always appreciate their concerns. I believe it vital that CPS barristers are willing to meet and engage with victims and register their concerns.

I wrote to the DPP on the issue of

I raised concerns about the fall in the number of rape charges and whether that indicated a change in policy or practice

standards of forensic investigations in Sexual Assault Referral Centres (SARCs) in response to an investigation on the part of journalists working for the BBC. They obtained from the CPS a copy of a review it had undertaken in 2009 into forensic standards in SARCs, and which made recommendations for improvement. The DPP agreed about the importance of consistency and high standards, but stated this is now the responsibility of the NHS and Home Office.

He acknowledged there were concerns 10 years ago that forensic standards in some SARCs were not as good as they should be and the CPS had looked into the matter. However, in 2012, Forensic Science was returned to the Home Office and the CPS is no longer able to intervene. The CPS review did lead to changes being made.

I plan to take the matter up with the Home Office as I want to be confident that those victims who are compelled to use SARCs receive the highest standard of care at all times. ➤



I continued to raise the issue of the handling of Section 41 cases – victims of sexual assault where the defence makes an application to cross-examine them on their previous sexual history. I wanted to know how well this process was being managed by the courts and whether judges and prosecution were pushing back on unreasonable applications.

The DPP stated that the evidence compiled by the CPS on this sensitive issue contradicted claims that it was working badly. It suggested that judges were deciding on such applications with great care. He felt that perhaps judges ought to do more to explain their rulings and the rationale behind them. However, there will be cases where such cross-examination will be necessary.

The CPS sample of 300 sexual assault cases found that a Section 41 application was made in just 13% of cases and granted in 8%. The CPS opposed 35% of Section 41 applications and agreed in 30%.

The DPP agreed it was important that when a Section 41 application was agreed, the reasons behind it were carefully explained to the victims.

The DPP and the CPS responded positively to my review on Registered Intermediaries, published in January 2018 and which identified a number of failings. Nine prosecutors gave evidence as part of the

Anecdotal evidence also suggested that prosecutors often had little contact with victims, and did not always appreciate their concerns. I believe it vital that CPS barristers are willing to meet and engage with victims and register their concerns

review and there were two recommendations relating to the CPS.

- Inspections of how the CPS and police work with RIs should be included in regular inspections by Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services, and Her Majesty’s Crown Prosecution Service Inspectorate.
- Awareness of the role of RIs should be promoted to judges, magistrates, CPS and police; in addition, training on their role and how to work them should be a mandatory part of training on special measures.

The DPP responded that in light of these recommendation, the CPS special measures e-learning has been updated. It highlighted the need to identify, at an early stage, whether to engage a Registered Intermediary. To raise awareness of the Registered Intermediary role further, the CPS will arrange interactive webinar sessions with experienced Registered Intermediaries who can talk about their role and highlight how they can assist vulnerable witnesses in the Criminal Justice System. The CPS is also working closely with the Ministry of Justice to develop training for newly recruited Registered Intermediaries and has a representative on the two governance boards to ensure any CPS issues are resolved promptly.



Over 1,000 victims in the Victim Contact Scheme have asked to be sent a summary. This goes to prove that victims want to be kept informed throughout their criminal justice journey

Parole Board

I have continued to work closely with the Parole Board on how to support victims in interacting with the parole process. Recently, I contributed to a video produced by the Board, which explains to victims their journey through the parole process. I know only too well how daunting this can seem, and welcome anything that helps guide victims through.

In April 2018, the Secretary of State published his review of the parole process. He confirmed the Government would be removing the privacy requirement in the Parole Board Rules, enabling the Board to provide victims with a summary of the reasoning behind its decision making. This is something I have been calling for, and it is a positive step forward. It allows victims to understand how decisions are made and to feel they are a participant in the parole process and not merely an observer.

Since then, more than 1,000 victims in the Victim Contact Scheme have asked to be sent a summary. This goes to prove victims want to be kept informed throughout their criminal justice journey.

I am keen to know how these summary letters are being received by victims and whether they are being drafted in terms that are clearly understood. It would be a shame if this welcome development gets lost in a fog of incomprehensible jargon.

I have asked the Parole Board go further, and when it varies or rejects a victims’ request for licence conditions, it offers the reasons for this. I understand from the Parole Board this is now happening and this is welcome. I also want to be sure these victims are always being made aware of their right to resubmit requests. I remain

concerned this is not always being made clear to victims.

The Secretary of State also undertook a consultation on what process might usefully be introduced as a means of reconsidering a parole decision. I responded to this consultation, welcoming this proposal, but subject to some caveats.

The first was that the Parole Board needed to be adequately resourced to undertake this additional work, so that the process of reconsideration was not protracted. In addition, I wanted to be sure the mechanism for seeking reconsideration would be made open to all victims, irrespective of sentence, and that they be given sufficient time in which to make their request. I also wanted reassurance that VLOs would receive training in order to be in a position to offer victims informed advice.

The Government has responded to the consultation and I believe the new reconsideration mechanism is due to be introduced in July. I am pleased to see it is open to all victims but still have some reservation about whether victims will have sufficient time and will be receiving the required level of support. This will have to be monitored closely when the scheme is introduced. ➤



Police

Police have an important role to play in a victim's journey through the criminal justice process, and I always welcome the opportunity to meet them to discuss how they support victims.

This year I have spoken at two conferences organised by the National Police Chiefs Council and this has enabled me to set out my ongoing concerns about how police engage with victims.

Last October, I published my latest annual analysis of victims who are offered a Victim Personal Statement (the findings are set out earlier in this report). These statements are important. They give victims a voice in our criminal justice system. I have challenged the police on the findings. Only one in six victims recall being asked to make a VPS.

Some forces dispute these figures, with local data showing police officers offering a VPS in most cases. But if five in every six victims has no recollection of the offer being made, we need to accept the way in which the offer is made doesn't work.

The police tell me about new ways of making a VPS being piloted, and their commitment to the VPS is referred to in strategies and business plans. However in the absence of any evidence of the situation improving, I am unconvinced this is enough. Too many victims are being silenced by our failure to get this right. I

hope my successor will continue to challenge the police on this as it is so important.

