



HM Inspectorate of Probation

THEMATIC INSPECTION REPORT

‘Valuing the Victim’

An inspection into
national victim contact
arrangements

2003

Foreword

This report outlines the significant progress made in victim contact work since the publication of our previous thematic report *The Victim Perspective: Ensuring the Victim Matters* in 2000.

The Government accepted the findings of our earlier report by extending the statutory duty to include contact work with victims of sexual or violent offenders sentenced to 12 months or more. The National Probation Service adopted victim work as a fundamental priority, firmly placed in its strategic vision, *New Choreography*, and recently consolidated by the performance incentive. All of this positive activity went some way to meet the concerns raised in that report about victims' needs.

In this new inspection, we evaluated the impact of these changes at both a national and local level. We looked for evidence of work with offenders to promote increased understanding of the consequences of crimes for individuals and communities. In addition, we sought out examples of good practice.

Working with victims is not without challenge or controversy; areas have to strike the correct balance between victims' needs and those of offenders. It was positive to find that most areas had improved their performance and had either reached, or were close to the national target for initial victim contact. We were impressed by the personal lead given by the Director General and the hard work of staff at all levels of the organisation. We examined the effective links established with a range of organisations at a local level to provide victims with support, most notably the police and Victim Support schemes arrangements, which would be further consolidated by the implementation of new guidance on working with dangerous offenders. And, most importantly of all, we were heartened by the feedback from the majority of victims we saw or surveyed that the probation service had been able to provide them with the required level of information and help.

Many issues still remain to be addressed. Various aspects of the national guidance on work with victims required further interpretation and practice varied both within and between probation areas. The take-up rate for actual contact fluctuated considerably, with few areas achieving a face-to-face meeting in half of the cases. Although victim liaison officers communicated concerns promptly, victims' views were not always reflected in the reports prepared for the prison and Parole Board and it was apparent that the expectations placed on victim liaison officers when assessing victims concerns needed to be clarified. Little work had been undertaken at a national level to progress the collection of race and ethnicity data on victims. Despite some good local initiatives, it was therefore difficult for areas to monitor the accessibility of their practice or assess how far they were meeting the different needs of a diverse group of victims.

To move this important agenda forward, our main recommendation concerns the setting of a new national standard for victim work to support and anchor the excellent and dedicated work seen during the inspection. It will also contribute to the integration of victims' work as a key part of probation practice, making a reality of the Government aim of a quality service to victims of crime.

Professor ROD MORGAN
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We wish to put on record our gratitude to all of the above and to Board members, probation managers, staff and members of other organisations: West Mercia, as the pilot area, and the other eight areas visited – Avon & Somerset, Bedfordshire, Greater Manchester, Lincolnshire, South Wales, Teesside, Thames Valley West Yorkshire – all of whom participated in the inspection in such a constructive manner.

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Glossary of abbreviations

ACO	Assistant chief officer
ACPC	Area Child Protection Committee
ACR	Automatic conditional release
CJ&CSA 2000	Criminal Justice and Court Services Act 2000
CLAN	Centrally Lead Action Network
CO	Chief officer
CPS	Crown Prosecution Service
CRB	Criminal Records Bureau
DCR	Discretionary conditional release
EEM	European Excellence Model
FTE	Full-time equivalent
HALT	Help and Law Team
HDC	Home detention curfew
HMCIP	HM Chief Inspector of Probation
HMIC	HM Inspectorate of Constabulary
HMIP	HM Inspectorate of Probation
HR	Human resources
IT	Information technology
MAPPA	Multi-Agency Public Protection Arrangements
MAPPP	Multi-Agency Public Protection Panel
MOSAIC	Mothers of Sexually Abused Children
NPD	National Probation Directorate
NPS	National Probation Service
NSPCC	National Society for the Prevention of Cruelty to Children
NVM	National Victim Monitoring
NVQ	National Vocational Qualification
PATH	Positive Action in Housing
PDO	Potentially dangerous offender
PO	Probation officer
PPD	Performance Planning Document
PREM	Probation Race and Ethnic Monitoring
PSO	Probation service officer
PSR	Pre-sentence report
RDSD	Research, Development and Statistics Directorate
REM	Race and ethnic monitoring
SALSA	Strategic Applications Linked to the STEPS Architecture
SAMM	Support After Murder
SARI	Support Against Racial Incidents
SCI	Street Crime Initiative
SMB	Strategic Management Boards
SPM	Supporting Performance Measures
SPO	Senior probation officer
SSD	Social Service Department
STAR	Survivors of Trauma After Rape
VLO	Victim liaison officer
VS	Victim Support
VSS	Victim Support scheme
YOT	Youth offending team

1. KEY FINDINGS AND RECOMMENDATIONS

Key findings

- 1.1 **STANDARD 1: Results and monitoring:** The majority of areas inspected were improving their performance on victim contact work. Quarterly monitoring information was collected from areas on the national standard for contact and all but one had identified action to achieve the target. The monitoring arrangements outlined in Probation Circular 61/2001 were being interpreted in different ways and were insufficiently detailed to manage staff performance or promote the quality of work. All areas reported on victim contact, but it was evident that some Boards did not discuss the information and were consequently unaware of variations in performance. Not every area offered victims a firm appointment in the initial contact letter and the take-up rate varied considerably with only three areas achieving a face-to-face meeting in half of all cases. Within the Crown Courts probation systems for the identification of victims needed to be improved. However, although the national victim satisfaction survey had been delayed, five areas had undertaken their own surveys and used the results to inform their practice. Most victims responding to the HMIP survey thought that probation areas had been able, within reason, to provide the required level of information and help.
- 1.2 **STANDARD 2: National Probation Service and area policy and procedures:** COs were positive about the priority given to victims in the *New Choreography* and felt that the personal lead given by the Director General provided vision and an ethical framework. Despite this positive direction, the NPD guidance had not been implemented consistently, as various aspects required further interpretation and only two of the eight areas visited had updated their guidelines to meet its requirements. Furthermore, the national standards for offender supervision no longer reflected the complexity of work undertaken with victims adequately. The absence of a nationally determined model for the exercise of discretion meant that practice varied both within and between areas. Few local victim policies made any reference to diversity issues and were rarely cross-referenced with other relevant procedures. All areas visited had adopted the NPD model complaints procedure, but needed to ensure that it was more easily accessible to victims. However, clear recruitment policies were in place in all areas with appropriate safeguarding checks and several areas were commended for the attention given to diversity in the selection of staff. The inclusion of the victim contact target in the performance link from 2003/2004 should ensure that work with victims continues to be given high priority.
- 1.3 **STANDARD 3: National Probation Service management and resource allocation:** The NPD had made resources available for victims work to cover costs to meet the extension of victim contact under the CJ&CSA 2000 and most areas had increased their staffing accordingly. Although the additional funding was welcomed, it was not based on any system of workload measurement and areas were therefore unable to assess whether the allocation of resources or the expectations placed on staff were realistic. All areas had methods for keeping victim and offender information separate by use of different databases and/or a confidential section in the case file for third party

information. However, the NPD had not provided clear advice on IT arrangements and areas were consequently uncertain whether they could, or should develop local processes in the interim. Systems for supervision and appraisal for all staff were in place but not consistently implemented, and areas' health and safety policies made insufficient reference to work with victims. The training needs of staff, particularly VLOs, had still to be assessed and met at both a national and local level. Effective links with a range of organisations providing victims and staff with support were maintained at a local level.

- 1.4 **STANDARD 4: Quality of service delivery:** All areas were working to the NPD guidance. Not all were offering victims a firm appointment in their initial contact letter and less than half had translated the letter into languages other than English. Although the guidance made reference to diversity issues, it did not suggest ways in which such work could be monitored and none of the areas visited had made arrangements to do so. Some areas had developed systems to ensure that victims were informed of relevant changes in offenders' circumstances, such as recall and escape, and two areas routinely informed offenders of victims' rights to make representations. Victim personal statements had been introduced in October 2001 but did not appear to have been made generally available to probation areas, and insufficient work was being undertaken with offenders on victim awareness. The development of new MAPPA guidance, issued in April 2003 addressing the needs of potential victims and recognising the importance of information in the ongoing risk assessment of offenders, should greatly assist with this work.
- 1.5 **STANDARD 5: Quality of service delivery: Exchange of information, written reports and records:** The initial interviews were recorded well in most areas with pro formas being developed and used to promote consistency. It was good to find that VLOs communicated with case managers promptly about victims' concerns. Despite this, the victims' views were not appropriately reflected in all the reports and no request was made for information in a high proportion of DCR cases. Guidance on non-disclosure to prisons was not always followed and VLO staff lacked confidence in its application. Many victims were not clear what service to expect following the offender's release. Whilst VLOs made considerable efforts to ensure that they were informed of significant dates, it was concerning to hear that the victims of offenders serving life sentences reported delays in receiving information, provided by the Lifer Unit to the local probation areas, about the tariff. It was apparent that the expectations placed on VLOs when assessing victims' concerns needed to be clarified if their views were to be used by case managers to set parameters for the supervision of offenders.
- 1.6 **STANDARD 6: Inter-agency arrangements and cross-area border responsibilities:** Good working relationships existed between probation areas, the police and VSS. Although arrangements were in place for the NPS to receive victim information from the police, they did not meet probation areas' need for timely information. There was confusion concerning contact with the victims of young offenders and links with other agencies, including SSD, VSS and the police, needed to be strengthened by the agreement of protocols covering the statutory duty, respective roles and arrangements for joint working where necessary. The systems for contacting 'out of area' cases varied, leading to inconsistencies in practice, but staff showed remarkable tenacity in following up individual cases where delays had occurred. Regional collaboration was limited, but some positive initiatives were seen.

- 1.7 **STANDARD 7: Wider diversity:** Practice regarding wider diversity issues was variable. The NPD had not progressed the collection of race and ethnicity data on victims and the consequent lack of central direction created difficulties for areas when attempting to monitor their own practice. Some areas were attempting to assess the diverse needs of victims by completing PREM forms, obtaining information on ethnicity from the police and sending out diversity checklists. There was little NPD guidance to support work with child victims and arrangements with SSDs were not sufficiently clear. However, areas were aware of the needs of male and female victims of sexual assault and VLOs were beginning to develop skills in working with victims of 'hate crime'. Consultation with community groups regarding victims work had only taken place in a small number of areas.
- 1.8 **Overall conclusion:** Many positives were found in this inspection: the Director General's strategic lead; the direction provided in the NPD circulars and the good work and dedication of victim contact staff. The national guidance was being updated and many areas had used the circulars to develop victim work and were beginning to meet the national target for contact. As already indicated, however, there is still significant scope for improvement. The recommendations in this report are designed to build on what has already been achieved.

Recommendations

The NPD should:

- 1. Develop a new national standard for victim contact work, taking account of the proposed Code of Practice of conduct in the forthcoming legislation, to ensure a high quality of service for victims.*
- 2. Develop and implement a national strategy to ensure that staff are appropriately trained for this specialist area of work.*
- 3. Consider taking explicit account of victim contact work in the cash limit allocation formula, either in the workload or the needs element.*
- 4. Progress the development of a workload monitoring tool for victim contact work.*
- 5. Pending the development of SALSA, provide guidance to ensure consistent monitoring and evaluation of victim contact work and consider the introduction of some straightforward spreadsheet nationally.*
- 6. Ensure that victims' views are appropriately taken into account in the supervision of offenders through the development of a standard assessment framework for VLOs to use when working with victims.*
- 7. Facilitate good communication with other organisations involved in victim contact work, such as the police, VSS, YOTs and SSDs, by advising areas on the development of protocols and their review.*

8. *Ensure that all victims have equal access to the contact service and that the specific needs of those from minority groups are given appropriate consideration by taking urgent action to progress the collection of race and ethnicity data on victims and its use to inform service delivery.*
9. *Ensure that, in order to improve practice, areas have monitoring and quality assurance processes in place.*

All Boards should:

10. *Require area policy on work with victims to be updated, implemented and to include:*
 - (a) *work to meet the requirements of the CJ&CSA 2000 and forthcoming legislation;*
 - (b) *local arrangements to support area practice for victim contact in addition to the national guidance;*
 - (c) *reference to other relevant policies, especially risk management, child protection and resettlement;*
 - (d) *guidance on meeting the specific needs of victims from minority groups.*
11. *Ensure appropriate measures are put in place to protect the health and safety of staff involved in victim contact work.*

COs should:

12. *Facilitate face-to-face contact with victims by ensuring that a firm appointment is offered in the initial contact letter.*

2. BACKGROUND

The position of victims and work of the probation service

- 2.1 During the 19th century the state increasingly took on the burden of justice through the codification of law. Statutes were designed to safeguard due process and provide 'checks and balances', giving rights to defendants and protecting them from unfair prosecution and punishment. The victim became the prosecution witness, without a voice, until the mid 20th century. Criminal injuries compensation was introduced in 1964 and during the 1970s and 1980s a serious debate developed within the criminal justice system about the rights of victims. The Victims Steering Group was subsequently established by Government to provide a formal structure for pursuing victim issues.
- 2.2 The Victim's Charter¹ was launched in 1990 and updated in 1996. It set out a statement of principles for the treatment of victims in the criminal justice system. It required the then probation services to contact the victims of life sentence prisoners to see if they had any anxieties about the eventual release of the offender and, if so, whether those concerns could be relieved by imposing restrictions on the offender's freedom of movement.
- 2.3 National Standards for the Supervision of Offenders in the Community 1995² introduced a victim perspective into probation practice and began to shape the work of the service as a public protection agency. The position was further clarified by Probation Circular 61/1995³ which set an expectation that contact with victims would be made in all cases where offenders were sentenced to four years or more for 'serious sexual or violent offences'. It also gave services discretion to intervene in such cases where the offender received less than four years. Further directions for contacting victims of life sentence prisoners were included. The guidance covered, albeit in a limited way, the:
- purpose of contact
 - timing of initial and subsequent meetings
 - information received by victims
 - process for their concerns to be taken into account when decisions were made about release conditions
 - disclosure of victim information.

