

Victims and Witnesses Strategy:**Introduction:**

The Mayor, Tracy Brabin, in her Police and Crime Plan for West Yorkshire, 2021-2024, identified four key priorities. The first of these was to support Victims and Witnesses and to improve Criminal Justice outcomes. This strategy brings this to life in more detail.

This Victims and Witness Strategy outlines five themes that link to specific action points. Each action point is specific and deliverable. Sitting alongside this strategy will be a delivery plan. The Mayor, through her convening and scrutiny powers will ensure that the police, the wider criminal justice partnership and her commissioned victims and witness services work hard to improve their service to victims and survivors of, and witnesses to crime.

The Victims' Code, soon to be the Victims Law, sets out 12 rights for victims and witnesses. Under the Victims' Code, everyone has a right to support following a crime, whether or not they report the crime to the police. The Victims' Code sets out the services and information victims of crime are entitled to from criminal justice agencies, such as the Police, Crown Prosecution Service (CPS), and the courts - from the moment they report a crime to the end of the criminal process. Where a victim or survivor is not satisfied with the outcome, there is a Victim's Right to Review (VRR) within the code.

This strategy has been formed through listening to the lived experience of victims and survivors, those that support them from the Community, Voluntary and Social Enterprise sector, grass root organisations who provide specialist support and the statutory bodies delivering criminal justice who, through this strategy are empowered to more victim focussed in their approach.

This strategy recognises that the term 'justice' means different things to people depending on their own personal circumstances. It might mean an apology or a facilitated conversation through a restorative justice conversation. It does not necessarily mean a journey through the criminal justice system. The Mayor's Victims Services are available to everyone who has been a victim of crime by right. The methods of contacting victims' services, and the services available are outlined on page XX of this strategy.

The Mayor has made a commitment that all criminal justice agencies in West Yorkshire being trauma informed by 2030. Contact with the criminal justice system should not add increase trauma or be re-traumatising. The Mayors Adversity, Trauma and Resilience partnership, involving all criminal justice, health and victim services partners is working to ensure that all staff in contact with victims, and the processes followed during police investigations and in the courts, are trauma informed.

Trauma Informed feature

National Context

Nationally, the focus on victims, survivors, and witnesses of and to crime has never been stronger than it is today. However, there is a long way to go until every victim and survivor receives the service to which they are entitled, under the Victims Code. The fact remains that the journey to justice for a victim of crime, from initial report to the police to the end of the criminal justice process and an outcome at court, can take too long, sometimes years.

There are delays in police investigations compounded by delays in the court system. The courts are dealing with an unprecedented backlog of cases nationally. It will take a number of years until numbers of cases awaiting trial are at pre-pandemic levels. Therefore, the way in which the criminal justice service partners treat victims, survivors and witnesses, and the support received from commissioned services during that journey comes into sharper focus.

In addition to the Victims Law, legislation has been enacted to further enhance the protection offered to the victims, witnesses and survivors of crime. Changes to the Bail Act will lead to an increased number of perpetrators being restricted through bail conditions whilst investigations continue, and crucially, that victims of crime are consulted, before the perpetrator is released from custody about what bail conditions will keep them safe.

In 2020, the Stalking Protection Act was enacted bringing forth more protection for victims and survivors that address the behaviour of perpetrators. Stalking Protection Orders are in increasing use and provide the police with an immediate power of arrest for contravening the conditions of the order, which may include non-contact and exclusion area conditions.

For the victims and survivors of domestic abuse and controlling and coercive behaviour, there are immediate measures, such as interim orders by the police and longer-term court orders available to keep victims and survivors safe, even in circumstances where either the police or the victim are unable to proceed with the case.

Against a backdrop of a rise in high harm crimes, now higher in number than pre pandemic levels, specialist support services are available for victims of crimes that have a significant personal impact, such as sexual and domestic abuse offending. These services, known as Independent Sexual Violence Advisors (ISVA) and Independent Domestic Violence Advisors (IDVA) are independent of policing and provide advice, guidance and care to victims including liaison with the police, Crown Prosecution and Courts services, throughout the investigation and court process.