A victim of rape, even today, has a very small chance of securing a conviction. Some reports show it as low as 2%. Victims report being disbelieved and subject to stereotyping; some tell me going through the criminal justice process was every bit as bad as the crime itself.

Lately, we have taken great strides in building confidence with these victims, resulting in more being prepared to report. This is in part, because of the change in the police approach to victims. Therefore, I have continued to challenge the prevailing mood that the police should adopt a neutral stance to victims.

The change appears to be based upon a view that with sex offences, police officers are unable to take a robust, impartial investigation if they offer a victim belief that their allegations are true. But if this is the case, I would argue that a diminution of victim support is not the solution. Instead, it is a matter needing to be addressed through training and guidance.

A victim of rape, even today, has a very small chance of securing a conviction. Some reports show it as low as 2%

I have also challenged the police about disclosure. Victims of sexual violence are routinely having their personal lives disproportionately investigated and disclosed in criminal trials. I know the police are reviewing their practices and I will follow this with close interest.

The process of getting a rape case to trial is complex and protracted. There can be periods of weeks or months where the victim hears nothing. From a police point of view – they don't contact the victim because they have nothing to tell. From the victims' point of view, they feel isolated, disbelieved and ignored. The suspense caused by the silence can exacerbate their trauma.

I have called on police officers proactively to contact victims and speak to them, even if they have nothing to report, simply to offer reassurance their case is in hand, and they have not been forgotten. If we are to get more cases successfully to a court room, we need to get this right. I am also concerned about the use of police bail. The changes in bail arrangements

as set out in the Police and Crime Act 2017 have been controversial. I have heard some police representatives telling audiences bail can only be used in "the most exceptional circumstances".

I met with policy officials from the Home Office who advise in the strongest terms that this is not the case. If the suspect is believed to present a threat to their victim, they can indeed be released on appropriate conditions.

I want to be sure no victim is being placed at risk because frontline staff are unsure when bail can be used. And I want victims to be confident that if they pick up the phone and report abuse to the police, they will always be protected.



Her Majesty's Courts and Tribunal Service (HMCTS)

I met with the Chief Executive of the HMCTS during this year.

I welcomed these meetings as an opportunity to raise concerns about specific court closures and the impact on victims and witnesses. I have heard stories from victims and Police and Crime Commissioners about victims and witnesses travelling up to two hours to get to court, often on the same trains and buses as the offenders. Their frustrations have been exacerbated by cases being adjourned on the day or transferred to another court building at the last minute.

I have continued to raise the impact a poorly thought out court environment has on victim and witnesses. For example, it is unacceptable for vulnerable victims to sit in the same waiting room as the defendant and/or the defendant's family.

I also raised cases of special measures not being available despite the request being accepted by the court. I have been assured that screens for special measures are now available in all court buildings. The courts improvement programme is looking

specifically at issues such as shared waiting rooms.

I also sought assurances about the robustness of IT systems in the light of systems failures as widely reported in the media.

The CEO has kept me informed of developments in the rollout of video-links to court rooms for the use of vulnerable witnesses. The delays have been frustrating, but I was pleased to hear HMCTS had been able to resume this important piece of work.

I also raised the issue of victims of mentally disordered offenders having greater access to the Mental Health Tribunal, highlighting issues raised in my report, including the right to submit a victim personal statement, to make representations to the panel in person and to receive reasons for decisions when requests are made for specific discharge conditions are either varied or rejected. I am pleased MoJ is working with the Tribunal in looking at all of these issues. ➤

I have continued to raise the impact a poorly thought out court environment has on victim and witnesses



Criminal Injuries Compensation Authority (CICA)

Throughout the past 12 months, I have met regularly with the new CEO of the Criminal Injuries Compensation Authority. Furthermore, my office has worked closely with the Agency in compiling my review on criminal injuries compensation, I am grateful for their engagement and assistance throughout. The findings of my review are set out earlier in this report.

The CEO has kept me informed on a range of initiatives to improve service delivery, including making the application form more accessible, enabling staff in the caller centre to resolve relatively straightforward cases and looking to make letters more empathetic.

These developments are all welcomed, but I am keen to see a more radical overhaul of the service, so that it does not cause victims distress or retrigger trauma.

We discussed the implications of a judgment in the Scottish Courts which has prompted providers of victim services to withdraw from supporting victims in making applications for compensation. This is likely to mean more victims need to rely on solicitors to provide support, which in turn means they will lose at least 25% of any award in legal fees. This will have a disproportionate impact on vulnerable victims and gives real cause for concern. I am calling on PCCs to provide free

access to legal advice for these victims. I sought assurances on the issue of victims being timed out in making an application because police and prosecutors advised them not to apply until the trial is complete. I was advised CICA staff can and do exercise discretion in such circumstances and allow late applications.

I am pleased to hear the time taken to process CICA applications has continued to fall.

I wrote to Ministers calling on them to review the “under the same roof rule” whereby victims of abuse prior to October 1979 were ineligible for compensation. I welcomed the Government’s decision announced in September 2018, to reverse this policy. I sought assurances all victims affected by the policy would be eligible to reapply for compensation and have been given a positive response. I also raised the issue of whether previous applicants might be alerted to the change in policy so they can resubmit claims.

Finally, and as referred to in my review, I remain concerned about certain aspects of the scheme. At present, some victims are ineligible for compensation because they have unspent criminal convictions; yet in some cases, these convictions are directly or indirectly attributable to the crimes committed against them.

Another issue is bereaved victims

being told they are ineligible for the full compensation award (or in some cases, not eligible for an award at all) due to the deceased not being of good character. It has caused families considerable distress. I have called on the Government to review both these pressing issues with a view to change.

National Probation Service (NPS)

I had several meetings with the Director of the National Probation Service throughout the year, and this has been a productive working relationship.

In the Government’s review of the parole process, I called for the Victim Contact Scheme (VCS) to become integrated into the provision of victim support services.

For too long the VCS has been detached from those supporting victims. It has seen itself as simply a transactional service. Yet providing victims with information is a fundamental part of their support. And those offering the information are required to offer the same level of care and sensitivity as any other victim support worker.

I am delighted the NPS agreed to pilot VLOs being based in victim hubs, working alongside victim support workers. The pilots, based in the North West, will offer an opportunity for staff to share information and offer victims a seamless service. I hope it particularly will look at how victims are transitioned into the VCS after the trial. At present, around one third of victims do not make the transition and this can cause so much anguish further down the line.