¹ Home Office *Victim's Charter: A Statement of the Rights of Victims of Crime* (1990).

² Home Office, Department of Health and Welsh Office *National Standards for the Supervision of Offenders in the Community* (1995).

³ Home Office Probation Circular No 61/1995: *Probation Service Contact with Victims*.

HMIP thematic inspection *The Victim Perspective: Ensuring the Victim Matters 2000*⁴

2.4 HMIP conducted an inspection of victim contact work, which reported in early 2000. Overall, inspectors commended probation services for progress in establishing victim contact and on the quality of much of the work undertaken. The report recognised that the new duties required services to adopt a fundamentally different approach to work with offenders. It also found that:

- Probation Circular 61/1995 had provided early impetus but was no longer adequate
- limited attention had been given to implementing the new requirements by the former Home Office Probation Unit
- the length of prison sentences did not determine victims' needs for information or their anxiety about the release of offenders
- no additional funds had been provided to assist services implement this new area of practice
- effective practice principles for work with offenders had been established but a similar initiative for victims was still required.

2.5 We recommended that the Home Office should:

- liaise with VS and the Association of Chief Probation Officers to develop a new framework for victim contact work
- ensure that revised guidance addressed the categories of offenders where victims should be contacted, the extent of enquiries to be undertaken, a deadline for their completion and consistent practice on recording contact, closure of cases, retention of information and confidentiality
- extend the scheme to victims of offenders sentenced to 12 months plus imprisonment provided additional funding was made available
- develop and implement an IT system to support the work
- consider how victims' race and ethnicity should be monitored to ensure services took account of diversity issues
- collect standard information on victim contact and publish regular reports
- include victims in the cash allocation formula for areas
- consult with probation services to assess the cost of victim contact work and make representation for funding the current operation of the scheme.

2.6 There was also a number of recommendations to COs requiring them to implement systems to improve contact, recording and the communication of victim information to supervising officers and take steps to ensure the victim perspective had a greater impact on work with offenders. COs were also tasked with assessing and meeting the development needs of all staff in victim contact. Finally, we stated that COs should ensure that VLOs informed victims of the use made of the information provided and sought their agreement at each stage of the process.

⁴ HM Inspectorate of Probation: *The Victim Perspective: Ensuring the Victim Matters* Report of Thematic Inspection (2000).

2.7 Following publication of the report, the then Probation Unit organised a major conference in November 2000, at which all areas were represented. Probation Circular 62/2001 was subsequently produced, demonstrating that the thematic inspection had captured the fundamental issues concerning victim contact and codified many of the recommendations. This report builds on its findings, as well as meeting the requirement for the Inspectorate to assess the implementation of a new statutory duty.

Criminal Justice and Court Services Act 2000

2.8 Following a number of serious, high profile cases, the Government was determined to place the needs of victims closer to the centre of criminal justice policy. The need for a public protection policy across all Government departments had been flagged up by recommendations in a number of HMIP's thematic and performance inspection reports. The CJ&CSA 2000 was a real attempt to address the issues for victims by the introduction of MAPPAs for actual and potential victims of sexual and violent offences under Sections 67 and 68 of the Act. Section 69 of the Act extended the requirement placed on the NPS to contact the victims of serious sexual or violent offenders sentenced to 12 months or more. The new duties were not retrospective and applied to victims of offenders sentenced from 1 April 2001.

2.9 The legislation placed responsibility on local Probation Boards for three distinct stages of work with victims:

- **the local Board for the area in which the offender is sentenced** must take all reasonable steps to find out whether an 'appropriate person' wished to make representations about any conditions the offender should be subject to on release and to receive information about the requirements
- where the 'appropriate person' wished to make such representations, **'the relevant Board'** must ensure that the person responsible for determining the conditions was informed accordingly
- where the 'appropriate person' wished to receive information about any requirements to which the offender would be subject on release, **'the relevant Board'** must take all reasonable steps to inform them of the nature of the conditions and provide them with relevant details, and any other information considered by the local Board to be suitable in the circumstances of the case.

2.10 It was clear from Probation Circular 108/2000 that the statutory duty for initial contact would rest with the local Board where the offender was sentenced, although the circular also stated that **'the local Board where the victim lives** would undertake **the face-to-face contact** work with the victim'. However, the Board with whom the statutory duty rested was to case manage the work and be accountable for overall compliance and monitoring. The circular also stressed the importance of systems to ensure relevant information could be routinely collected from local courts and the police.

2.11 By placing the work on a statutory basis, the Home Office ensured that the victim contact work undertaken by the NPS was soundly based. It was evident that the previous HMIP report had been used to improve the basis of the work and further the protection of victims of sexual and violent offenders.

- 2.12 The NPD had made available some £5,960,000 to fund the increase in work brought in by the CJ&CSA 2000. However, the calculation was not well informed, as there was no means of assessing the cost. No funds were allocated for the work already undertaken by the service in respect of victims.
- 2.13 Two Probation Circulars were produced to support the work,⁵ describing the monitoring arrangements and containing detailed guidance on implementation issues. National Standards for the Supervision of Offenders in the Community were revised in 2002 and required probation areas to:
- make a written offer of face-to-face contact between the victim (or family) and local probation area/victim contact unit, or its agent, within eight weeks of sentence
 - provide information to victims (or family) about the criminal justice process, and keep victims informed, where victims wish this
 - provide an opportunity for victims (or family) to give their views on proposed conditions surrounding the offender's release and include these in any pre-release reports, such as those to the Parole Board or prison governor. Victims should be allowed to see any part of the parole report which represents their views
 - inform the victim (or family) of any conditions of release which relate to contact with the victim
 - ensure that any information relating to victims (or family) is kept securely and separately from the offender's case record.

National Probation Directorate

- 2.14 The CJ&CSA 2000 legislated for the formation of a single National Probation Service for England and Wales. Consequently, the new statutory duty coincided with the establishment of the NPS, composed of the NPD within the Home Office and 42 probation areas, each with local governance, employer and service delivery responsibilities. Each area is coterminous with police service areas and has a CO, accountable locally for performance etc, and reporting to the Director General.⁶
- 2.15 The Victims and Partnerships Policy team within the NPD fulfils a number of functions and is responsible for the maintenance and development of national probation policy and monitoring performance. They also advise Home Office Ministers and senior officials on the NPS's post-sentence work with victims of serious crime and provide guidance to probation areas on its statutory duty towards victims, through formal Probation Circulars and in response to telephone or written queries. This advice is shared across all 42 areas via area victim contact teams. The information flow between the centre and the local area works both ways, and the policy team seeks information from teams to inform advice to Ministers and the NPD Strategic Board.

⁵ Home Office Probation Circulars No 61/2001: *Victim Contact Work - National Monitoring Arrangements* and 62/2001: *Further guidance on the National Probation Service's Work with Victims of Serious Crimes*.

⁶ For further details of the work of the NPS, please visit <http://www.probation.homeoffice.gov.uk>.

- 2.16 The policy section provides the secretariat function for the Victims CLAN, established in 2001 which brings together the expertise of key stakeholders across the Home Office group, the police, probation practitioners and the voluntary sector. Its purpose is to ensure an end-to-end approach to developing and delivering an effective and high quality service to victims of crime. In addition, the unit contributes to wider Home Office policies and flags up issues for inclusion in other policy areas where there are direct or indirect victim issues.

Home Office Justice, Victims and Witnesses Unit

- 2.17 The Home Office Justice, Victims and Witnesses Unit was formed in 2003. At a national level, there have been many developments aimed at benefiting victims and witnesses in recent years. The Government has often referred to rebalancing the criminal justice system in favour of victims, and to putting them at the heart of the system. It seems likely that the first Victims and Witnesses Bill will be enacted during the course of this parliament. The Bill will introduce a statutory Code of Practice, binding on all criminal justice agencies, and victims will have a right of complaint to the independent Parliamentary Ombudsman if agencies fail to deliver their obligations. The duties to victims already required of the NPS will be covered by the code.
- 2.18 The proposed Bill will also create an independent Commissioner for Victims and Witnesses, who will champion their rights and help keep up the momentum for change and improvement. When in post, the Commissioner will join a national Victims Advisory Panel, primarily comprising those who have been seriously victimised. The panel was established in March 2003 to give direct feedback to criminal justice ministers on current practice and planned improvements.
- 2.19 Witnesses have also received attention. Special measures are either in place or now being implemented for those who are particularly vulnerable or intimidated. But it is recognised that more is needed to help those who suffer lower level intimidation and are deterred from making statements and giving evidence in court. Details of the Government's witness anti-intimidation strategy were published in May 2003, and ways to provide better support for non-victim witnesses are being piloted.

Victim Support

- 2.20 VS is the national charity for victims, their families and witnesses of crime. It is an independent organisation and offers a free and confidential service to all sections of the community. Trained staff and volunteers offer emotional support, information and practical help. Volunteers undertake specialist training in order to support victims of sexual violence, domestic violence, racially motivated crime and families where there has been a homicide. The service is delivered through local VSS and the Witness Service run by VS in criminal courts across England and Wales. These are managed at criminal justice area level or in London at borough level. VS is a member of the NPD Victims CLAN.

3. AIMS, OBJECTIVES AND CONTEXT OF THE INSPECTION

- 3.1 HMCIP decided to assess the extent to which the HMIP recommendations on victim contact had been implemented and look at the impact of the new duties outlined in the CJ&CSA 2000, as one of a number of inspections examining new policies from April 2001.

Aim and objectives of the inspection

- 3.2 In June 2002, HMCIP wrote to the Director General, with a copy to all COs and Board Chairs, announcing the inspection.

AIM:

Assess the effectiveness of the implementation of the new statutory requirements for victim contact under the CJ&CSA 2000, building on the findings of the thematic inspection of victims in 2000.

OBJECTIVES:

- 1. Evaluate the arrangements put in place by the NPD to promote the effective implementation of the statutory requirement for victim contact under the CJ&CSA 2000.*
- 2. Assess the extent to which probation areas' policies and procedures for victim contact meet the requirements of the CJ&CSA 2000, as set out in Probation Circular 62/2001.*
- 3. Examine and assess the effectiveness of the systems for allocation of resources to victim contact work.*
- 4. Evaluate the management arrangements for victim contact at a local level.*
- 5. Examine the extent to which the Probation Service's contact with victims meet the national standard and the Home Office target.*
- 6. Assess the quality of work, both with and relating to victims, against the guidance in Probation Circular 62/2001 and building on the previous thematic inspection of victims.*
- 7. Evaluate the measures taken by probation areas to ensure the specific needs of victims from minority groups and wider diversity issues are being taken into account in the delivery of services to victims in accordance with Probation Circular 61/2001.*
- 8. Explore victims' perception of the service they have received.*
- 9. Examine and assess the effectiveness of inter-agency protocols and arrangements between areas for victim work.*
- 10. Identify good practice and any significant obstacles to service delivery.*

Inspection process

3.3 An advisory group was formed to ensure the inspection programme was planned and undertaken consistently. A comprehensive set of inspection standards and criteria,⁷ based on national standards, Probation Circulars 61/2001 and 62/2001, was devised and piloted in the West Mercia Probation Area.

3.4 The inspection was undertaken in three phases:

- all 42 probation areas submitted advance information on local arrangements for victim contact in response to Section 69 of the CJ&CSA 2000 and Probation Circular 62/2001, and details nine specific areas of work.⁸ Examples of good practice/new developments relating to victims were requested
- interviews were held with the Director General and members of staff of the NPS
- fieldwork took place in eight areas, drawn from seven of the nine English regions and one from Wales. The areas were selected to provide a variety of models of victim contact work and a spread in terms of size, type and geography.⁹

3.5 Additional information was requested from those areas involved in the fieldwork. Each CO was required to organise a common inspection programme which included meetings with:

- senior and middle managers with responsibility for victim contact work
- victim contact staff/supervising officers undertaking victim contact work and administrative and support staff, directly involved in the work
- Board members, especially those with a particular interest in victim contact work
- VS and the Crown Court Witness Service
- resettlement officers responsible for the supervision of offenders at the pre- and post-release stages
- case managers responsible for PSRs, preparing supervision plans and undertaking other probation work involving a victim element
- individual victims or their families with whom work had been undertaken
- representatives of statutory services, e.g. SSDs, the police
- staff seconded to prisons and other prison staff
- YOTs.

⁷ Standards and criteria included as Appendix 2.

⁸ See audit letter Appendix 3.

⁹ They were Avon & Somerset, Bedfordshire, Greater Manchester, Lincolnshire, South Wales, Teesside, Thames Valley and West Yorkshire.

- 3.6 One day in each area was spent inspecting files. Two samples were requested in order to examine:
- the referral process, consisting of the offender and victim files/records on the last 50 offenders sentenced at the Crown Court from 30 April 2001 to custody for an offence in Appendix A Probation Circular 61/2000 (Sample 1)
 - pre- and post-release work, consisting of the offender and victim files/records on the last 50 offenders released from custody since June 2001 for an offence in Appendix A Probation Circular 61/2000 and being supervised by the area (Sample 2).
- 3.7 In addition to the file reading, a victim satisfaction questionnaire was sent out in all areas inspected. The results are contained in Chapter 4.
- 3.8 Following the inspection visit, a completed inspection schedule, together with details from the file inspection and a summary of the findings, were sent to the CO and Board Chair.

Terminology

- 3.9 To simplify the language throughout the report the following will be used:
- the term 'victim contact' to describe areas' arrangements for the work
 - 'VLO' as the generic name for the staff in direct contact with victims
 - a 'firm appointment' where a definite time and date is offered which is then followed up by a visit from the VLO unless cancelled by the victim
 - the word 'contact' to describe **the offer** of face-to-face contact
 - the term '**face-to-face contact**' where a meeting between the victim and VLO took place.