The way policing engages with victims and survivors of high harm crimes is undergoing transformational change. Operation Soteria Bluestone is a partnership of policing and leading academics brought about to significantly improve the outcomes

for victims of rape and sexual offending. It recognises that effects of trauma due to the crime, and the resulting trauma that may be caused during the investigation and seeks to address this. This work, conducted over a three-year period will result in a new National Operating Model for the investigation of Rape and other Sexual Offences and reduce trauma and improve outcomes for victims and survivors.

Local Context

Since the publication of the previous West Yorkshire 'Protecting People Harmed by Crime' Victims and Witnesses strategy, West Yorkshire now has a publicly elected Mayor, Tracey Brabin, with powers and responsibilities from devolved from Central Government. In West Yorkshire, this includes the role of Police and Crime Commissioner and the statutory responsibility to provide Victims Services to the people of West Yorkshire. The Mayor has appointed Alison Lowe OBE, as Deputy Mayor for Policing and Crime. Alison is the only black woman in England and Wales with Policing and Crime responsibilities and is the association of Police and Crime Commissioners lead for Equality and Diversity.

The Deputy Mayor chairs the Local Criminal Justice Board (LCJB). This is where organisations such as policing, who investigate offences, the Crown Prosecution Service, who prosecute offenders and the Courts and Tribunal Service, the HM Prisons and Probation service and representatives from organisations that support Victims and Witnesses, meet to discuss, create and enact policies that seek to make the criminal justice service work better for victims, survivors and witnesses.

West Yorkshire Police is one of the best performing police Forces in England and Wales during the last assessment by His Majesty's Inspectorate of Constabulary, in 2021/22. But there is still more work to do to achieve the best possible treatment of the victims of crime by policing and the Criminal Justice system, keep them engaged and improve outcomes in West Yorkshire.

There are major challenges on this journey, not least to work through the backlogs in the courts, speed up the time to a victim, survivor or witness has to wait for justice and in that time ensure that they are kept informed of progress and significant points in time during that time.

The Pandemic – impact on crime (Overall crime stats 2019/20 -23) and the courts. West Yorkshire by volume (Colin)

Victims, Witnesses and survivors have rights under the Victims Code. The Victims' code has been in existence since 2006 and will shortly become the Victims' Law. Monitoring the performance of criminal justice partners against the victims' code will drive improvements to the experience of victims and survivors. The Victims Code, that spells out your rights, and the responsibilities of agencies to deliver them can be found on page X.

Victims Code Page:

Making sure that every person in West Yorkshire, of any background, especially those in society who are marginalised or new to the UK, understand how to get help and that agencies will respond to them in a way they understand, is crucial to protecting those most in need.

Race disparity and other inequalities in the Criminal Justice System will be identified and systemic changes made to provide everyone equality of access to justice. It cannot be right that some people may be less well protected by the criminal justice system in West Yorkshire than others. For example, people whose use of the English language is secondary to their own, people new to the UK, Black, Asian and minority ethnic people, and those with mental ill-health or disability.

For the victims of sexual offences, the numbers of cases where a suspect is identified, and the victim sees justice done through the courts is too small. The reasons for this are complex. Sexual offence investigations in recent times have been have seen too much attention paid to the private life of the victim or survivor, rather than the unlawful and harmful actions of the perpetrator. Thanks to the work done by West Yorkshire Police within Operation Soteria Bluestone principles, together with recent legislation, victims and survivors of these crimes will find the investigative process hopefully less traumatising. For example, victims of crime with the will not be deprived of their mobile phones for longer that 24 hours, and only when an investigator believed there is evidence relevant to the investigation on the device. Only specific evidence will be collected. We want to see more victims of sexual offending having the confidence in policing and the criminal justice system to come forward, knowing that they will be treated by skilled investigators in a trauma informed, culturally competent way.