I also called for greater discretion in giving victims who do not secure a conviction, discretionary access to the VCS. During the year I was consulted on MoJ proposals to deliver such a change. The proposed changes were carefully thought through and comprehensive. I am pleased these have now been implemented.

In my report on supporting victims of mentally disordered offenders (set out earlier in this report), I called for victims of unrestricted patients to be allocated a VLO to support them through mental health reviews. At present these victims are having to liaise directly with health authorities and this often proves to be a distressing experience. I am delighted work is now underway to make this proposal a reality.



Inspectorates and Judiciary

I continued to liaise with their inspectorates, where their work crosses over into victim services. I fed into thematic reviews and take a close interest in inspection reports, particularly those produced by HMICFRS and HMCPs. Both inspectorates were proactive in keeping me and my office informed of their work, for which I am grateful.

Lord Chief Justice

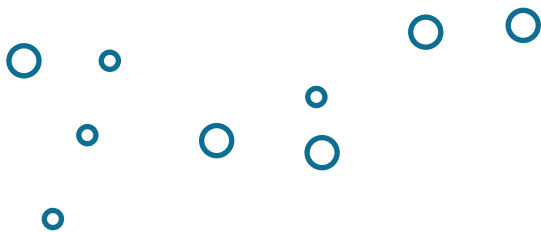
It was a pleasure to meet the newly appointed LCJ, Lord Burnett, to discuss a range of issues including the rollout of video-links to court rooms, the treatment of victims of sexual violence in the court room and the transparency of sentencing. The LCJ invited His Hon Judge Lucas to be the lead on victim issues for the judiciary. This is a good initiative and I was pleased to visit Judge Lucas and his colleagues at Wood Green Crown Court. I hope Judge Lucas and my successor will be able to work closely going forward.

Chief Coroner

I continued to take a keen interest in the remit of the coroner in the event of a suspicious death. I know from personal experience, how the coronial process can affect bereaved families in cases where a criminal act has led to the death of a loved one. It’s exactly why I’m keen to ensure other families going through this are treated with sensitivity.

I was approached by two victims who lost close family members in fatal road collisions. Both families were further traumatised by delays caused by the perpetrators seeking their own independent post-mortems. A decision whether to grant an independent post-mortem falls to the coroner, and it would seem that practice varies across the country.

I met Chief Coroner, Judge Lucraft, together with the victims, to discuss the impact multiple post-mortems has on a bereaved victim. Also the technological advances which could prevent the necessity for more than one post-mortem; the rights of defendants in requesting a repeat investigation; and the guidance available to coroners on alternative options. Judge Lucraft will be considering these views when



I also raised concerns about the annual letter victims in the VCS receive, updating them on “significant developments”. I was concerned victims were not informed when offenders were recategorised. Current guidance does not recognise such transfers as a “significant development”. I am pleased that in response, the NPS is exploring the possibility of informing the victim of the prisoner’s current security category as part of the annual update. It was recognised that the status might change several times over the course of a year, and it would not be feasible to inform the victim each time a change occurs. However, the annual update would provide victims with a snapshot.

I continued to raise the issue of victims being offered more information about resettlement plans to offer them reassurance.

As well as Parliamentary debates, I’ve met and worked with Parliamentarians from across the political spectrum who share my passion for supporting victims



he finalises his new Chief Coroner’s Guidance paper on multiple post-mortems, to be issued to all coroners in summer 2019.

The Queen’s Speech 2017 set out the Government’s intention to provide an Independent Public Advocate is to keep the bereaved and surviving victims of disasters informed of progress in any relevant investigation and make them fully aware how they can contribute to that investigation.

Public Advocate would ensure in the event of disasters involving multiple fatalities involving numerous victims, no individuals or families are sidelined in large and complex proceedings designed to determine the facts and causes of the events affecting them.

The Government consulted on this proposal in 2018. I responded on 3 December, placing a copy of my response on my website. I welcomed the proposal, but was keen to emphasise the role must be seen to be independent of Government so victims have confidence in it.

I also believe it should not be too prescriptive as to when an IPA can be used. In my view the criteria should go beyond multiple fatalities to include incidents where multiple victims have suffered psychological trauma, life changing injuries, or severe economic loss. All these groups of victims have a strong, legitimate interest in engaging in any subsequent inquiry and investigation process. To restrict the services of an IPA solely to incidents resulting in fatalities risks creating a “victim hierarchy” and this would be unacceptable.

I also called for the legislation to set out in broad terms those eligible for the support of an IPA, with scope for the IPA to include others if there is a public interest requirement. In cases where there is a call for the IPA to exercise discretion and provide support, there should be a requirement they provide reasons for their eventual decision.



Feeding into Consultations, Policies and Procedures

I’ve contributed to consultations, policies and guidance documents, which impact upon victims. Some of the work I have contributed to in 2017-18 includes:

- Government’s Consultation on Transforming the Response to Domestic Abuse
- Government Consultation on the Reconsideration of Parole Decisions
- Home Office Refresh of the Violence against Women and Girls Strategy
- Evidence to the Offensive Weapons Bill Committee
- Evidence to the APPG on Adult Survivors of Child Sexual Abuse
- Government Consultation on Establishing an Independent Public Advocate
- Response to the Welsh Criminal Justice Review
- Evidence to the Welsh Assembly on prisoner Voting Rights

Parliamentary Debates

As a member of the House of Lords, I also get the opportunity to speak in the chamber on issues that directly and indirectly affect victims.

Over the past year, I’ve used this opportunity to speak on victim related issues. These include offensive weapons, knife crime, domestic abuse, child sexual exploitation and repatriation charges.

As well as Parliamentary debates, I’ve met and worked with Parliamentarians across the political spectrum who share my passion for supporting victims. I’ve been encouraged by the growing political consensus to do more and go further in supporting victims and giving them statutory rights within our criminal justice system.

VC’s View

Victims of Sexual Violence

WITHIN MY wide remit, there are so many issues causing me concern. But there is one particular group who, I think, are receiving a terrible deal from our criminal justice system. They are victims of sexual violence.