4. STANDARD 1: Results and monitoring

Description of STANDARD 1:

The NPS has in place sufficiently robust arrangements to ensure it meets the Home Office target, monitors the outcome and reports the results in a timely manner.

- 4.1 This chapter assesses the NPD guidance to monitor victim contact work and the strengths and weaknesses of areas' monitoring systems. The Crown Court systems and the administrative organisation of the work are described and evaluated. The degree to which areas were meeting the national target for victim contact and a comparison between the quarterly figures produced by the NPD and the HMIP sample and discrepancies are analysed. Variations in the level of face-to-face contact are outlined and discussed. Reporting mechanisms to Boards and the Home Office are described and their effectiveness assessed. The limits of the monitoring requirements are made known and further action identified. The chapter concludes by considering the findings from the victims' satisfaction survey undertaken by HMIP as part of the inspection.

Criterion: Clear guidance has been issued to areas by the NPD on the collection of information on meeting the target.

- 4.2 The HMIP thematic report *Ensuring the Victim Matters 2000*¹⁰ recommended that the Home Office should "identify standard information on victim contact work to be collected routinely from services and published by the Home Office on a regular basis". This recommendation had been met in relation to the national standard target for contact with victims within eight weeks.
- 4.3 Guidance on monitoring the offer of contact to victims within eight weeks was provided by Probation Circular 61/2001. The circular contained the arrangements and formats for the internal and national data collection forms and required areas to include work with the victims of offenders sentenced to 12 months or more for sexual or violent offences from April 2001. It set up quarterly data collection and confirmed the SPM targets as:
- 2001/2002 – contact made within the target time in 85% of sexual or violent cases where offender sentenced to four years or more
 - 2002/2003 – contact made within the target time in 85% of sexual or violent cases where offender sentenced to 12 months or more
- 4.4 The circular also stated that "Victim contact work will become part of the performance assessment of COs and probation area Boards and improvement targets will be introduced in 2002/2003. Areas will be advised of these in due course". This requirement had not been implemented at the time of the inspection.

¹⁰ Op cit. See footnote 4.

- 4.5 Some aspects of Probation Circular 61/2001 guidance were useful to areas but the instructions had to be interpreted for use locally and the collection of information was, for the most part, undertaken manually. COs were required to nominate one member of staff to act as Crown Court liaison officer for victim issues but not all had done so. Those areas that had also identified specific administrative resource in the Crown Court had the most satisfactory systems.
- 4.6 Certain elements of the NVM form were ambiguous and were being interpreted by areas in different ways. Confusion existed about the inclusion of victims where the area decided against offering contact as the level of violence was not *'intended or likely to lead to the victim's death or physical injury'*.¹¹ There was subsequently a problem with the requirement that *'all cases of robbery, aggravated burglary and assault should be monitored, whether or not contact was offered'*¹² as it was not clear whether those cases where that area had made an explicit decision not to offer contact should be included. Some staff also appeared confused about the status of discretionary cases despite the statement in the circular instruction that they should not be included.
- 4.7 Further instructions regarding victims of young offenders, who were to be monitored under this circular and for whom the area was responsible, had not been issued. It was not possible, therefore, to know whether or not these victims were receiving a service.
- 4.8 With the exception of West Yorkshire, none of the areas inspected had audited the accuracy of the information. Nevertheless, the levels of contact in most areas were similar to those produced by the HMIP file reading sample. In South Wales, however, where we found low levels of contact, managers acknowledged that the information sent to the RDS had been incorrect.

Criterion: Systems are in place to ensure contact meets the target:

- (a) an arrangement has been established with the police, Crown Court or others to ensure victim contact staff receive full information in a timely manner;**
- (b) administrative systems enable staff to identify and contact victims within eight weeks of sentence;**
- (c) arrangements are in place to coordinate cases where there are multiple victims;**
- (d) offer of contact is actually made within eight weeks of sentence.**

- 4.9 Arrangements for receiving information about the cases eligible for victim contact were in place in the majority of Crown Courts. However, many Crown Court probation staff either worked on a rota or changed frequently and were consequently unfamiliar with the procedures relating to victim contact work. They did not, therefore, always collect the necessary facts for the VLOs to trace the victim from the court papers. Information collected on the day was critical, as it often could not be easily retrieved later. The best system was when permanent administrative staff, based within the Crown Courts, were properly briefed to check or fill out referral forms containing all the relevant data as outlined in the circular. Without such support, administrative staff in victims units were forced to chase victim contact details with insufficient background knowledge.

¹¹ Home Office Probation Circular No 61/2001: *Victim Contact Work - National Monitoring Arrangements* national monitoring form box D.

¹² *Ibid.* See section 5.

Good practice example:

The probation team at Greater Manchester Crown Court had developed good administrative procedures for victim work.

- 4.10 A number of administrative staff were concerned that 'out of area' cases were not subsequently picked up by the other area and then showed up as a failure to contact against them. However, systems with the police were generally working well for 'in area' victims.¹³ Tracing victims was undertaken by both VLO and administrative staff, although some areas were not making best use of the latter, leaving much of the tracing work to VLOs who were then not able to focus on their core task of direct work with victims.
- 4.11 Arrangements for coordinating cases where there were multiple victims were not generally supported by IT systems. Even where databases were in place they were not always covered by the area's IT staff. Some administrative staff thought it would be possible to link these cases but did not know how to do so. However, Greater Manchester had an IT system to cross-reference cases involving multiple victims and ensure that they were notified of the tariff at the same time. Arrangements were also in place in Thames Valley to coordinate work with multiple victims. Most areas did link cases of multiple victims by allocating them to one officer or, in larger areas such as Avon & Somerset and Greater Manchester, by a system of link officers.
- 4.12 The NPD produced quarterly reports, which showed the performance of all areas against the 85% national target for contact within eight weeks. The achievement of the areas inspected, as shown in the NPS Performance Report 5, September 2002, is shown in table 1.

Table 1: National target for contact (Source: NPS Performance Report 5)

Areas	ALL	Avon & Som	Beds	Gtr Man	Lincs	South Wales	Tees-side	Thames Valley	West Yorks
% contacted sentences of four years or more	71	37	76	67	89	63	97	83	85
% contacted 12 months sentence or more	71	39	75	63	93	56	96	80	87

Commentary

- ▶▶ Teesside, Lincolnshire and West Yorkshire met the target.
 - ▶▶ The figures from South Wales were inaccurate.
- 4.13 Performance was initially aggregated from one quarter to another, so areas with a low base took some time to show any significant improvement. For example, Avon & Somerset had had to resolve the arrangement with the police to receive victims' details on time and, in the first NPD monitoring figures, were contacting only 11% of cases. The performance report above was the fourth to contain victim contact figures, and the 39% therefore indicated a considerable rise. These figures were borne out by the inspection findings, shown below.

¹³ See Chapter 9, 9.4-9.5.

- 4.14 The NPS Performance Report 6 December 2002 covered all cases April-June 2002, as shown in table 2.

Table 2: National target for contact (Source: NPS Performance Report 6)

Areas	ALL	Avon & Som	Beds	Gtr Man	Lincs	South Wales	Tees-side	Thames Valley	West Yorks
% contacted all cases	84	78	88	88	74	28	100	88	98

Commentary

- ▶▶ These figures show the level of improvement more clearly.
- ▶▶ Overall, there had been a steady rise from quarter April-June 2001 at 52.1% to April-June 2002 of 77.3%.
- ▶▶ The data submitted by South Wales had been corrected.

- 4.15 Table 3 shows the HMIP file reading results.

Table 3: Proportion of victims contacted (Source: File reading results)

Areas	ALL	Avon & Som	Beds	Gtr Man	Lincs	South Wales	Tees-side	Thames Valley	West Yorks
% of victims living outside the areas	18% (83)	17% (10)	23% (12)	7% (4)	29% (18)	6% (2)	25% (21)	6% (4)	20% (12)
% victims offered contact	90% (361)	98% (50)	93% (37)	100% (54)	93% (43)	23% (9)	100% (62)	100% (58)	94% (48)
% of 'in area' victims offered contact in eight weeks	77% (308)	80% (41)	83% (33)	87% (47)	65% (30)	10% (4)	92% (57)	88% (51)	88% (45)
% 'out of area' victims where the VC1 was sent within eight weeks	64% (49)	13% (1/8)	67% (10/15)	100% (4/4)	38% (6/16)	50% (1/2)	100% (17/17)	75% (3/4)	64% (7/11)

Commentary

- ▶▶ The differences in 'out of area' cases were sufficient to have had an impact on some areas' ability to meet the national standard target.

- 4.16 The most significant finding was that all areas, apart from one, had identified the improvements required to meet the target and had made considerable progress. In the HMIP sample for 'in area' victims, half of the areas achieved the target (85%) and a further two were close.

- 4.17 Some areas were slow to contact victims, for a variety of reasons, usually specific to local practice. In Lincolnshire, the difficulties of cover for VLO sickness and lack of administrative staff caused a temporary problem. Other areas were vulnerable to this problem. In South Wales, the system for identifying cases was inefficient and required attention.

- 4.18 Several areas complained that the receipt of victim information for 'out of area' cases was delayed. Of the total 'out of area' cases (83), the address was not known in three cases. In 28 cases (36%) the form was sent too late for contact to be made within the required eight weeks. However, in 49 cases (64%) the VC1 was received in sufficient

time for the offer of contact to be made within eight weeks. Areas needed to consider what systems could be deployed to improve this outcome.

Criterion: The area has made all reasonable attempts to ensure face-to-face contact takes place.

4.19 The recommendation in the HMIP thematic report *The Victim Perspective – Ensuring the Victim Matters*¹⁴ that areas should offer a firm appointment in their initial contact letter was intended to improve the level of face-to-face contact. As can be seen in table 4, those areas that implemented this recommendation and automatically visited victims (Greater Manchester, Lincolnshire, South Wales, Teesside and West Yorkshire) achieved the best level of actual meetings:

Table 4: Proportion of cases offered face-to-face contact (Source: File reading results)

Criteria	ALL	Avon & Som	Beds	Gtr Man	Lincs	South Wales	Tees-side	Thames Valley	West Yorks
Where victim known and face-to-face contact should have been offered	402	51	40	54	46	40	62	58	51
% of victims where face-to-face contact occurred		14% (7)	30% (11)	48% (26)	65% (30)	63% (5)	52% (33)	19% (11)	49% (24)
% of victims offered other form of contact		4%	5%	2%	2%	0%	3%	9%	12%

Commentary

- ▶▶ The level of face-to-face contact varied enormously, but in five areas was around 50% or over.
- ▶▶ Lincolnshire achieved the highest proportion of face-to-face contact at 65%.
- ▶▶ The proportion of cases offered contact where face-to-face contact took place was significantly lower in Avon & Somerset, Bedfordshire and Thames Valley.
- ▶▶ The South Wales figures should be regarded with caution as the proportion of cases actually offered contact was small.

4.20 Three areas, Avon & Somerset, Bedfordshire and Thames Valley, did not offer a firm appointment in the initial contact letter, albeit for different reasons. Despite the evidence in the initial inspection, Bedfordshire considered that it did not meet victims' needs and had never offered firm appointments when making first contact. The recommendation posed the larger geographical areas, particularly those with a centralised victims unit, with a management dilemma. Avon & Somerset and Thames Valley attributed their decision to the distance that had to be covered by staff, together with the cost in time and resources of failed appointments. They had only taken the decision not to offer a firm appointment after finding it unsustainable to do so in practice with their existing way of working.

¹⁴ Op cit. See footnote 4.

- 4.21 Staff in Avon & Somerset and Thames Valley were concerned at the low level of face-to-face contact and had examined their practice to see whether it could be improved. Both areas believed that the low level of face-to-face contact related to the type of cases, particularly robbery and violence of which there was a high number in their areas. However, this supposition was not borne out by examination of the file reading sample which revealed a very similar offence pattern across all areas.
- 4.22 There were, however, some clear gender differences in the cases requesting contact. Generally, more women took up face-to-face contact. Male victims of wounding or violence, other than murder/manslaughter/attempt murder, were least likely to respond (47%) and declined contact in 8%. Overall, 42% of male victims of robbery did not respond and 18% of those who did declined contact.
- 4.23 There were also interesting differences between the number of female and male victims of robbery. For example, in West Yorkshire, the majority of victims of robbery were female (23 of 30) and 57% of them opted for face-to-face contact, whether male or female. Whereas in Thames Valley, nine of 12 victims of robbery were male and only one male opted for contact and then later in the sentence. In Avon & Somerset, where there were 18 victims (six female), one female and one male asked for contact later and one male asked for another form of contact. In three of the six cases, where there was a female victim, no contact was offered.
- 4.24 We still consider the offer of a firm appointment to be the best way of achieving face-to-face contact and that, despite the difficulties faced by some areas, this practice should be standardised. All areas should be able to match the success of urban areas with transient populations, such as Greater Manchester and West Yorkshire, in achieving contact levels between 50% and 60%. It was evident that, although the centralised victims units had many advantages, such as their clear lines of accountability, they also had some disadvantages in terms of contacting victims spread over a wide geographical area. It should be possible for areas to compensate for these logistical limitations by measures such as careful scheduling of appointments and the use of local offices by VLOs as a second base.

Criterion: The Board receives regular reports which:

- (a) contain progress towards meeting national and area targets;***
(b) breakdown the information by race, gender and ethnicity and used to assess disproportionate impact on any minority group.