The Mayor is responsible for the provision of victims' services in West Yorkshire. All Victims services are free and can be accessed whether or not you have reported a crime to the police. Some crimes, require specialist victims' services. The mayor funds 52 Independent Sexual Violence Advisors (ISVA) and Independent Domestic Violence Advisors (IDVA). They are independent of the police and the courts. They are trained in a trauma informed environment, and they understand the law and procedures that govern the investigative and court process. ISVAs (Independent Sexual Violence Advisers) and IDVAs (Independent Domestic Violence Advisors) will also advocate on behalf of victims and survivors with Criminal Justice partners. The mayor also funds Restorative Justice services. Restorative Justice brings those harmed by crime and those responsible for the harm into communication with each other, via a facilitator specially trained in restorative justice. This enables everyone affected by a particular incident to play a part in repairing the harm and finding a positive way forward. Both the Victim and Offender have to agree to take part in the process. Restorative Justice offers victims an opportunity to be heard, to ask questions of the offender, and to have their say in the resolution of the harm caused.

As a victim, survivor, or witness in West Yorkshire, you may be offered special measures, during the course of the investigation to assist you to give your evidence, at court if necessary. Special Measures refers to a suite of measures designed to reduce trauma and make people feel safe enough to give their evidence. There are



three sites, one each in Wakefield, Halifax and Morley where victims and survivors can record their evidence soon after the crime was committed, or give their evidence by video link remotely, away from the court. These and other options should be routinely offered to children and young people and other vulnerable or harmed victims, survivors and witnesses.

[See Special Measures Section](#)

There are two specific themes in this strategy regarding children, young people and vulnerable adults. Children and Young people are held to be vulnerable due to their youth, some adults are vulnerable due to their characteristics or become vulnerable through injury, disability or because something has happened to them such as being a victim of crime. Recognition that people are vulnerable and require extra help to successfully engage with the criminal justice system together with increasing the Special Measures offer to people who are or feel vulnerable is a key theme of this strategy.

There are three cross cutting themes, Trust and confidence, Equality Diversity and Inclusion and the Safety of Women and Girls. These are all intrinsically linked and speaks to the Mayor's to ensure that everyone who lives, works in or visits West Yorkshire can benefit from a safe, just, and inclusive environment.

Victims and Witnesses Strategy Themes

<p>2</p> <p>Theme 1</p> <p>Place victims at the heart of the Criminal Justice process</p> <p> </p>	<ul style="list-style-type: none"><input type="checkbox"/> Seek opportunities to place the lived experience of victims and survivors at the centre of policy and practice improvement.<input type="checkbox"/> The Mayor will work with all Criminal Justice Partners to become a Trauma Informed Criminal Justice system by 2030.<input type="checkbox"/> The Mayor will advocate for victim's rights through the Local Criminal Justice Board.<input type="checkbox"/> Victims Law/Victims Code: The Mayor will create a framework to measure the performance of all statutory and charity, voluntary and social enterprise agencies who support victims and survivors at all stages of the Criminal Justice system.<input type="checkbox"/> Increase the use of existing technology to improve communication with victims, survivors and witnesses throughout the criminal justice process.
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Theme 2

Equality of access to justice

- ❑ Ensure that all victims, survivors and witnesses to crime access policing and the criminal justice system in a way that is culturally competent and meets their needs.
- ❑ The Mayor will work with Criminal Justice, charity, voluntary, social enterprise partners and academia to understand and tackle emerging and currently unidentified inequalities in the criminal justice system.
- ❑ The Local Criminal Justice Partnership must acknowledge, own and work to end race disparity across the Criminal Justice system.
- ❑ The Mayor will work with community partners to implement measures that improve the confidence of underrepresented and marginalised communities in policing and the justice system.
- ❑ The Mayor is working with criminal justice partners to improve outcomes for victims of rape and sexual assault. The Mayor will, as a priority, fund specialist support for victims of these crimes and work within the LCJB to improve outcomes for victims and bring perpetrators to justice.