The National Crime Survey for England and Wales shows more than four in five of those who suffer a sexual assault never report it to the police so they never see justice. Indeed, recent data suggests fewer than 2% of victims of sexual assault will see their perpetrator convicted in the courts. This troubles me, as it demonstrates a breakdown in confidence between victims of sexual violence and the criminal justice system.

For me, the question is, how has this been allowed to happen? I believe for many victims, the criminal justice journey is as harrowing as the crime itself. This is unacceptable. I fear we are letting these victims down badly.

This is why I want to see a national conversation on why this is happening and how we can change it. I also welcome the recent announcement by the Home Office to review the criminal justice journey for rape victims. This is a step forward and long overdue.

Belief

A starting point for this conversation is that with four in five victims of sexual assault never reporting, why is this?

It may be because the police treat them differently, as do the Crown Prosecution Service and society as a whole. If you are bereaved following a murder or had your home broken into, you and your family are treated as victims. But if you say no to sex, you’re in your own special box. You are a complainant until a guilty plea or verdict.

A victim is a victim from the moment the

crime is committed. If someone has been subjected to appalling, degrading sexual violence, they cannot defer the trauma and pain until the courts finally announce a verdict. The impact is immediate and devastating. They deserve to be treated with respect, sensitivity and feel their pain is acknowledged.

Of course, a defendant deserves a fair trial. And our justice system must always uphold the principle of innocent until proven guilty. No one, including victims, receives justice on the back of wrongful convictions. You have a victim who deserves to be treated with compassion and respect and a defendant who deserves to be treated fairly and who will be given natural justice. The two are not mutually exclusive.

I believe the police are perfectly able to employ a strict investigative mindset to

any crime, alongside instilling belief in the individual reporting the crime. And if police chiefs are concerned that this is not possible, this should be tackled by training – and not by diminishing the treatment of victims.

Disclosure

Reporting a sexual assault and asking the police to investigate also requires a victim to surrender their right to privacy.

We have created a climate whereby victims of sexual violence are routinely having their personal lives disproportionately investigated and disclosed in criminal trials. In doing so, we are retraumatising them and potentially infringing a most basic human right – the right to privacy.

Victims are routinely asked to sign what is called a “Stafford Statement” giving police and prosecutors the right to access and disclose to the court and defence team any of their historic personal data that might be relevant to the case.

Victims will not have a lawyer they can consult. Nor can they expect to be consulted throughout the process. This blanket consent allows police and CPS access to all your personal data from school, social services, medical, psychiatric or even notes from counselling. Disclosure of such sensitive material can have a devastating emotional effect on the victims. Crucially, I suspect many victims are being deterred from reporting rape to avoid this intrusive disclosure.

And those who do sign, can we be sure that they understand the ramifications. For example, once their data is added to the police computer it’s almost impossible to get it back out again and that it will be held for 100 years. Every piece of data on



their phone will be downloaded, going back years before the attack had taken place. Any material retrieved considered relevant to the defence, will be revealed to the defendant?

It is unfair we're asking vulnerable victims to make such decisions without support. That is why I want victims to access free legal advice when asked to consent to any form of disclosure. We would not accept that a defendant should be asked such a question without a lawyer present. Why should the same not apply to victims?

But I would go further. If the police want to include a victim's personal data they have no formal means of appeal or challenge. Again, this requires access to legal advice. A legal professional who is not representing anyone other than the interest of the victim. And when disputes cannot be resolved, there should be an expectation the matter is referred to a judge, who will listen to both sides and take the final decision.

Myths and Stereotyping

It is not just the criminal justice system that needs to reflect upon how it operates, there are wider societal issues that need to be addressed too. At times, it seems you must qualify as a saint to be classed as a credible rape victim. Drinking. Wearing short skirts. Taking a selfie with a pout. Let us be clear. None of these have an iota of relevance to the fact that two months later you were raped.

I contributed to Sir John Gillen's review into how the criminal justice system in Northern Ireland deals with serious sexual offence cases. In his excellent interim review, he recommended a large-scale publicity campaign and training for juries. This is a first step. A third of people in Britain think it isn't rape if a woman is pressured into having sex but there is no physical violence. This myth needs to be challenged.

I look forward to seeing our own government's review on this, led by Professor Cheryl Thomas, who is currently considering these issues. Her research is looking at the impact of myths and the development of future training and guidance for jurors.



The Trial

We have an adversarial criminal justice system in this country. In the quest for the truth, participants in the court room can be robust - brutal even - in their questioning. I accept the purpose of a trial is to establish the facts and determine guilt. Nevertheless, it does not have to be a process in which, as some victims tell me, is traumatising.

We need to make sure victims know what to expect. Independent Sexual Advisors who offer emotional and practical support to rape victims can play a key role in this. I want to be sure every victim of sexual assault is offered the support of an ISVA. This service is over-stretched. We must be sure it is resourced and available to all who need it.

Another concern is defence barristers cross-examining victims on their previous sexual history. The barrister is required to make a "section 41" application for permission to question a victim on previous sexual history. When this is being discussed at a directions hearing, the defence is present and the barrister for the Crown. But there is no-one representing the person most directly affected by the application – the victim. How can this be justice?

I want victims to be offered free legal advice and representation in the event of a section 41 application being made. Although it is for the judge to make the final decision, it must be right that the victim's voice is heard.

Creating a Centre of Excellence

IN MY last two Annual Reports, I revealed my ambition to turn my office into a "Centre of Excellence", sharing examples of good practice and innovation. I remain committed to this goal and it's one of my five strategic objectives for my second term.

The redesign of my website is now complete and there will be a section dedicated to promoting good practice and innovation. The plan is for this area of the website to be continually updated with recent examples.

I'm often asked what constitutes an example of good practice. Another of my strategic objectives is to apply the learning from my review 'What Works'. This review identified four key principles which underpinned effective victim services, namely communication, procedural justice, inter-agency cooperation and professionalisation.

These principles have influenced our approach to reviewing victim services and recommending improvements. Examples of good practice must therefore demonstrate the application of one or more of these principles. My team and I have also started to frame my reviews, speeches and presentations around these principles.