- 4.25 All areas reported victim contact against the national standard target to the Board. One area simply presented the NPD monitoring report, whereas others added a commentary to the statistics. None of the information was broken down by race, gender or ethnicity. Consequently, it could not be used to assess disproportionate impact on any minority group. There was very little evidence that Boards had discussed victim contact information. Better practice was evident in West Yorkshire and Avon & Somerset where the information was more detailed. West Yorkshire broke the victim contact target down by district and Avon & Somerset showed the trend over time. The frequency of reporting was mostly quarterly. HMIP was concerned to learn that the Boards in three areas were not fully aware of the fall in area performance against the target following the introduction of the new statutory duty.

Criterion: Effective monitoring systems are in place to report the results to the Home Office in accordance with Probation Circular 61/2001.

- 4.26 Probation Circular 61/2001 required areas to submit information quarterly to the Home Office on the number of victims for whom they had responsibility for arranging victim contact, and those to whom an offer of contact was made within eight weeks. The information was used by the NPD to assess areas' performance in meeting the national standard on timeliness of offering contact.
- 4.27 A comparison was made of the number of victims recorded by each area under this monitoring system, based on the latest available data from the Home Office criminal statistics system. In principle this ratio – considered over a substantial number of cases – would be expected to be broadly similar between areas. The results¹⁵ indicated a considerable range, however, from 1.1 to 3.0 and suggested that, in 2001/2002, Avon & Somerset, Gloucestershire, West Midlands and West Yorkshire reported considerably higher, and Cheshire, Hampshire, Suffolk and the Welsh areas (in aggregate) considerably lower than average number of victims.
- 4.28 The comparisons were not precise since the time periods for the two sets of data differed a little. Also some variation between areas would be expected as, for example, the number of victims per offender would vary between individual cases. Nonetheless, the variations appear larger than would be expected. On the basis of these figures, we consider that not all areas may be reporting victim numbers on a consistent basis, and that this issue needs further consideration by the NPD. It is possible that these findings may, in part, reflect the ambiguities on certain elements of the NVM form noted in paragraph 4.6.
- 4.29 In the past some areas had been late in submitting returns and these delays had not always been followed up promptly. However, since the transfer of the work from RDS to the NPD, the timeliness of returns had increased and was expected to improve further in 2003/2004 when it was to become an element of the performance link.

Criterion: The NPD is gathering evidence on whether the NPS is meeting its statutory duties to all victim groups and taking corrective action as appropriate.

- 4.30 The NPD reporting requirement did not include any qualitative data on whether areas were meeting the requirements of Probation Circular 62/2001 or not. Equally, no area had undertaken any monitoring of the quality of the work as, understandably, the focus had been on addressing the weaknesses and blocks to meeting the national standard target. As a result, the information available was insufficiently detailed to manage staff performance and promote the quality of the work. Given the progress made, it was now incumbent on the NPS to improve the quality of service delivery overall. This report includes many areas for improvement which could form the basis of key aspects of a monitoring system.

¹⁵ See Appendix 1.

Criterion: Victims are satisfied with the service they have received.

- 4.31 Teesside, West Yorkshire, Lincolnshire, Thames Valley and Bedfordshire had undertaken victim satisfaction surveys and were commended for this good practice. These were often one-off initiatives, administered internally rather than independently, and not reported to the Board. Some, as in Thames Valley, also included contact with victims who had declined the VLO contact and explored the reasons for their refusal. The findings had been used by areas to develop good practice, ensuring, for example, that VLOs could be contacted at any time and offering specific appointments. Feedback was rarely given to the victims themselves and the response rates not always known. The Lincolnshire survey confirmed that victims found an offer of a firm appointment the most positive approach.
- 4.32 Plans to monitor the satisfaction of victims with the service provided by the NPS had been delayed due to staffing shortages within the NPD. However, during autumn 2002, a working group had been set up and was making good progress on a national victim satisfaction survey, which would also collect victim race and ethnic data. The methodology and instrument were now near completion and funding had recently been confirmed.
- 4.33 Victims interviewed during the course of the inspection were often positive about the service they had received. For example one victim described the VLO as *“a friend as well as a professional, quite a skill is that”*. Some respondents appreciated the VLO making referrals to other services, such as helping to write letters and putting them in touch with community organisations. Comments were made about licence conditions, such as one who *“had a specific problem about early release, I opposed it and it was delayed”*. Others interviewed were more critical, such as the person who said *“they didn’t understand my fears or put them over strongly in their report and the VLO didn’t fight my corner. I got good information but it was difficult to make a difference”*.
- 4.34 HMIP carried out its own satisfaction survey to supplement face-to-face and telephone interviews with victims. One hundred questionnaires were sent to each area for distribution to the last 50 victims to receive initial contact and the last 50 victims after the offender’s release. The response rates are shown in table 5.

Table 5: Response rate to HMIP victim satisfaction survey (Source: HMIP victim satisfaction survey)

Criteria	ALL	Avon & Som	Beds	Gtr Man	Lincs	South Wales	Tees-side	Thames Valley	West Yorks
Responses received from victims following initial contact	102	13	7	12	17	8	13	15	17
Responses received from victims following offender’s release	62	3	5	3	12	7	11	7	14

Commentary

- ▶ Only 26% of victims responded to the survey following initial contact and 16% after the offender’s release.
- ▶ The response rate was low in all areas.

4.35 Around two-thirds of the respondents were female and the majority (92% and 98% in the pre- and post-release respectively) described their race and ethnicity as White: British. The offences committed included just over one-third wounding and about one-quarter rape or other sexual offence. The breakdown of responses by offence is shown in table 6.

Table 6: Response by offence – pre- and post-release. (Source: HMIP victim satisfaction survey)

Offence category	% (number) initial contact	% (number) post-release
Murder	3% (3)	2% (1)
Manslaughter	2% (2)	9% (5)
Wounding or other violence	33% (29)	37% (21)
Rape	6% (4)	4% (2)
Other sexual offence	16% (14)	26% (15)
Robbery	30% (27)	9% (5)
Arson	0% (0)	4% (2)
Burglary	3% (3)	4% (2)
Other	7% (6)	7% (4)
Over four years	18% (11)	

4.36 Victims who refused the offer of contact from the VLO were asked the reasons for their refusal. The most common response was that they wanted to forget about the crime. For example, one victim said that they *“didn’t want any information as I don’t want to be looking over my shoulder”*. Some said that they didn’t feel they needed any help and two said that they didn’t care what happened to the offender.

4.37 Most (83%) of respondents considered that the area had been available or reasonably available to provide the required level of information or help. A similar percentage felt that their issues had been understood and dealt with sympathetically. However, 16% of the post-release and 7% of the initial samples said that they had not been understood or dealt with sympathetically.

4.38 The victims were asked in the survey for any general comments. Many focused on wider criminal justice issues such as that the sentence was too short or the system favoured the offender. One respondent said that the VLO’s *“help is limited because they can’t tell us where the offender is. This is the fault of the law, not the VLO”*. Similar comments were made by victims who took part in the HMIP interviews, one of whom said that *“I don’t think probation can serve the victims as well as the perpetrators. It felt that it wasn’t a process to be trusted. It felt very unsafe.”* However, the majority commended the probation service, particularly the individual VLOs. A typical quote was from a victim who *“had complete confidence in the service. The VLO didn’t go over the top, contact can be made at my pace and the VLO doesn’t treat me like a fool”*.

Overall findings for Standard 1: Results and monitoring

Strengths

- Quarterly monitoring information was collected from areas on the national standard target.
- All areas but one had identified action to achieve the target and made considerable progress.
- Three areas were achieving face-to-face contact in about half of all cases.
- Five areas had undertaken victim satisfaction surveys and used the results to inform their practice.
- Most victims responding to the HMIP survey thought that probation areas had been able, within reason, to provide the required level of information and help.

Areas for improvement

- The monitoring arrangements outlined in Probation Circular 61/2001 were being interpreted in different ways and were insufficiently detailed to manage staff performance and promote the quality of the work.
- Systems in the Crown Courts needed to be improved.
- Not all areas were offering victims a firm appointment in the initial contact letter and the take-up rate between areas varied considerably.
- Although all areas reported on victim contact, it was evident that some Boards did not discuss the information and were consequently unaware of variations in performance.

Recommendations

The NPD should ensure that, in order to improve practice, areas have monitoring and quality assurance processes in place.

COs should facilitate face-to-face contact with victims by ensuring that a firm appointment is offered in the initial contact letter.

5. STANDARD 2: National Probation Service and area policy and procedures

Description of STANDARD 2:

Policy, practice guidance and procedures are in place that cover the NPS statutory responsibility for victim contact work under Section 69 of the CJ&CSA 2000 (from April 2001).

- 5.1 This chapter assesses the leadership provided by the NPD for this work. It covers the extent and quality of policy and practice guidance provided at national and area level. The integration of victim work with other related policies at area level is examined. Employment policies and procedures are also considered, including safeguarding arrangements and the recruitment of a diverse staff group. Finally, the chapter looks at complaints procedures and their accessibility to victims.

Criterion: *The NPD has provided sufficient leadership to areas on victim contact.*

- 5.2 COs were positive about the lead given by the Director General. It was significant that the strategic plan for the NPS, *The New Choreography*, focused on victims and set the context for probation work, providing vision and an ethical framework:
- *"At the heart of our vision is a society with fewer new victims and where those who have already been harmed by crime have better protection against re-victimisation, because of the work of the NPS. Victims in direct contact with probation staff will feel that they have been listened to, that the harm done to them has been acknowledged and that they have been given real information and access to the process of justice."*
- 5.3 This statement was backed up by Stretch Objective II of IX entitled *More contact and involvement with the victims of serious sexual and other violent crime*. The new statutory duty was described and targets for compliance with the national standard set:
- *"2001/2002 contact to be made within target time in 85% of sexual and violent cases where the offender is sentenced to four years or more*
 - *2002/2003 contact to be made within target time in 85% of cases in all sexual and violent cases where the offender is sentenced to 12 months or more*
 - *By 2004 victim contact work to become part of the performance assessment of COs and probation area Boards."*
- 5.4 From 2001/2002, the NPD had set aside funding to be distributed on the basis of areas' performance, with the amount increasing from £10m in 2001/2002, to £20m in 2002/2003 and £30m in 2003/2004. Targets had been set, weightings determined and a

model outlined to determine a final performance link allocation.¹⁶ The targets did not initially include victim contact work.

- 5.5 As a consequence, COs had prioritised those targets that were linked to funding. Victims were therefore given priority through the *New Choreography* and the inclusion of contact figures in the NPD quarterly reports for 2001/2002, but not through the performance link. Although all the areas inspected included the NPD target for victims in their business plans, its exclusion from the performance link meant, as was frequently stressed by managers and staff in some areas, that the work was not given a high priority locally. However, there were exceptions. The Avon & Somerset CO, for example, had taken the spirit of the *New Choreography* to be as important as the performance linked targets and attached significance to the work with victims that matched that of the Director General.
- 5.6 Management and staff were clear about the personal significance the Director General attached to the direct and indirect work with victims and quoted numerous presentations as examples. The Director's emphasis on a restorative justice approach in its widest sense underpinned the *New Choreography* and the public face of the NPD. The inclusion of the victim contact target as 13% of the performance link for 2003/2004 put this commitment on a much firmer footing and meant that all COs would place victim contact high on their list of priorities.

Criterion: Appropriate guidance has been produced by the NPD to support the implementation of Section 69 of the CJ&CSA 2000.

- 5.7 Final guidance was provided in Probation Circular 62/2001 issued in early April 2001 after the new statutory responsibility had commenced, and was consequently implemented without any lead-in time. Although it was universally seen as useful, as the work continued to develop, various aspects required further interpretation. Furthermore, the NPD had not put any systems in place to ensure that the advice was being followed. Local managers were therefore allowed considerable discretion in making changes and, as a result, national policy was implemented in an inconsistent manner.
- 5.8 Areas highlighted a number of omissions from the national guidance which meant that victims could not be guaranteed a common level of service. These included the allocation of resources, implications of the Human Rights Act 1998, work with the victims of young offenders and the management of cases where there was a high level of media and public interest. The guidance did not clarify work expected following initial contact and, although it told areas to appoint Crown Court liaison officers, did not contain any advice on appropriate support systems by which victims could be identified and progress on cases monitored.
- 5.9 Another aspect of the guidance that was described by probation staff as unclear or unhelpful to areas and requiring immediate attention was 'out of area' cases. Areas commented on the complexity of the arrangements, saying that switching responsibility was not always helpful, particularly in discretionary cases. The issue of discretionary work itself also required further consideration. Advice was also sought on action to address and monitor the specific needs of victims from minority ethnic groups.

¹⁶ Probation Circular 104/2000: *Cash Limit Allocation – Performance Link*.

5.10 One further significant criticism made by managers of the NPD was that the additional guidance promised in the circular on disclosure and confidentiality had still not been received. The NPD had, however, pursued legal advice on these issues from February 2001 but, despite their evident efforts, the position had only been clarified in May 2002. New guidance had then been prepared and was shortly to be issued. Although it had been hoped the level of information given to victims would be extended, the Data Protection Act 1984 meant this was not possible and areas would continue to experience problems with organisations outside the constraints applied to probation, such as the prison and police services, giving information to victims. This position undermined the credibility of VLOs with victims and it would be preferable if the guidance concerning confidentiality and disclosure covered all the criminal justice agencies.

5.11 The national standards, as revised in 2002, contained an increased focus on work with victims and had been developed to support the guidance contained in the existing circulars. Although significant changes at the time, they no longer provided the structure necessary given the increasing demands and complexity of work with victims. Further guidance was now expected and it was important that the existing set of national standards were reassessed to ensure that they properly reflected the expectations placed on probation staff, both in terms of the service to victims and addressing the behaviour of the offender. We believe that in addition to integrating work with victims within the overall body of the standards relating to offender supervision, a new section of the standards should be developed specifically for victims. This would serve to pick out the essential elements for victim contact and provide a set of criteria on which to base national and local monitoring systems.