Theme 3

Victim's Journey

- ❑ If you report a crime to the police, you will be treated with respect, your wishes about the investigation are held to be of great importance and West Yorkshire Police will deliver the best possible investigation outcome.
- ❑ Whether or not you report a crime to the police as a victim, you will be entitled to support services for victims and survivors, funded by the mayor.
- ❑ The Mayor will ensure that as a victim and survivor of some high harm crimes, in particular sexual offending, specialist, highly trained support services are available from the beginning of the investigation, to the very end.
- ❑ The Mayor recognises that as a victim, justice for you might be to make contact with your offender through a restorative justice conversation, in person or in writing, provided you both agree.
- ❑ Throughout the criminal justice process, contact will be maintained at a frequency agreed with the police, and you will be consulted when key decisions are made about your case.

Theme 4

Children and Young People

- ❑ The Mayor will work with Criminal Justice agencies to ensure that the voices of Children and Young People are heard within the criminal justice system.
- ❑ The impact of trauma and the role adverse childhood experiences play in making children and young people more likely to be both victims and perpetrators of crime is recognised and understood.
- ❑ Increase victim and survivor awareness of the special measures available to them during the investigation and at court by offering these at the earliest opportunity.
- ❑ Use academic research and a public health approach to reduce the incidence of violent crime in young people under 25 years of age
- ❑ The Mayor will commission specialist victim services for children and young people who are victims of, or witnesses to crime.

Theme 5

Vulnerable Adult Victims

- ❑ The Mayor will work with Criminal Justice agencies and the Charity, Voluntary and Social Enterprise sector to ensure that vulnerability in all its forms is understood and measures put in place to safeguard victims and survivors of crime.
- ❑ Ensure Special measures to protect and help vulnerable victims and witnesses to give their evidence away from a court environment are offered and understood.
- ❑ Empowerment and consent: Listen to the views and wishes of victims and survivors. Where possible obtain their consent for any further action you are going to take.
- ❑ Provide a multi-agency safeguarding partnership response to vulnerable victims and survivors of crime to ensure that their social, emotional and mental health needs are met.
- ❑ Ensure that information is made available to Vulnerable victims and survivors in a way that is understood.

Cross Cutting Themes

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Trust and Confidence

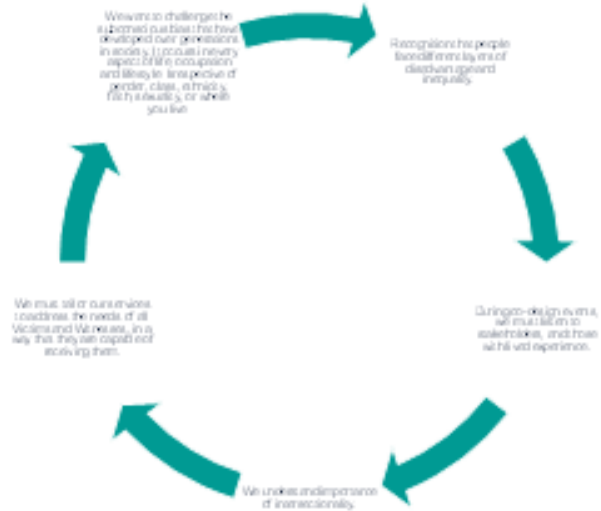
The Mayor recognises that trust and confidence in Policing and the Criminal Justice System is poor in communities who need those services the most.

Conscious and subconscious bias exist in every aspect of the Criminal Justice System, as it does in society. The Mayor will work with all services to identify and root out bias and discrimination where it occurs.

The Mayor through her oversight of West Yorkshire Police and the Chief Constable, will ensure that allegations about police conduct are investigated to the fullest extent.

The Mayor will ensure that the rights enshrined in the Victim's Code are not negotiable, regardless of gender, age, race, nationality, sexuality, ethnicity and all other personal protected factors.