Creating a centre of excellence

However, developing a centre of excellence is not just about promoting innovative work on the ground. I've listed below just some of the day to day work we were

involved in to help improve victim services:

- Members of my team attended Ministry of Justice workshops with key stakeholders from across the criminal justice system to feed into MoJ reviews of the Victims' Code, the Victims' Strategy and the MoJ review of the Criminal Injuries Compensation Scheme.
- Elaine Wedlock sits on the steering group of an academic research project on Victims' Access to Justice in English Criminal Courts, 1675 to the present. The research is sponsored by the Economic and Social Research Council and is a collaboration between academics from the University of Essex, University of Liverpool, University of Manchester, the University of Sheffield and Leeds Beckett University.
- Members of my team regularly attend the Ministry of Justice's

- Victims Panel, feeding victims' views into the development of MoJ victims' policy.
- Elaine Wedlock sits on the Ministry of Justice Ethics Advisory Group developing and sharing good practice in ethical research across the Ministry of Justice and its arms-length bodies.
 - Rachel Hersey and Elaine Wedlock have represented victims' views in the Attorney General's Disclosure Review.
 - My team met with representatives from the University of Toronto, the Attorney General's Office of Ontario and Ontario Police Services Board to discuss good practice in criminal justice agencies response to sexual and gender-based violence.
 - Rachel Hersey and Elaine Wedlock (below) attended the Westminster Briefing Conference on tackling gang and youth crime.

- I attended a round table discussion on Anti-Social Behaviour (ASB), chaired by the Centre for Social Justice. The round table was convened with practitioners, academics and key stakeholders working with victims of ASB to feed into my upcoming review into ASB.
- Elaine Wedlock attended a round table meeting at the Children's Commissioners Office feeding in victim's views about thresholds of evidence required for prosecution and children and young people's experiences as victims of childhood sexual abuse.
- I am supporting an application for funding to the Economic and Social Research Council for research into achieving best evidence interviewing with victims of gang crime and serious violence, led by the University of Westminster. I will sit on the advisory group for the research if it is successful in its funding bid.



VC's View

Supporting Victims of Domestic Abuse

HEARING FROM victims and survivors of domestic abuse, and those experts who support them, has been an important part of my work over the past year.

When I responded to the Government's consultation, 'Transforming the Response to Domestic Abuse', last May, it was these victim voices I was determined to reflect. The recurring themes I heard were that we must be looking at a truly cross-government response and must not just be about legislation; we must be led by victims to ensure a trauma-led response; and a call to end victim blaming.

Domestic abuse has devastating impacts which reverberates not just within families, but across society as a whole. In pure monetary terms, intimate violence is estimated to cost the country £23 billion a year, which includes costs to the state, economic costs and the human and emotional costs borne by the individual victim.

Human Toll

But it is this human and emotional toll which drives me to press for change. We know that domestic abuse is hugely under-reported, with only 20% of victims feeling able to report their abuse, so any statistics quoted about the impact of this dreadful crime are most likely underestimating the problem.

The real challenge is to ensure all victims of domestic abuse have the confidence

to come forward and seek help. This is a colossal step for victims in a coercive and/or a violent relationship. It takes tremendous courage. But when it does happen, it is such a formidable turning point in the victim's recovery. We must therefore ensure that what is available to victims, when they are their most vulnerable, is "world class" support properly funded by the state.

The very first priority must be to make sure they feel protected from the first moment they take the brave step of reporting. Some of the victims and their support workers have raised the issue of the use of police bail. They told me police officers say they cannot use bail any more, resulting in cases where perpetrators are being questioned and then released unconditionally. Some are back on the doorstep as soon as they leave the police station.

Victims are often reluctant to report abuse because they are not confident the authorities can protect them from the perpetrator. When this happens, it not only places victims at risk, but does untold damage to victims' confidence in the police.

I am aware of the debate between the Government and the police on this issue. I am not interested in the politics. I want to be sure no victim is being placed at risk because frontline staff are unsure when bail can be used. And I want victims to be confident that if they pick up the phone and report abuse to the police, they will always be protected. For me, this is a pressing priority.

Special Measures

The Government published their draft Domestic Abuse Bill in January 2019. There is much in it to be positive about; Domestic Abuse Protection Orders; a ban on offenders cross-examining their abused partner in the family courts; an automatic presumption that the victim be eligible for special measures in court; and a recognition of the previously hidden number of male victims of domestic abuse.

Domestic abuse has devastating impacts which reverberate not just within families but across society as a whole



INTIMATE VIOLENCE IS ESTIMATED TO COST THE COUNTRY

£23 billion

However, we should and must go further. My top three calls to action are:

- **Presumption of shared parenting to be reversed where one parent has a conviction for domestic abuse.** This reversal does not mean that no parent with a conviction can ever participate in the parenting of their child. But it does mean in making such a decision, the court has a different starting position. The wishes of the child will of course be taken into account, but against a backdrop of informed risk assessment given the domestic abuse setting, and not on the needs of a convicted parent.
- **DVAs be given equal access to both family and criminal courts to provide victims with continuity of care and support.** It is a complete anomaly that an IDVA can support the victim through the criminal court, including sitting with them in the witness

box, yet has no jurisdiction in civil courts. I see the problem as two-fold; that the victim has no support or support from an unfamiliar individual in civil courts; and that there is a complete breakdown in continuity of care for that victim.

- **High-risk offenders with a conviction to be placed on a Domestic Abuse Register, much like the existing register of sex offenders.** The perpetrator will be required to report any new change of address or change in relationship status and any breach will potentially attract a custodial sentence. This will rely on judicial judgement as to the future risk posed by an offender and so whether to order the perpetrator to be placed on the register. It will enable the police, across force boundaries, to be alert to high-risk perpetrators in their area and, importantly, will then have a duty to share this information with potential victims.

At the time of writing we are waiting to hear who will be the Government's first Designate Commissioner for Domestic Abuse. Having a commissioner to work specifically with victims of domestic abuse and champion their needs will be a major turning point in how this country tackles this crime. I only hope the strong statutory powers given to the Domestic Abuse Commissioner will now be afforded to my successor as Victims' Commissioner, so that victims of all crime are given an equally robust voice.