Criterion: Areas' policies and procedures cover:

- (a) the Board's duty to consult and notify victims of the release arrangements of all offenders convicted of a sexual or violent offence leading to a sentence of 12 months or more including the use of discretion in working with victims of offenders who do not come within the statutory duty;**
- (b) arrangements for meeting and monitoring the Home Office target for timeliness of contact with victims;**
- (c) development of systems/procedures sensitive to victims' needs and wider diversity issues;**
- (d) other systems or structures needed to meet the requirements of Probation Circular 62/2001.**

5.12 We considered how area policies and practice guidance were meeting the requirements to implement the CJ&CSA 2000, Section 69. The audit found that of the 42 areas:

- 27 had a current policy in place, 11 were in the process of reviewing it and it was out of date in the remaining four
- 28 areas had current practice guidance, eight were reviewing it and six had no guidance.

5.13 In most of the areas inspected, the statutory duty had been adopted without formally being put to the Board. All had used the NPD guidance and had circulated it to VLOs. West Yorkshire and Lincolnshire were the only areas to have revised their practice

guidance in the light of the NPD circular, although Greater Manchester was doing so. In the recently amalgamated areas, Avon & Somerset, South Wales and Thames Valley, staff were working to bring together their different practices into a new policy document by April 2003. The practice guidance in the other areas was based on Probation Circular 61/1995.¹⁷

- 5.14 The systems and structures for meeting the national standard were different in each area and had evolved over time. Although all had arrangements for monitoring the national standard target and reporting the results to the NPD, these procedures were not necessarily written down. With the exception of West Yorkshire, monitoring figures were not checked for accuracy.
- 5.15 All areas inspected worked with discretionary cases. Further guidance had been promised by the NPD in Probation Circular 62/2001 but was not yet available. Practice consequently varied both within and between areas. Discretionary cases from one area would be referred to another at the post-sentence stage but only pursued by the receiving area if they operated to the same criteria. The absence of a nationally determined model for the exercise of discretion left areas to interpret what was understood by discretionary work. Only two areas, West Yorkshire and Lincolnshire, had formally clarified its interpretation of discretionary work through local guidance.
- 5.16 There was confusion over 'hate crime' which most areas took to mean racially motivated attacks. VLOs would be assisted by a definition identifying the types of crime covered.¹⁸ Only two mentioned hate crime in their new practice guidance, but did not relate the term to homophobic violence. Otherwise, there was little specific reference in victims policy or practice guidance to diversity issues other than some limited attention to gender.
- 5.17 The lack of guidance on diversity resulted in practices that were neither standardised nor consistently operated across the areas. Although clear advice was given on a few issues, it was too often contained in e-mails and memoranda. A number of specific area-wide issues were discussed with inspectors in all the areas visited. Boards should put local guidance in place stating how the area would take account of the wider diversity needs of victims and monitor the collection of data.

Criterion: Areas' policies and procedures are cross-referenced with other related policies (e.g. public protection, child protection and resettlement).

- 5.18 There was surprisingly little cross-referencing between victim contact work and other area policies. Two areas made reference to the statutory duty in their new MAPPA policies and risk management guidance, but Thames Valley was the only one to do so in sufficient detail. Throughout all areas, VLOs complained that case managers did not understand or take enough account of victims' needs, either when asking for information at key stages or in using it to inform work with the offender. This lapse had implications for effective work with victims and offenders. It was important that senior managers ensured the victim's perspective was clearly incorporated into all relevant policies and became an integral part of the work of the case manager, especially in

¹⁷ Op cit. See footnote 3.

¹⁸ See Chapter 10, 10.11.

relation to risk management, resettlement, child protection, diversity and domestic violence.

- 5.19 The CO in Lincolnshire had introduced a new system for policy development in the form of an organisational reference manual divided into five critical areas: work with offenders, human resources, the Board, finance and resources, and work with victims was given equal primacy. The format and language was to be standardised and the policies cross-referenced. He had given responsibility for risk and victims to one ACO and SPO to ensure better links between these critically dependent aspects of the work. Greater Manchester had also brought these responsibilities together at ACO level and had decided to review all policies to ensure consistency with diversity and victim issues. These were positive developments.

Criterion: Clear recruitment policies are in place including:

- (a) appropriate safeguarding arrangements for victims;**
- (b) evidence that the recruitment of staff has taken account of wider diversity issues (e.g. advertising ensured that minority groups in the community would see the advert).**

- 5.20 Safeguarding checks were in place in all areas and most of the problems previously experienced with the CRB already in the past. Delays in receipt of the completed checks were between three to 12 weeks, the longest being in Greater Manchester. However this area had established the good practice of limiting the new recruit to tasks which did not involve contact with children until the CRB checks arrived. Thames Valley was more specific in that staff were also not permitted to work in prisons until the CRB checks were through.
- 5.21 Avon & Somerset had good recruitment practices which included attention to wider diversity in advertising and selection, based on advice from the Bristol Race Equality Council. There were specific job descriptions and interview schedules for VLO staff that reflected the demanding nature of the work. Job descriptions in Teesside were well linked to occupational standards. In Greater Manchester, a new recruitment process had been established in January 2002 which included safeguarding checks and the use of race advisors on recruitment panels for SPO posts or above.
- 5.22 Further examples of good practice existed in other aspects of recruitment. West Yorkshire followed the model developed by PATH by advertising in the local minority ethnic press and working with other criminal justice agencies to promote the criminal justice system at career fairs in local authority districts. In Thames Valley, the area set up consultation arrangements to find contact points in the minority ethnic population to send out lists of job vacancies to on a regular basis. The area also advertised in a paper aimed at lesbian, gay and transgendered readers.

Good practice example:

Bedfordshire VLOs were recruited separately from the general PSO appointees, as the area felt they needed staff with a different mix of skills and experience.

Criterion: The method by which a member of the public/victim can complain and the system for dealing with complaints.

- 5.23 All the areas visited had adopted the general NPD model complaints procedure. Five formally reported complaints to the Board, using different structures. The most comprehensive model was in Avon & Somerset where the Board received quarterly reports which, whilst still respecting the need for confidentiality, contained the date each stage of the procedure was dealt with and whether or not the complaint had been resolved. The CO also demonstrated the importance given to complaints by the profile accorded to the Chief of the Prison and Probation Ombudsman at an area conference in 2002. Six complaints from the area were read as part of the inspection. They were dealt with thoroughly and all the victims received a full reply. Most of the issues highlighted were deficiencies within the criminal justice system as a whole.
- 5.24 The complaints from Wales and Thames Valley highlighted deficiencies in the service victims received. All four examined from Thames Valley were handled well and steps had been taken to ensure there would be no reoccurrence of poor practice. The area used the complaints to inform their restructure of victim contact work. Two cases were examined in South Wales. Although the area had apologised to both victims, the explanation given in one case was weak from a victim perspective and there was insufficient evidence to indicate whether action had been taken to improve the standard of service.
- 5.25 Primary responsibility for keeping victims informed of the process and its outcome lay with the police. However, many areas received complaints from victims who had heard about appeals through the media and were shocked when the court had reduced the term. It was difficult for victims, who were not aware that VLOs had no access to the results of appeal cases, to understand why they had not been informed in advance.
- 5.26 Despite the adoption of a national complaints system in 2001, most areas were not routinely informing victims of the procedure. The exception was found in Thames Valley who had included the information in the leaflet sent out with the initial contact letter. This was good practice, which all areas should adopt.

Overall findings for Standard 2: National Probation Service and area policy and procedures

Strengths

- The priority given to victims in the *New Choreography* and the personal lead by the Director General provided vision and an ethical framework.
- The inclusion of the victim contact target in the performance link from 2003/2004.

- All areas had arrangements in place for monitoring the national standard target and reporting the results to staff.
- Clear recruitment policies were in place in all areas with appropriate safeguarding checks. Several areas were commended for the attention given to diversity in selection of staff.

Areas for improvement

- The guidance had not been implemented consistently as various aspects required further interpretation.
- National standards no longer reflected the complexity of work with victims adequately.
- Only two of the eight areas visited had updated their practice guidance to meet the requirements of Probation Circular 62/2001.
- The absence of a nationally determined model for the exercise of discretion meant that practice varied both within and between areas.
- Few of the local victims policies or procedures made any reference to diversity issues.
- Victim contact procedures were rarely cross-referenced with other relevant policies.
- Most areas did not inform victims of the national complaints procedure.

Recommendations

The NPD should develop a new national standard for victim contact work, taking account of the proposed Code of Practice in the forthcoming legislation, to ensure a high quality of service for victims.

All Boards should require area policy on work with victims to be updated, implemented and to include:

- work to meet the requirements of the CJ&CSA 2000 and forthcoming legislation;*
- local arrangements to support area practice for victim contact in addition to the national guidance;*
- reference to other relevant policies, especially risk management, child protection and resettlement;*
- guidance on meeting the specific needs of victims from minority groups.*

6. STANDARD 3: National Probation Service management and resource allocation

Description of STANDARD 3:

Management arrangements support a high standard of service delivery and clear lines of accountability are in place.

- 6.1 This chapter looks at the supporting structures and management arrangements for victim contact work. The IT infrastructure is examined, the basis for the allocation of resources at an area level explained and an assessment made of the extent to which the development and training needs of VLOs are being met. Ways in which COs ensure the security and safety of victims' information is described. Links with community organisations and the management of the health and safety of staff are also examined. The chapter concludes in considering the difficulties faced by individual areas in the absence of a national lead on these issues.

Criterion: The NPD is developing appropriate coordinated IT arrangements to support victim contact work.

- 6.2 Probation Circular 61/2001 informed areas about arrangements to monitor performance against national standards and contained forms for the return of data to the Home Office. It did not provide advice on IT arrangements to support the work and no national IT system for victims work has subsequently been developed.
- 6.3 The NPD were intending to develop a national application for victims work as one of the modules under SALSA, the set of applications forming the new probation IT system, scheduled for implementation from mid 2004. The different components for SALSA were re-prioritised in January 2003 and the victims module given 'intermediate' priority. Its implementation date was still to be decided but was unlikely to be for at least two to three years. No direct advice or instruction had been given to areas and it was apparent that some were consequently uncertain whether they could, or should develop alternative local arrangements in the interim. The position required urgent attention. Discussion with the Director General confirmed that areas should await the development of a national IT system and NPD staff stated that they would shortly be clarifying the position with areas.
- 6.4 Most areas inspected had, however, set up their own system on Lotus Notes or Excel but the data were manually entered, as the application was very basic. Two of the eight areas were still using Excel spreadsheets, but without a simple calculating tool to assist staff. Administrative staff inputting data on victims also needed IT support which, in the absence of any national development, had to be provided locally. Some areas were using a variation on the Gloucestershire database. This system recorded meetings with victims and offenders and calculated the area's performance against NPS targets.
- 6.5 Given the considerable delay before the SALSA victims module would become available and the growth of alternative systems across probation areas, there appeared

to be a case for the NPD to introduce some straightforward spreadsheet facility nationally. This would allow cases to be recorded on a common basis, before the fuller functionality of SALSA became available. Although the NPD believed there was insufficient demand from areas to justify such action, our evidence suggested there was a strategic national case for doing so. Appropriate IT systems would have produced robust management and performance monitoring information and enabled the NPD to hold areas to account.

Criterion: Allocation of resources is based on sound workload assessment.

- 6.6 The HMIP thematic report *The Victim Perspective: Ensuring the Victim Matters* recommended that the number of victims contacted in the categories of Probation Circular 61/1995 be made a variable in the cash limit allocation formula. This recommendation had not been pursued by the NPD in the subsequent review of the formula, implemented from 2001/2002. Although victim contact was indirectly covered through the supervision of offenders pre- and post-release, there remained a strong case, given the importance of the work, for its inclusion in the formula, either in the workload or the needs element.
- 6.7 Most areas had increased the resources allocated to victim work to include the victims of offenders who received 12 months or more imprisonment for a sexual or violent offence. However, West Yorkshire and Lincolnshire were already delivering the service to these victims prior to the implementation of the legislation.
- 6.8 In Greater Manchester, the VLO staffing had been doubled and allocated to the ten divisions, with nine having one post each and the larger city division two. Lincolnshire had anticipated the number of cases on the basis of the previous workload and allocated a budget for the equivalent of two full-time PSOs to the work in April 2000. Initially, only 1.5 FTE posts in the three divisions had been filled, but once the volume of work built up the number was increased to 2.0 FTE in 2001. Thames Valley had estimated the volume of work, based on the number of eligible cases and some actual and notional costs, and established a new victims unit, managed by an SPO and staffed by three PO and two PSO posts. Teesside had increased the number of VLOs from one to two but remained under continuing pressure due to the higher throughput caused by working with offenders subject to shorter sentences. South Wales had not reassessed victim contact work and we considered that the area would struggle to undertake the work if all the cases were identified.
- 6.9 Managers believed it would be helpful to have national guidance on workload measurement. This was a complex issue which required a consistent response. The most common method of counting cases was at commencement but there was no easy way of measuring the total workload including ongoing work with cases. Areas had different ways of identifying cases¹⁹ and deciding when to offer a discretionary service and when to close a file. A system of weightings for the different types of cases was required.
- 6.10 The NPD policy lead indicated that victims contact work would be covered in the workload monitoring tool, going beyond the initial tracing and contact work by the VLOs to take account of time spent by case managers on prison reports and follow-up after release. At the time of the inspection, victim contact work had not been included

¹⁹ See Chapter 4, 4.27-4.28 on total number of ratio of eligible victims and areas' caseloads.

in the first stage of the workload pilot and this omission was brought to the attention of the NPD. There was general acknowledgement that victim work should be addressed but it had not been given priority and there was no firm indication of the likely timescale. The matter needed more urgent attention. In the absence of a national workload measurement model, areas were unable to assess whether the allocation of resources or the expectations placed on staff were realistic.