Equality Diversity Inclusion



Violence Against Women and Girls



- Work across the partnership to improve outcomes for victims and survivors of domestic sexual abuse and violence, including criminal justice outcomes.
- We will embed trauma-informed approach across systems to ensure services are accessible, equitable and understand the impact of lived experiences. Women and men must be able to report a sexual assault as supportive as a woman as possible.
- Collect the evidence needed to support change in legislation to fully recognize misogyny as a hate crime against women and girls, and ensure that women reporting the services are treated with respect.
- Challenge the behaviours that put women and girls at risk, including targeted awareness raising campaigns (for example covering coercive control, financial abuse), work to increase and educate young people, and perpetrator programmes that reduce reoffending.

Features/Focus pieces:

Victims Code:

Victims Code on a page.

Support for Victims and Survivors:

Referral mechanism Multi and specialist Crime

Restorative Justice:

RJ (Restorative Justice) piece

Lived Experience

Some quotes

Overall crime

Nationally, all crime is rising beyond levels seen in 2019/20, the last complete year prior to the Covid Pandemic, and the restrictions that inevitably reduced the incidence or reporting of acquisitive crime offending, where property is stolen. (Figures)

Violent Crime

Recorded crime involving personal injury, and recorded sexual offending is also rising as is the understanding, training and legislation supporting policing, health and social care, education and the Voluntary and Community sector partners in safeguarding victims for the longer term. (Figures)

The Crime Survey for England and Wales (March 2022 report) reports that approximately 57% of victims of violent crime do not report the crime to the police. Victims of these crimes, many of which will happen in the home, are particularly vulnerable.

Fraud and cyber enabled offending:

50% of all crime is now estimated to be fraud related, much of that, cyber enabled through Mobile Phones, tablets and home computers.

The majority of Victims of fraud do not report crime to the police. There is a much higher likelihood nationally of being a victim of fraud than any other offence. The latest British Crime Survey suggests a 20% rise in Fraud to 4.5 million offences. Only 936,276 or 20% of these offences were reported to the police. This means that there are over 3 million victims of fraud who have not reported their crime to the police and are not likely to have accessed victims' services.

Courts:

Higher volumes of recorded crime and increased focus on quality investigations require more police resource and a significant investment in training. The increased demands on policing are mirrored in the courts where nationally, there is a significant backlog in cases waiting to go to trial. In the crown court, about a quarter of all cases have been waiting for more than one year for trial (15,580 cases) and of those, 4022 cases, more than two years. Whilst great efforts are being made to increase court availability, justice delayed remains justice denied, increases the trauma victims feel and reduces the likelihood that victims will pursue justice through the criminal justice system. The Mayor will continue to lobby for a better funded court system, that puts needs of victims and witnesses first.

Op Soteria Bluestone:

There have been positive developments in the investigation of rape and sexual crime. Operation Soteria Bluestone is a police-academic research programme involving leading academics and the National Police Chiefs Council, that will inform a new National Operating Model for the Investigation of Rape and Other Sexual Offences (RAOSO). The most recent ONS (Office for National Statistics) survey states that only one sixth (16%) of victims of rape and serious sexual assault report it to the police, with fewer younger people reporting to the police than older people. This needs to change. We now need to see a step change in victims having the confidence that they will be treated with respect, empathy and that their privacy is protected, so that they will come forward to ensure that perpetrators face justice.

Hate crime:

"Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice, based on a person's disability or perceived disability; race or perceived race; or religion or perceived religion; or sexual orientation or perceived sexual orientation or transgender identity or perceived transgender identity."

This means any crime can be a hate crime if motivated by any of the above factors. Hate crime can be reported to the police in the usual way but victims and witnesses can also contact or attend at Hate Incident Reporting Centres (HIRCs) Most of the Centres are managed and updated by the five District Local Authorities within West Yorkshire.

Independent reporting services are also available, through Stop Hate UK, True Vision and Bradford Hate Crime Alliance.

SARC:

Piece on the SARC (Sexual Assault Referral Centre).

Restorative Justice:

RJ piece

Trauma informed: section on what this means.