VC's View

Anti-Social Behaviour

As Victims' Commissioner I've met many victims of anti-social behaviour, or ASB. Data on my correspondence from victims shows that ASB is the biggest single issue



WHEN I hear victims' stories, I am often struck by similarities with my own experiences. After all, my own introduction to the criminal justice system was in response to trying to take action against anti-social behaviour in my local community. Action that led to the murder of my husband Garry.

The families I speak to are law-abiding, quietly getting on with their life, minding their own business. Yet their experiences follows an all too familiar pattern of being bullied and intimidated to a point that destroys their quality of life and well-being.

They describe the impact on their mental health, sleep patterns, ability to function at work and strain it places on their relationships. Unlike most crime, it affects your day to day life, often within your own home.

As one woman, a victim of sustained ASB from a next-door neighbour, told me, "I would rather be burgled than go through this. At

least with a burglary, once it is done it is done and you can get on with your life."

Nature of ASB

With all this in mind, I find it infuriating and disrespectful to hear ASB referred to as "low level crime". That description illustrates how ASB is often treated as a series of isolated incidents, rather than taking into account the cumulative effect on its victims.

Even the expression "anti-social behaviour" woefully plays down the impact of the crime. What I am referring to, is better described as "anti-social abuse", a sustained barrage of bullying and harassment.

Response of CJ agencies

If you are a victim of ASB, where do you turn? Is it a policing matter? Do you contact your social landlord? On some occasions, it can be the local authority. I meet victims who tell me all too often, they have been passed from one to the other.

I also hear reports of victims telling me that when their ASB cuts across more than one agency, there is little evidence of joint working. And when challenged, of course it is all the fault of GDPR.

In part, the problem is that there is no one with a statutory responsibility to lead and coordinate agencies to ensure victims receive a better service.

Often, I hear about persistent anti-social behaviour, with each incident treated in isolation and not viewed as part of a pattern. This means police or other agencies deal with the immediate problem but are slow to work with victims to find a permanent resolution. As a result, they fail to appreciate the accumulative impact the persistent behaviour is having on victims.

This approach means police and others can be slow to acknowledge that a wrong is being done to a victim. One family of victims I met, had been through hell with an aggressive partner of a next-door neighbour. After several months and many call-outs, a young PSO spoke to the perpetrator and got a volley of abuse. When he came back to the family he said: "He is not a nice character." This simple statement was the first acknowledgement this couple received that they were being wronged.

Counter-allegations

In just about every long-running case I have seen, eventually, there were counter-allegations made by perpetrators in retaliation against victims seeking intervention. It is almost inevitable that counter-claims will be forthcoming. And of course, the police must act as honest brokers and investigate the counter claims.

The sensitivity in which these investigations are made is a sign of the quality of the handling of the dispute. Again, I have come across victims' where the police response to the counter-claims has been every bit as devastating as the ongoing harassment. People who have never stepped foot in a police station in their lives are called in and interviewed under caution. Others feel they were being warned off from making further complaints.

This is cited by victims as adding insult to injury. Not only do they feel their complaints are not been taken seriously, but that they are disbelieved and having to fend for themselves.

Mental Health Issues

The perpetrator's mental health issues are sometimes cited by agencies and local authorities as reasons for the behaviour. I am also hearing about victims who are asked

to consider this and raise their tolerance threshold.

Mental health may be the cause. But expecting victims to suffer in the way that I have described is not the solution. It is not an excuse to shrug shoulders and walk away. We must remember ASB can cause mental and physical health issues for victims too. That is not a price anyone should be expected to pay in order to meet the needs of the perpetrator.

Community Trigger

Legislation in 2012 set up a formal resolution process - the community trigger. This was never going to be the silver bullet, but it did offer a practical means of getting a problem sorted out.

Yet there is a worrying lack of awareness of the Community Trigger amongst victims, police, Local Authorities and housing associations.

Victims report not being told about the Community Trigger by the authorities and only find out about it for themselves when roaming the internet, trying to work out what options are open to them. It is disappointing so many police forces, local authorities, Police and Crime Commissioners, housing providers, make no reference to the community trigger on their websites.

It seems no one in central government monitors what is happening on the ground and how effectively this process is being used. There is no requirement on agencies to collate data on what they are doing. There is no one to hold them to account. But then is that surprising when the latest government guidance on 'Community Trigger' was released without fanfare on a Sunday which also happened to be Christmas Eve.

Victim Participation

I despair when I hear about cases where a victim has battled to get a community trigger resolution meeting, only to be told they cannot attend or be represented. How does anyone think they can resolve a problem by shutting out the two parties involved?

Yes, there may have to be parts of the meeting where one or both parties cannot be present. But when residents are seeking engagement from local police and authorities to resolve a big problem in their life, dis-

engaging with them is not the answer.

Current guidance only goes as far as saying that "consideration should be given" to allowing the victim to attend. This is like wording from a bygone age. We have victims standing up in court and reading out the victim personal statement. They attend parole hearings to do the same. They can challenge police and CPS on charging decisions. And yet, if they are a victim of ASB, they have no automatic entitlement to attend and explain the harm being done.

Transparency

We also need to review the transparency in Community trigger procedures. They are often run or chaired by the local council or another relevant agency, giving victims the impression of agencies marking their own homework. I am sure community trigger meetings are rigorous and fair, but it is essential they are perceived as such.

And finally, if a victim is not content with an outcome of a community trigger meeting, how can they challenge? Again, the guidance is vague. Police and Crime Commissioners can act as the final arbitrator in these circumstances, but I am aware that some refuse to do so, leaving victims with nowhere else to go.

In April 2019 I launched my final report studying the support given to victims of ASB. It makes some hard-hitting recommendations. We as victims of this crime have suffered for too long. It is time for government to act.

I find it infuriating and disrespectful to hear ASB being referred to as 'low level crime'





Office of the Victims' Commissioner

Budget Report

	Budget	Out turn £
18/19 total	500	495
Pay	472	479
Non-Pay	28	16
Non-Pay Breakdown		
IT and Telecommunications	5	0
Travel and Other	12	11
Printing, Postage and Office Expenditure	2	5
Other Expenditure	8	0

	Budget	Out turn £
17/18 total	496	475
Pay	467	466
Non-Pay	29	9
Non-Pay Breakdown		
IT and Telecommunications	7	3
Travel and Other	14	6
Printing, Postage and Other	2	0
Other Expenditure	6	0



Glossary

- Change That Lasts:** Is a new strengths-based, needs-led approach that supports domestic abuse survivors and their children to build resilience, and leads to independence.