Criterion: *There are clear lines of accountability and staff are regularly supervised and appraised.*

- 6.11 Areas had included the NPD target for victim contact in their business plans. It was seldom found in the targets for senior managers' performance related pay despite the fact that it was a new statutory duty. Lines of accountability were often clear on paper but the way in which staff were actually held to account in practice was sometimes very different, particularly in those areas with a divisional structure where many managers were not familiar with victim contact. When this work comprised a small fraction of their responsibilities, there was neither the time nor the incentive to achieve the level of awareness and knowledge required. As a result, frontline staff were too often developing practice without adequate guidance or leadership.
- 6.12 There was an area-wide specialist unit in Avon & Somerset, Teesside, Thames Valley, and Bedfordshire. Clear lines of accountability characterised the units in Thames Valley, Teesside and Avon & Somerset. Bedfordshire, where a gap at SPO level had been followed by a period of temporary assignment, was the exception. Although it was evident that the staff in specialised units generally received more consistent management, the model was not always viable for geographic or demographic reasons. Areas with a divisional or district structure therefore needed to put systems in place to achieve similar clarity. It was also apparent that these centralised units experienced logistical difficulties in coordinating visits to victims which have already been explored in the report.²⁰
- 6.13 Supervision and appraisal systems in all areas included staff involved in victim contact work. Their application was, however, variable. In Avon & Somerset, Thames Valley, Teesside and West Yorkshire the VLOs were regularly supervised and appraised. In the other areas, supervision occurred but not necessarily regularly and appraisals were often out of date. Many appraisals were notable by the absence of targets, although the NPD target for contact was included in about half of the PPDs seen. This limited approach indicated insufficient attention was being given to the quality of victim contact work.

Good practice example:

The victims unit SPO in Thames Valley had developed common PPD objectives for victim contact work for use across the area with all relevant staff, and had implemented 'supervision agreements' with the VLO staff.

- 6.14 Administrative staff were less likely to receive regular supervision and appraisal. Very few had targets linked to the delivery of victim contact work outlined in their PPDs. The level of attention paid to victim contact in the supervision of case managers was an

²⁰ See Chapter 4, 4.19-4.20.

additional concern. Insufficient emphasis was given to their role in raising offenders' awareness about the impact of crime on victims, and thereby reducing revictimisation and reoffending. In Avon & Somerset and Thames Valley all case managers and administrative staff had received some victim awareness training from the victim unit staff and there was a relevant objective in their appraisals. This was good practice which could be emulated by other areas.

Criterion: Training needs have been assessed and met at a national and area level as outlined in HMIP's thematic inspection *The Victim Perspective: Ensuring the Victim Matters (2000)*.

- 6.15 The recommendation contained in the HMIP thematic report required COs to 'ensure that the learning and development needs of all staff in victim contact work, including administrative staff and managers, are assessed and a strategy devised to meet them'.
- 6.16 Induction training for the majority of new staff in victim contact work was more likely to be generic than victim focused and the direct work was often covered by systems of shadowing and mentoring. In a number of areas VLO staff had commissioned specialist training from VS.
- 6.17 No formal assessment had been made of current VLO training needs, although some areas did identify individual requirements as part of appraisals. As can be seen above, however, appraisals were not always completed and, even when they were, the use made of them by training departments was not clear to staff. Areas were consequently unable to demonstrate that they were meeting the current training needs of VLO staff.
- 6.18 In Bedfordshire and Avon & Somerset VLO staff had an input into the induction of all staff. However, for most areas the level of training for case managers on the importance of the victim perspective in work with offenders was woefully inadequate.

Good practice example:

Avon & Somerset had provided training for all case managers and administrative staff on victim contact work.

- 6.19 There was an overwhelming case for a national approach to the training and development of victim staff as there were too few in any one area to set up a local programme. Although there were the usual routes for PSOs to undertake the NVQ level three criminal justice training, VLOs found that it did not cover their role adequately as it lacked a substantial victim component.

Criterion: Data collection and record keeping are managed in accordance with Probation Circular 62/2001, with due regard for the security and safety of victims.

- 6.20 All areas had systems for keeping victim and offender information separate by use of different databases. Case managers kept victim information in a confidential section on the file reserved for third party information which was then detached if the offender requested sight of his/her file under the open access to record policy.

- 6.21 The following example illustrates the tension and dilemmas when integrating victim contact work. Data protection and open access to records had been subject to legal debate in Greater Manchester where, in three high profile cases, the offender had requested access to the probation record. The area had been required to go through the files with a solicitor as victim information had been used, properly in our opinion, to inform the assessment of the offender. Although third party confidential information could be withheld, the Information Commissioner could also rule that it be included. We strongly support the use of information from the victim in work with the offender, but recognise the difficulties faced by areas in taking this approach forward without jeopardising the victim's right to confidentiality. It would be advisable if the results of these case enquiries and any other relevant material were used by the NPD as the basis of new guidance to areas. Such guidance should be directed to case managers as well as VLOs.²¹
- 6.22 We found that staff in all areas had faced problems with disclosure issues. The reasons given by staff were:
- lack of training and clear guidance on disclosure
 - absence of systems to enable communication
 - failure to integrate work with victims into case management policy and practice.
- 6.23 These omissions continued to disadvantage both victims and offenders. We consider it essential that areas identify the source of the problem locally and take steps to improve practice on information sharing and disclosure.
- 6.24 It was evident that middle managers had not established quality assurance systems to ensure records were maintained correctly. There was very little written guidance to staff specifically about victim records even where good open records policies existed in areas. These policies should explicitly cover access to victim information held on both offender files and within the separate confidential section.

Criterion: Links have been established with community organisations that are able to offer continuing support to victims where necessary.

- 6.25 All areas had developed a relationship with VS but had not always attempted to define their working arrangements by a protocol. Different levels of knowledge about each other's roles were found across both organisations, particularly in larger areas. The inspection took place during a period of transition for VSS, when local groups were merging and moving to co-terminus structures with other criminal justice agencies. Whilst good practice existed, all areas needed to develop better understanding and consistent procedures between the probation staff in victim contact and VS staff.
- 6.26 Only half of the areas had good links with wider community groups. Avon & Somerset had links with SARI about race crime cases and used Bristol City Council interpreters to translate letters into other languages as well as provide direct interpretation services. In Greater Manchester, VLOs were using a wide range of voluntary and statutory agencies in individual cases to offer victims specialist support. Similar arrangements existed in

²¹ Further guidance was issued in May 2003, contained in Probation Circular 29/2003 *Victim Contact Work*.

West Yorkshire and, at an area level, with MOSAIC for victims of sexual abuse, STAR for rape victims and Age Concern. Bedfordshire had regular contact with VS, SAMM and the NSPCC on behalf of victims. Despite the range of initiatives, however, and the above examples of good practice, diversity issues were not consistently covered by all areas.

Criterion: Health and safety procedures are in place which:

- (a) take account of the specific issues in contacting and visiting victims;**
- (b) ensure victim contact work has been risk assessed;**
- (c) provide the additional support mechanisms to meet the needs identified in the risk assessment of victim contact work.**

- 6.27 It was clear that many areas' health and safety and HR policies did not make sufficient reference to work with victims. In Greater Manchester, several good policies were in place to assist staff in managing health and safety at work. These covered violence, stress and home visiting practice. A new HR manager was developing the area's risk assessment template so that it could be more easily used for a range of situational assessments. Policies on home visiting were particularly deficient and did not take into account that visits to victims were often made in the evenings and with very little background knowledge. Most, although intended as generic, had been developed for work with offenders and, in our view, failed to recognise the specific nature of victim contact work.
- 6.28 In practice, some attempts were made, albeit often improvised, by VLOs to leave addresses when home visiting and call colleagues on their return. Such agreements did not always cover evening work, however, and most staff made their own arrangements to ensure they were safe. We were particularly impressed by the procedures in Thames Valley where VLOs were required to contact the SPO or named representative on returning from a home visit regardless of time. These arrangements were robustly enforced and appeared to provide a good degree of support. Interestingly, some victims were concerned about the health and safety issues for the VLOs in their neighbourhood and brought this to the attention of inspectors.
- 6.29 The victim's name was regularly checked against the offender database in all eight of the areas inspected. Most areas did not make any other risk assessment of work with victims. Under these circumstances, and given the sensitivity of the victim contact role, it was worrying to find that many did not have additional support systems in place for staff engaged in victim contact work. VLOs described the personal emotional impact of the work and it was apparent that many felt supported. Although some areas provided access for staff to a general counselling/support service, Bedfordshire was alone in linking this explicitly to victim contact work. Area health and safety policies needed to address victim contact specifically, ensure that the work was risk assessed and the relevant support put in place to meet the needs identified.

Overall findings for Standard 3: National Probation Service management and resource allocation

Strengths

- Most areas had increased the resources allocated to victim contact to support the extension of victim contact under the CJ&CSA 2000.
- Systems for supervision and appraisal systems for all staff were in place.
- All areas had systems for keeping victim and offender information separate by use of different databases and a confidential section in the case file for third party information.
- Links with a range of organisations providing victims with support were maintained at a local level.

Areas for improvement

- The NPD had not provided advice on IT arrangements to support victim contact work and areas were consequently uncertain whether they could, or should develop local systems in the interim.
- The cash limit allocation formula did not take explicit account of victim contact work.
- In the absence of a national workload measurement model, managers were unable to assess whether the allocation of resources or the expectations placed on staff were realistic.
- Not all staff involved in victim contact work were supervised and appraised regularly.
- The training needs of staff, particularly VLOs, had still to be assessed and met at both a national and local level.
- Areas' health and safety and HR policies made insufficient reference to work with victims.

Recommendations

The NPD should:

- develop and implement a national strategy to ensure that staff are appropriately trained for this specialist area of work;*
- consider taking explicit account of victim contact work in the cash limit allocation formula, either in the workload or the needs element;*
- progress the development of a workload monitoring tool for victim contact work;*
- pending the development of SALSA, provide guidance to ensure consistent monitoring and evaluation of victim contact work and consider the introduction of some straightforward spreadsheet nationally.*

Local Boards should ensure appropriate measures are put in place to protect the health and safety of staff involved in victim contact work.

7. STANDARD 4: Quality of service delivery

Description of STANDARD 4:

The quality of service delivery to victims meets the criteria set in the Probation Circular 62/2001.

- 7.1 This chapter examines whether Probation Boards were providing appropriate services to victims in line with the guidance in Probation Circular 62/2001.

Criterion: The guidance contained in Probation Circular 62/2001 is clear and interpreted consistently by areas.

- 7.2 The guidance was written with the assumption that areas 'have a specialist unit and that otherwise some aspects of the guidance may not apply, particularly where the supervising PO is the victim contact'.²² All the areas visited used specialist VLO staff and HMIP's findings were that only 11 of the 42 probation areas continued to rely on the supervising PO. Having specialist staff was cited as the most important factor by the professional staff in enabling a consistent service. The model, however, remains unevaluated.

- 7.3 All areas were working to the national guidance Probation Circulars 61/2001 and 62/2001. Feedback from staff was positive about the scope and clarity of the information contained in Probation Circular 62/2001, whilst recognising the key omissions already highlighted. Generally managers thought the two circulars met the operational needs of the service and regarded them as a considerable improvement on previous ones. A particularly positive aspect of their development had been the national consultation with practitioners.

Criterion: Standard letters and leaflets are used to contact victims which:

- (a) contain the information specified in para. 5.5 of Probation Circular 62/2001;**
- (b) include a tear-off pro forma with a firm appointment, request for change of venue and specific needs, e.g. interpreter;**
- (c) are available in languages other than English.**

- 7.4 The probation circular picked up the recommendation in the HMIP thematic report²³ that all areas should offer a firm appointment in their initial contact letter. With the exception of South Wales, where the standard letter was not used consistently, all areas visited used a version of the suggested letter, albeit sometimes with amendments. The letters sent by Avon & Somerset, Bedfordshire and Thames Valley did not offer victims firm appointments but invited the victim to contact a named VLO to arrange a mutually

²² Victim contact work Guidance for probation areas para 2.17 pg. 8.

²³ Op cit. See footnote 4.

convenient time. Also, Avon & Somerset had revised their letter but did not sufficiently cover diversity issues or offer the choice to take-up the service at a later date.

7.5 VLOs expressed concerns about the Home Office leaflet *Release of Prisoners*, designed to be sent out with the initial letter shortly following sentence, as the title seemed to indicate that recently convicted offenders were about to be released. Greater Manchester had made revisions to the leaflet and suggested it should be changed to avoid further confusion or distress.

7.6 Not all the areas in which the fieldwork took place had translated their initial letters into languages other than English. West Yorkshire had translated their initial contact letter into Urdu as the most commonly used other language in the area. Similarly, Avon & Somerset provided letters in Somalian and Vietnamese. All letters and leaflets in South Wales were also printed in Welsh in accordance with the Welsh Language Act 1993. Greater Manchester also sent out leaflets with the initial letter in a range of languages. The survey recorded that 18 areas had leaflets available in languages other than English.

Criterion: Operational systems are in place to ensure:

- (a) that all the special needs and wider diversity issues covered in Probation Circular 62/2001 are considered;**
- (b) use is made of victims' personal statements where available;**
- (c) the content of the initial interview meets the criteria in para. 5.15 and information is conveyed/received as at Appendix B of Probation Circular 62/2001;**
- (d) victims are informed of the following (when information is available to NPS staff):**
 - maintaining contact with victims**
 - during the appeal proceedings and notifying the victim of the outcome of those proceedings**
 - recall, escapes, deportation and home leave.**

7.7 The guidance identified a number of issues to be taken into account by areas in order to meet special needs/diversity. These included: language barriers, disabilities/vulnerable victims, same sex relationships, religious and cultural dimensions, gender and associated issues such as timing of key events and meetings. The guidance did not, however, suggest ways to monitor this work and no area had made the comprehensive arrangements necessary to ensure that the NPD guidance on special needs/diversity was fully met. Notwithstanding the need for a race action plan, the lack of a systematic approach to diversity was a concern to inspectors.