Claire's Law: The Domestic Violence Disclosure Scheme - known as **Clare's Law** - is intended to provide information that could protect someone from becoming a victim of attack. The initiative is named after Clare Wood, 36, who was murdered by her ex-boyfriend in 2009.

Criminal Injuries Compensation Scheme (CICA): Is a Government-funded organisation created to provide compensation for blameless victims of violent crime.

Criminal Justice System (CJS): The CJS comprises numerous agencies each responsible to a Government department. The *Ministry of Justice* oversees the work of *HM Prisons and Probation Service* (HMPPS), covering prison and probation services; and *HM Courts Service*. The services which HMPPS are accountable for include *HM Prison Service* and *National Probation Service*. The Home Office has responsibility for the 43 police forces in England and Wales and the *Attorney General* has responsibility for the *Crown Prosecution Service*.

Domestic Abuse Consultation: This sets out the Government's approach to dealing with domestic abuse. It seeks to address it at every stage from prevention through to rehabilitation.

Frontline Practitioners: Professionals employed across the public and charity sector to support victims of abuse. They can comprise police, social workers, health workers and victim organisations.

Independent Domestic Violence Advisor (IDVAs): The main purpose of independent domestic violence advisors is to address the safety of victims at high risk of harm from partners, ex-partners or family members to secure their safety, and the safety of their children. Serving as a victim's main point of contact, IDVAs normally work with their clients from the point of crisis to assess the scale of risk.

Independent Sexual Violence Advisors (ISVAs): An ISVA is trained to look after a victim's
- needs, and ensure they receive care and understanding. They'll help you understand how the justice process works, and explain what happens if you report to the police, and the importance and process of forensic DNA retrieval. By contacting them, you're not expected to report any offence to the police.

Justice Select Committee (JSC): The JSC of the UK is a select committee of the House of Commons which scrutinises the policy, administration, and spending of the Ministry of Justice.

MacKenzie Friend: Helps a litigant in person in a court of law in England and Wales. They don't need to be legally qualified. The crucial point is that unless there are exceptional circumstances, your *McKenzie Friend* can sit with you in Court and offer advice and support as well as taking notes to help you. National Association for People Abused in Childhood (**NAPAC**): Offers support to adult survivors of all types of childhood abuse, including physical, sexual, emotional abuse or neglect.

Parole Board (PB): Is an independent body that carries out risk assessments on prisoners to determine whether they can be safely released into the community.

Police and Crime Commissioners (PCC): Every force area is represented by a PCC, except Greater Manchester and London, where PCC responsibilities lie with the Mayor. The PCCs role is to be the voice of people and hold police to account. PCCs aim to cut crime and deliver an effective, efficient police service within their area.

Registered Intermediaries (RIs): Are used in criminal proceedings to help vulnerable witnesses communicate clear evidence to the police and courts. They ensure that witnesses can understand questions and communicate their answers.

Restorative Justice: Brings those harmed by crime or conflict, and those responsible for the harm together, enabling everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward.
- Stalking Prevention Orders (SPOs):** Will improve the safety of all stalking victims by giving police the authority to address the danger that perpetrators pose while they gather more evidence.

Stalking Protection Bill: This Bill currently going through Parliament, will introduce Stalking Protection Orders (SPOs) to improve the safety of stalking victims.

Victim Contact Scheme (VCS): The scheme is run by the National Probation Service. You'll be invited to join the Victim Contact Scheme if the offender has committed a violent or sexual crime and been sentenced to 12 months or more in prison. This could include receiving a hospital order under the Mental Health Act.

Victim Hubs: Victim hubs offer emotional support, information and practical help to victims and witnesses of crime to help them cope and recover from their experience.

Victims' Advocate: These are professionals trained to support crime victims. Advocates offer victims information, emotional support, and help finding resources and filling out paperwork. Sometimes, advocates go to court with victims.

Victims' Law: Victim's Commissioner, Baroness Newlove, has long fought for a Victims' Law that guarantees victims legally enforceable rights within the justice system. They include a right to be informed about court dates and decisions, a right to make a personal statement at trial and a right to be consulted on conditions of the offender's release or discharge.

Victim Personal Statement: A **VPS** gives you the opportunity to explain in your own words the **impact** that the crime has had on you and your family. It will be taken into account by all criminal justice agencies involved in the case, including a judge. It can also play a key part in sentencing.

Members of the Victims' Commissioner's

Advisory Group 2018/19

Lucy Jaffé is Director of Why me? Victims for Restorative Justice, the charity established by a victim of crime to increase access to Restorative Justice for other victims. Since her involvement, Why me? has increased in size and reach and expanded its focus from campaigning and communications to include service delivery. Lucy previously worked in marketing and communications and was Sales & Marketing Director of a software company. She is one of the founders and National Coordinator of Reunite, the National Council for Abducted Children. She is an active member of Forest School Camps, which takes children on educational holidays. She is currently trustee on the Criminal Justice Alliance, and was a trustee of the Women's Resource Centre for six years.



Fiona McKay is an international human rights lawyer with a specialisation in the role of victims in criminal proceedings for war crimes and crimes

against humanity. After 11 years at the International Criminal Court in The Hague, operationalising the Court's innovative provisions on victim participation and reparation, she is now at the Open Society Justice Initiative in London.

Julian Hendy is an award-winning documentary filmmaker. In 2007 his father was murdered for no reason by a psychotic man he had never met or spoken to before, who was well known to

local mental health services. Julian is the founder of the Hundred Families charity, which supports and advocates for similarly bereaved families across the UK, and works with the NHS and others to prevent further avoidable tragedies.



Gabrielle Shaw has led NAPAC as Chief Executive Officer since April 2015. She is a senior INGO executive with over 12 years' leadership, policy,

programme development and strategic decision-making achievements across charity, government and statutory sectors. Gabrielle's experience includes heading up the external affairs and research work of the global charity World Animal Protection to strengthen its campaigning on issues such as disease control and negotiations on SDGs; and leading on international relations and external affairs for CEOP, the agency now based within the NCA and focused on combating child exploitation and abuse.