7.8 Whilst information on the ethnicity of offenders was becoming more robust, none of the areas inspected had a way of obtaining data on victims' ethnicity which was missing in 91% of case files examined. HMIP was informed that some areas sent equality monitoring forms with the initial contact letter, but found no evidence of the resulting data being analysed or used to inform practice. Victim referral information to probation areas did not routinely include ethnicity. Avon & Somerset and Greater Manchester followed up the gap by seeking further details from the police or by interrogating CPS papers. Thames Valley was working with the police to identify victims' ethnicity and language needs.

- 7.9 The lack of information meant that areas could not compare their practice between white and minority ethnic victims or demonstrate that appropriate non-discriminatory services were being offered and delivered. There were some examples of good practice, such as matching female staff to female victims of sexual assaults and, particularly in Greater Manchester, the use of other non-statutory agencies to help with communication.
- 7.10 According to the audit, 15 areas had access to interpreters and 12 reported that victims' diversity issues were being reviewed as part of their race action plans. Only three could provide information on audiotapes and one said they had links with Lesbian and Gay groups.
- 7.11 Victim personal statements were introduced in October 2001 but did not appear to have been made generally available by the courts to probation areas. Awareness of their potential value in work with offenders was consequently low. The NPD Probation Circular 62/2001 promised further guidance but none had yet been published.
- 7.12 The NPD guidance set out the criteria to be met in the initial interview. Many areas had developed a checklist, which staff used as an aide-mémoire, to ensure the content of the interview followed the guidance. However, not all contained the key points to convey to victims. The Lincolnshire pro forma, for example, did not cover explicitly whether information could be shared with case managers.
- 7.13 Responsibility was placed by the guidance on the case manager to ensure appropriate liaison with VLOs so that they were kept informed about key developments in the case. It also contained model notification arrangements to ensure that VLOs were informed about release conditions using form VC5.²⁴ Overall, our findings showed that areas needed to improve communications between case managers and VLOs and ensure systems and procedures were in place to support them in doing this. The results from the file reading exercise are shown on table 7.

Table 7: Communication between the supervising officer and VLO (Source: File reading exercise)

Criteria	ALL	Avon & Som	Beds	Gt Man	Lincs	South Wales	Tees-side	Thames Valley	West Yorks
% supervising officer kept victim contact staff informed well	37 (48/130)	45 (5/11)	42 (11/26)	33 (5/15)	40 (2/5)	14 (2/14)	50 (13/26)	63 (5/8)	20 (5/25)
% supervising officer kept victim contact staff informed well or reasonably	67 (87/130)	73 (8/11)	85 (22/26)	73 (11/15)	60 (3/5)	50 (7/14)	62 (16/26)	100 (8/8)	48 (12/25)

Commentary

- ▶▶ The overall results show that communication between supervising officers and VLOs was poor in one case in three.
- ▶▶ Particular attention needs to be given to this issue in South Wales and West Yorkshire.
- ▶▶ Bedfordshire's results were positive.

²⁴ See Chapter 8, 8.13-8.14.

7.14 Some areas had developed systems to ensure that victims were informed of changes such as appeal against sentence, recall and escape. In Lincolnshire, case managers routinely copied documentation on appeals and other offender movements to VLOs. Staff in Avon & Somerset commented on the difficulties that they had obtaining information from some prisons and the appeal court. These cases were dealt with on an individual basis. Emphasis was placed in Teesside on the role of prison staff in informing VLOs of changes in the offender's circumstances. In Thames Valley, seconded staff at the prison contacted the case manager with an expectation that they would pass on the information to VLOs, but it was evident from the inspection that this did not always happen.

Criterion: When assessing and managing risk priority is given to:

- (a) the concerns of victims in the risk assessment and management of the relevant offender(s);**
- (b) victims are informed about MAPPPs and information is provided about risk to victims, with their consent, to the meetings;**
- (c) victims are informed about the decisions of multi-agency risk meetings which effect their safety.**

7.15 Having obtained information about victims' vulnerability and response to the offence, case managers should use it to inform supervision plans and integrate a victim perspective into work with offenders. Despite the adoption of a standard format for supervision plans that included victims issues by some areas, insufficient work was undertaken with offenders on victim awareness. West Yorkshire had produced a standalone module on victim awareness, to be used by case managers with offenders, that now needed to be evaluated. As demonstrated by this inspection, greater clarity was required about what information could be shared²⁵ and how this could be done with the consent of the victim. The findings from the file reading exercise are shown in table 8.

Table 8: Integration of the victim perspective into work with offenders (Source: File reading exercise)

Criteria	ALL	Avon & Som	Beds	Gtr Man	Lincs	South Wales	Tees-side	Thames Valley	West Yorks
% supervision plan addressed how offender made aware of impact of offence well or reasonably	53 (153/289)	49 (17/35)	54 (15/28)	48 (19/40)	63 (19/30)	39 (14/36)	84 (37/44)	39 (15/38)	45 (17/38)
% sufficient work to make offender aware and well or reasonably of impact	43 (144/333)	30 (14/47)	53 (19/36)	43 (20/47)	69 (22/32)	30 (14/46)	59 (26/44)	32 (12/38)	40 (17/43)

Commentary

- ▶ There was considerable scope overall to improve the use of victim information, once consent had been obtained, to inform work with offenders.
- ▶ Supervision plans did not reflect the high priority that should be given to victim work.

²⁵ See Chapter 6, 6.21-6.22.

- ▶▶ Despite Avon & Somerset and Thames Valley using a supervision plan proforma that alerted staff to victim issues, they reported poor results.
 - ▶▶ Supervision plans in Teesside contained planned interventions to ensure a victim focus.
- 7.16 One of the significant changes since the last HMIP thematic inspection on victims was the introduction of strategic and operational inter-agency procedures for the management of very high risk of harm offenders, the MAPPA.
- 7.17 These arrangements related to only a small number of cases and the inspection found that only 27 of the 130 cases were registered. It was apparent, however, that the development had yet to be fully integrated into many areas' work with victims as their protocols did not address victims' issues. Case managers interviewed stressed that information about victims was taken seriously in MAPPP meetings but, as VLOs only informed victims about the outcomes in six of the 27 cases, the file reading did not substantiate these claims. Only two areas Teesside and Bedfordshire systematically involved VLOs in MAPPA. The lack of VLO involvement elsewhere meant that information could not be shared or feedback given to victims. Victims interviewed commented that the police, via family liaison officers, were their main source of information about MAPPP meetings.
- 7.18 As the next stage of development of the multi-agency arrangements, new guidance had been prepared.²⁶ A strategic framework was planned, with a national MAPPA coordinating the 42 area arrangements and revised SMBs overseeing MAPPA. These SMBs were to include victim representatives. The guidance anticipated the provisions of the forthcoming criminal justice bill which would impose new duties to cooperate and share information. In addition, the guidance incorporated the recommendations from HMIP's and HMIC's joint report *Protecting Children from Dangerous People*²⁷ namely that:
- a national framework for MAPPA be implemented as a matter of priority including links with ACPCs
 - a set of national standards and performance measures be agreed.
- 7.19 The new guidance made detailed reference to the responsible authority's duty of care to victims. It also broadened the public protection role by considering the needs of potential victims and recognised the vital part victim information can play in the ongoing risk assessment of offenders.

Good practice example:

Avon & Somerset informed VLOs in advance of PDOs case meetings.

²⁶ Probation Circular 25/2003 *The MAPPA Guidance*.

²⁷ HM Inspectorate of Probation *Protecting Children from Potentially Dangerous People: An Inter-Agency Inspection on Children's Safeguards* (2002).

Criterion: Pre-release contact meets the following criteria:

- (a) *supervising officers inform offenders of victims' rights to make representations about the conditions of release;*
- (b) *supervising officers ensure VLOs are kept informed of key developments so that the victim's views can be sought in time to allow them to be taken into account when HDC, ACR, parole or any other pre-release reports are prepared;*
- (c) *contact is undertaken to meet the criteria for giving and receiving information outlined in Appendix B of Probation Circular 62/2001.*

7.20 Systematic methods of notifying offenders about the victim's right to make representations were found in only two areas: Greater Manchester and Thames Valley. The practice in other areas was erratic. Whilst case managers commented that they informed offenders in general terms, the file reading results showed that they did so, overall, in only 25% of cases. In West Yorkshire, only 12% of offenders were told and in Lincolnshire only those visited during their sentence. In South Wales, case managers decided whether the offender was to be notified or not, and only 50% of case records indicated that it was done. Case managers' work should be monitored to ensure that all relevant offenders are advised of victims' rights to make representations.

7.21 The period allowed by prisons for HDC, ACR, parole and other pre-release reports to be completed varied considerably. Specific circumstances, such as the early release of prisoners, could jeopardise the timescale for consultation with the victim. Table 9 shows the results from the file reading exercise.

Table 9: Preparation of pre-release reports - timeliness in seeking victims' views (Source: File reading exercise)

Criteria	ALL	Avon & Som	Beds	Gtr Man	Lincs	South Wales	Tees-side	Thames Valley	West Yorks
% supervising officers promptly passed on all requests from the prison service for reports	46 (51/112)	33 (4/12)	78 (18/23)	50 (6/12)	0 (0/5)	20 (2/10)	55 (11/20)	43 (3/7)	30 (7/23)
% VLO arranged contact promptly with victim to obtain views	65 (81/125)	64 (7/11)	81 (21/26)	54 (7/13)	75 (3/4)	50 (7/14)	50 (12/24)	88 (7/8)	68 (17/25)

Commentary

- ▶▶ No area was able to demonstrate that the victim's views on ACR/HDC/parole or other pre-release reports were obtained and communicated in a timely manner.
- ▶▶ We found a number of instances where case managers had not referred HDC requests to the VLO.
- ▶▶ When VLOs were notified of HDC requests, it was often too late to seek the victim's views and report back to the prison.

Criterion: Following pre-release contact:

- (a) victims are informed promptly about licence conditions and release arrangements in accordance with the guidance in para. 7.1 of Probation Circular 62/2001;**
- (b) during the licence period the area responds promptly to any information about breach of conditions related to the victim and informs the victim of the outcome.**

7.22 The guidance states that VLOs should inform the victim whether or not the offender was subject to any conditions on release and provide them with details. Most of the conditions requested were about contact, residence or that the offender be excluded from specific geographical areas. The file reading results in relation to additional licence conditions are shown in table 10.

Table 10: Additional licence conditions (Source: File reading exercise)

Licence arrangements			
Did VLO arrange prompt contact to inform victims of licence conditions	Yes 65%	Yes, but not promptly 6%	No 29%
Was the victim told around the time of release what they could expect in terms of future contact	36%		64%

Commentary

- ▶ Without prompt and accurate notification of the licence conditions, victims were unaware of efforts made to protect them and also when breaches might occur.
- ▶ One-to-one interviews with victims highlighted their concerns about offenders being released without them being informed beforehand.

7.23 These results were comparable with those found in the victims' satisfaction survey, which showed that 88% asked for licence information, but only 47% felt that it was given in a clear and helpful form. 36% of victims were told what post-release contact to expect, but just 23% what information would be provided if the offender breached the licence or was recalled to prison. Following a successful High Court appeal under Article 8 of the Human Rights Act 1998, the NPD was shortly to issue new guidance on the setting of exclusion zones. This guidance would also advise areas on the implications of the judgement and the need to balance the rights of victims and those of offenders.

Overall findings for Standard 4: Quality of service delivery

Strengths

- All areas were working to the NPD guidance.
- Some areas had developed systems to ensure that victims were informed of relevant changes in the offender's circumstances, such as appeal against sentence, recall and escape.
- New MAPPA guidance had been developed, addressing the needs of potential victims and recognising the importance of victim information in the ongoing risk assessment of offenders.
- Two areas routinely informed offenders of victims' rights to make representations about the conditions of their release.

Areas for improvement

- Not all areas offered victims a firm appointment in their initial contact letter.
- The title of the Home Office leaflet, *Release of Prisoners*, was taken to suggest that recently convicted prisoners were about to be discharged.
- Less than half the probation areas surveyed had translated their initial contact letters into languages other than English.
- The guidance on diversity did not suggest ways in which work with victims could be monitored and none of the areas visited had made arrangements to do so.
- Victim personal statements had been introduced in October 2001 but did not appear to have been made generally available to probation areas by the courts.
- Insufficient work was undertaken with offenders on victim awareness.

8. STANDARD 5: Quality of service delivery: Exchange of information, written reports and records

Description of STANDARD 5:

The quality, content and timeliness of written reports and records meet the criteria set out in Probation Circular 62/2001.

8.1 This chapter considers the content and quality of the recording of work with victims, including those records used to communicate between VLOs, case managers and others such as the prison service. It also examines the mechanisms for initiating contacts between case managers, VLOs and others.

Criterion: *The initial interview with the victim is recorded and relevant details communicated to the supervising officer.*

8.2 The guidance identified the content for the initial interview, for which many areas had developed pro formas to ensure that all matters were covered. Generally, the interview was written up as a report, rather than a contact log, which was then copied to case managers. A report was only prepared in Bedfordshire if the victim consented to the disclosure of their views.

8.3 The initial interview between the VLO and the victim was expected to include:

- the provision of information to the victim about the NPS and its work with offenders and victims
- the likely timescale for the offender's release
- the victim's right to comment on proposed release arrangements
- their right to confidentiality, together with an indication of whether they would wish to make representations and whether their views were to be made available to the case manager.

8.4 As shown in table 11, the file reading exercise found that 87% of both samples were recorded reasonably well or better in all areas.