Jan Berry is a former Chair of the Police Federation of England & Wales. She joined Kent as a Cadet and retired 37 years later as a Chief Inspector. Jan introduced Juvenile Liaison Bureaux and Rape Victim Suites in Kent and launched the Crime Prevention initiative "Secured by Design". Awarded the QPM in 2006. Following retirement Jan was appointed by the Home Secretary to cut bureaucracy across government and policing and continues to advise on reducing bureaucracy in the criminal justice system.

Jan is Chair of School Governor's, Chair of Care of Police Survivors and a Trustee for a West Kent Domestic Abuse Charity.

Kim Doyle is the Joint Chief Executive of LimeCulture CIC, a national sexual violence organisation based in the UK. For the last 30 years she has worked extensively in the field of sexual violence and child protection. Kim qualified as a barrister and joined the Crown Prosecution Service in 1986. She has worked closely with the police, health, lawyers and other third sector agencies working to improve the standard of rape and child abuse investigations and prosecutions across the UK. She was instrumental in the development of the children's service at St Mary's SARC in Manchester following research work in the USA and played a key role in developing the response to sexual violence by the Crown Prosecution Service.



Rachel Griffin joined Suzy Lamplugh Trust from Victim Support where she managed projects and policy relating to domestic violence, police and crime commissioners and partnership working. Previously she was at Voice for the Child in Care, where she established the Alliance for Child-centred Care.

Before going into policy and development, Rachel was a fundraiser, first at the National Deaf Children's Society and then at The Prince's Trust. She is a former trustee of Prisoners' Education Trust.

Stephen Wooler CB retired in 2010 after a career spent in the criminal justice system. Posts included Assistant DPP, Chief Crown Prosecutor and Deputy Legal Secretary to the law Officers. His last position was as HM Chief Inspector of the Crown Prosecution Service where he led joint CJS Inspectorate work on the treatment of victims. Now in 'active retirement' his roles have included serving as an Assistant Parliamentary Boundary Commissioner and consultancy work. He currently serves on the Lord Chancellor's Advisory Committee for Thames Valley and as independent board member for the Legal Services Agency in Northern Ireland. In addition, he is a trustee of a charity providing services for the elderly and those with learning disabilities.



Dame Vera Baird is a former Police and Crime Commissioner for Northumbria. She serves in several voluntary roles as an Honorary Doctor of Civil Law at Northumbria University, Visiting Professor of Legal Practice at Newcastle University, Visiting Law Professor at London South Bank University, Visiting Law Lecturer at Teesside University and as an Honorary Fellow of St Hilda's College, Oxford and Durham University Law School.

Dame Vera was Labour Member of Parliament for Redcar from 2001-2010, a Government Minister from 2006-2010. As Solicitor General for England and Wales from 2007 to 2010 she was involved in criminal justice policy and legislation, especially on gender and equality policies. In 2017 she was appointed Dame Commander of the Order of the British Empire (DBE) for services to women and equality. She is the only honorary woman member of the Durham Miners' Association and a Patron of the charities RESPECT and Operation Encompass. In May 2019, she

was announced as the newly appointed Victims' Commissioner for England and Wales.

Andrew Bridges career in the Probation Service from 1973 onwards, including prison secondments, took him to Leicestershire, Wiltshire, Gwent, and Berkshire, where he was Chief Probation Officer from 1998-2001. He moved on to the Inspectorate, where he was HM Chief Inspector from 2004-11, since which he has undertaken work for other organisations such as G4S, Ingeus and Seetec. Andrew was known as a national authority on increasing offender employment from 1995-2001, on Probation's public protection role since 2004, and generally on how to "make Probation work" effectively in practice now.



Rory Geoghegan is Head of Criminal Justice at the Centre for Social Justice. Rory has previously worked in strategy at PwC and started working on criminal justice while at the Institute for Government. His criminal justice policy experience is blended with frontline practice, spending five years as a police officer working across response, neighbourhoods and gangs in the Metropolitan Police.

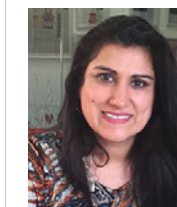


Dr Jacki Tapley is a Principal Lecturer in Victimology and Criminology at the Institute of Criminal Justice Studies, University of Portsmouth. Prior to this, Jacki worked as a Probation Officer in Dorset. Her teaching and research focuses on victims of crime, vulnerable victims, and professional cultures in criminal justice, specialising in victims of

sexual violence, domestic abuse and fraud, and the implementation and evaluation of victim-centred policies and legislation. Jacki is the Independent Facilitator for the Wessex CPS VAWG Scrutiny Panel. She is a member of the Hampshire LCJB Victim and Witness Working Group and a Trustee for Aurora New Dawn, a local domestic abuse, sexual violence, stalking and harassment charity.

Maggie Hughes In 2008, Maggie Hughes' son Robert became a victim of serious crime abroad, an event that changed her family's life forever. Trying to get any support, advice or justice in the aftermath proved an uphill battle.

The tragedy kickstarted Maggie's campaign to highlight the pitfalls and loopholes families face when caught in the justice maze. After seven years pursuing justice, the four men who attacked her son leaving him disabled received a three-year suspended sentence in 2015.



Jasvinder Sanghera is a survivor of a forced marriage and founder of Karma Nirvana. She is a highly acclaimed international speaker and an expert advisor to the courts. Her memoir 'Shame' was a Times Top 10 Bestseller. Prime Minister David Cameron stated that her work 'turned my head on the issue of forced marriage'. Her work was pivotal to the creation Forced Marriage Act 2014.

Awards include Woman of the Year 2007, Honorary Doctor of the University of Derby in 2008, Pride of Britain award 2009, Cosmopolitan Ultimate Woman of the Year in 2010, listed in the Guardian's top 100 Most Inspirational Women in the World 2011, Commander of the British Empire in 2013, Legal Campaigner of the Year in 2014, Robbie Burns Humanitarian Award in 2019, Sikh Woman of Substance Award in 2019 and Honorary Doctor of Law, De Montfort University in 2018.



2018/19 Annual Report

Victims' Commissioner
for England and Wales