Table 11: Recording the initial interview (Source: File reading exercise)

Criteria	ALL	Avon & Som	Beds	Gtr Man	Lincs	South Wales	Tees-side	Thames Valley	West Yorks
Sample 1 pre-release initial meeting recorded well or reasonably	87% (128/147)	71% (5/7)	100% (11/11)	85% (22/26)	93% (28/30)	100% (5/5)	85% (28/33)	100% (11/11)	75% (18/24)
Sample 2 post-release initial meeting recorded well or reasonably	87% (113/130)	50% (6/12)	100% (25/25)	88% (15/17)	100% (5/5)	64% (9/14)	96% (24/25)	100% (8/8)	88% (21/24)

Commentary

- ▶ All areas were achieving a good standard of recording.
- ▶ Generally the quality of both samples was consistent within the area.

8.5 VLOs in most areas communicated with case managers well after the initial meeting with the victim, as shown in table 12.

Table 12: Communicating victims' concerns (Source: File reading exercise)

Criteria	ALL	Avon & Som	Beds	Gtr Man	Lincs	South Wales	Tees-side	Thames Valley	West Yorks
Victims concerns communicated well or reasonably	91% (118/130)	92% (12/13)	96% (24/25)	88% (15/17)	80% (4/5)	57% (8/14)	100% (26/26)	100% (6/6)	96% (23/24)

Commentary

- ▶ The majority of areas performed well in this respect.
- ▶ South Wales needed to ensure greater consistency when communicating victims' concerns.

8.6 The results of the file reading exercise were borne out by discussions with staff which highlighted the importance given by VLOs to representing victims' views. In South Wales and Bedfordshire, case managers confirmed that they would receive a report from the VLO within 24 hours of the meeting taking place. Areas needed to ensure that IT systems were in place to support communication between VLOs and case managers.

8.7 We also looked at the VLO's role in risk assessment. As part of the initial interview it was expected that an assessment would be made of the victim's vulnerability and communicated to the case manager. Results of the file reading exercise are shown in table 13.

Table 13: Assessment of risk (Source: File reading exercise)

Criteria	ALL	Avon & Som	Beds	Gtr Man	Lincs	South Wales	Tees-side	Thames Valley	West Yorks
% that VLO assessment of victims vulnerability and risk of re-victimisation assessed well or reasonably	83 (121/146)	86 (6/7)	82 (9/11)	77 (20/26)	100 (30/30)	100 (4/4)	64 (21/33)	100 (11/11)	83 (20/24)
% concerns and assessment of vulnerability communicated in written report, meeting or by e-mail.	92 (132/144)	86 (6/7)	73 (8/11)	96 (25/26)	100 (30/30)	100 (4/4)	94 (31/33)	67 (6/9)	92 (22/24)

Commentary

- ▶ Lincolnshire was the best performing area in making good assessments across a wide range of cases.

- 8.8 It was apparent that the NPD needed to clarify the expectations placed on VLOs with regard to assessment. Examination of the case files revealed that safe supervision of the offender was only reached through a careful balance between the victim's concerns and needs and the acceptable requirements of the offender in relation to their rehabilitation. Discussion with VLOs and case managers from all areas suggested that this equilibrium was best achieved when the VLO did not simply pass on any concerns without comment but placed them in the context of an assessment of the victim's vulnerability. The victim's concerns, as reflected in the VLO's report, carried much greater weight in these cases and were more likely to be used by the case manager to set the parameters for supervision of the offender.
- 8.9 The task of VLOs in assessing the victim's vulnerability and the risk of re-victimisation was therefore a highly skilled and sensitive task. It was apparent that, if the victim's view was to have any meaningful impact on the supervision of the offender, the role of the VLO had to move from that of an advocate towards effective victim case management. These issues had been debated at length in some areas, most particularly in one district (Wigan) in Greater Manchester where inspectors were impressed at the quality of the reports produced and the use made of them in the supervision of the offender. This work would be assisted by the development of a standard assessment framework for victims.

Criterion: *Appropriate communication occurs at key stages in lifer cases and other long sentences, including notification of the tariff.*

- 8.10 The guidance described the form and content of communication at key stages of lifer and other long sentences and specified that victims should, unless they had indicated otherwise, receive an annual letter as a way of maintaining contact. Similarly, the victim should also be informed of the life sentence tariff. Victims' records should be kept for the same duration as those of the offender.
- 8.11 All areas expected a letter to be sent at least annually to victims in lifer cases, in accordance with the guidance. The number of lifer cases included within the file reading sample was too small to ascertain whether this was undertaken in all cases. Discussion with staff, however, suggested that these letters were sometimes overlooked and areas needed to take action to ensure that the process was properly monitored at a local level.
- 8.12 VLOs were expected to notify victims of the tariff set for offenders serving life sentences, but reported difficulties in obtaining the information. Rather than relying on the case manager, most made direct contact on an ongoing basis with the Lifer Unit at the prison service. Similar concerns were expressed by victims interviewed by HMIP, with one saying that *'they had no idea about the tariff and were informed by a friend of the murderer's family'* and another that they obtained more up-to-date information from the police. A victim in Avon & Somerset had complained about an offender's tariff being reported in the local press, prior to notification by the VLO. On investigation it was found that the probation area had not received the information and the matter was referred to the NPD. As a result, the procedures had been clarified with the prison service and the NPD was to circulate updated prison service guidance which was to ensure that information about tariffs would be sent directly to the case manager who would then be responsible for communication with the VLO.

Criterion: Contact with victims pre-release:

- (a) the VC5 form for ACR/parole notification is completed by the supervising officer and sent to the VLO giving appropriate notice of the deadline for enquiries;**
- (b) VLOs contact victims promptly to ensure their views are taken into account when HDC, ACR, parole or any other pre-release reports are prepared;**
- (c) ACR/parole assessment notification form VC5 part 2 (or other equivalent mechanism) are completed in sufficient detail, given the circumstances of the case, and sent back on time.**

8.13 The VC5 form was designed for the exchange of information between the case manager and VLO at the point of ACR or parole applications. It covered the victim's representations and whether they would want an application to be made to the prison governor for non-disclosure of their information. As shown in table 14, HMIP found that the form was used inconsistently. The majority (81%) of requests for reports from VLOs were made by means other than the VC5 form, with e-mail being the most common.

Table 14: Use of form VC5 (Source: File reading exercise)

Criteria	Use made of form VC5
Avon & Somerset	VC5 used by case managers and VLOs.
Bedfordshire	VC5 used by case managers and VLOs.
Greater Manchester	Form had been adapted to include name of originating area and its destination.
Lincolnshire	VC5 used by case managers and VLOs.
South Wales	Standard forms not used.
Teesside	A different form had been devised for internal use, with VC5 being used to communicate with other areas.
Thames Valley	The use of the VC5 had been promoted to staff, but to little effect.
West Yorkshire	Standard forms not used. The internal pro forma was being revised to meet the national standard.

Commentary

- ▶ Only three areas used form VC5 without amendment.
- ▶ One area had amended the form.
- ▶ Four areas used other means to communicate between the case manager and VLO.

8.14 The guidance required victims to be informed of significant events concerning their cases. All of the areas inspected used manual systems for monitoring and prompting the points at which communication should take place between case managers and VLOs. These systems were often devised by individual staff members for their own use, and were not introduced across the area, so risking inconsistency. The administrative systems varied according to the staffing structure, i.e. whether VLOs were in a specialist unit or in a generic team alongside case managers.

8.15 Many VLOs took the initiative and put a lot of energy into ensuring that they learnt of key dates, lacking confidence that they would otherwise be informed. The file reading confirmed their concern, showing that supervising officers were less proactive in communicating with VLOs and that SPOs rarely monitored this issue. For example, case managers passed on requests from the prison service for VLO reports in only 33% of

cases in Avon & Somerset and 39% in West Yorkshire. There was some evidence that co-location of staff assisted communication. Table 15 records whether the case manager issued a request to the VLO to obtain the victim's views as soon as a request for a report was received from the prison service.

Table 15: Timeliness of requests for information from VLOs (Source: Sample 2 – File reading result)

Criteria	Yes, and promptly	Yes, but not promptly	No	Not applicable because no requests made for a report
HDC	19% (24/128)	4% (5/128)	24% (31/128)	53% (68/128)
ACR date	16% (20/126)	2% (2/126)	26% (33/126)	56% (71/126)
(DCR) first or subsequent parole review date	17% (20/119)	3% (3/119)	9% (11/119)	71% (85/119)

Commentary

- ▶ The high proportion of cases, particularly DCR, where no request was made for information from the VLO was concerning.
- ▶ Where requests were made they were prompt.

8.16 The file reading exercise examined the quality of the VLO's communication of the victim's views to the case manager when a meeting had actually taken place between the VLO and the victim. Where this occurred, the victim's views were provided in sufficient detail, well or reasonably well in 88% of cases. However, no meetings took place in 28% of all applicable cases. Although it was possible in some ACR cases, where the offender was serving a short sentence, that victim contact might be restricted to the initial interview, this finding was worrying and required further investigation by areas.

Criterion: Communication between supervising officers and VLOs:

- (a) ACR/parole assessment reports contain victims' views in a manner which reflects the content of VLOs' reports. Victims' concerns are used to inform the use of additional licence conditions;**
- (b) supervising officers forward a copy of the parole/ACR/HDC report to the VLO with the VC6 the Release Notification Form;**
- (c) VLOs complete part 2 of VC6 and return it to the supervising officer;**
- (d) disclosure of victims' views: is dealt with according to the guidance in section 9 of Probation Circular 62/2001, any issues of non-disclosure are handled in a manner appropriate to the case.**

8.17 The right of the victim to make representations about release conditions was enshrined in Section 69 of the CJ&CSA 2000. Section 6 of the guidance provided detailed, supplementary advice for staff on consulting the victim and the content of reports. These systems were intended to promote timely provision of victim information to the prison Service. Section 9 of the guidance advised on the victim's right to confidentiality in having their views put forward, for example by attributing them to the VLO.²⁸

²⁸ Probation Circular 29/2003 *Victim Contact Work* updated the guidance contained in Probation Circular 62/2001.

- 8.18 We considered the extent to which the case manager’s proposals for licence conditions fully reflected the victim’s views. The results are shown in table 16.

Table 16: Proportion of licence conditions reflecting the victim’s view (Source: File reading exercise)

Criteria	ALL	Avon & Som	Beds	Gtr Man	Lincs	South Wales	Tees-side	Thames Valley	West Yorks
Licence proposal fully or reasonably reflects victim’s views	61% (75/122)	83% (10/12)	77% (20/26)	75% (9/12)	100% (4/4)	57% (8/14)	38% (9/24)	57% (4/7)	48% (11/23)

Commentary

- ▶▶ One in three reports failed to reflect victims’ views fully.
- ▶▶ In Avon & Somerset victims’ views were attributed to the case manager.

- 8.19 The file reading exercise revealed that VLOs were not asked to provide a report in a remarkably high number of cases and, where they were, insufficient attention was being given by case managers to victims’ views when proposing for licence conditions. It is possible that some reports had attributed the victim’s views to others such as the VLO or the case manager themselves, as in Avon & Somerset. Nevertheless, there should have been greater correlation between the case manager’s and VLO’s reports. This finding was worrying and emphasised the need for both the case manager and the VLO to work together to ensure that the victim’s concerns were communicated and taken forward in the context of the work to be undertaken with the offender.

- 8.20 About a third of victims (37%) consented to their views being made available to the case manager to inform work with the offender. The majority (63%), however, requested that their concerns were not disclosed to the offender. Those who did not gave the wish to protect their privacy and avoid giving information to the offender as the main reasons. In Greater Manchester, victims were asked at the initial interview whether their views could be disclosed to the offender, but this was not clearly recorded in the report.

- 8.21 Case managers and VLOs throughout the inspection were positive about prison governors and the Parole Board who were seen as supportive to proposals for licence conditions relating to victims’ issues. However, there were some concerns that detailed conditions could disclose information about the victim’s whereabouts and increase their vulnerability. For example, a victim who took part in the HMIP survey commented that the exclusion zone would let the offender know where they went shopping and socialised.

- 8.22 The file read included 17 applications to the prison governor or the Parole Board for non-disclosure, but only three of these were sent according to the guidance, that is as a separate document, headed “NOT FOR DISCLOSURE – SUBJECT TO APPLICATION TO THE GOVERNOR”. The guidance stated that there were five principal grounds on which information may be withheld from the offender and applications for non-disclosure should state which applied. The most relevant to the victim were:

- disclosure of information may endanger the safety or physical or mental health of any individual

- when the source of the information is a victim, and disclosure without their consent would breach any duty of confidence or prejudice the future supply of such information.

8.23 There was no indication in the case files that the victim was given the opportunity of rewriting their section of the report where it was not possible to withhold information from the offender. Also the safeguards set out in the guidance, including informing the victim, were not always adhered to. Greater care should be taken with requests for non-disclosure to ensure that the victim’s right to protection was safeguarded, as shown in table 17.

Table 17: Proportion of victims satisfied with safeguarding arrangements (Source: HMIP victim satisfaction survey)

Criteria	Yes, clearly	Yes, but not very clearly	No
Were you asked clearly whether or not your views could be disclosed to the offender in deciding conditions of release?	45% (27)	15% (9)	40% (24)
Did the area tell you clearly what the procedures would be if you did not want your views disclosed, but you did want them to be considered in deciding on licence conditions?	36% (21)	22% (13)	42% (25)

Commentary

- ▶ Nearly half of the victims who responded did not think they had been asked whether their views could be disclosed to the offender.
- ▶ A similar number did not know what the procedure would be.

8.24 Different practices were found across areas. In Greater Manchester it was not clear from the file reading whether victims had consented to sharing information. Victims in Bedfordshire did not see the VLO report prior to disclosure. Thames Valley had the largest proportion of victims withholding consent to share information and subsequent contact with victims showed significant confusion over disclosure issues. These issues were to be addressed by further guidance.

8.25 We found that VLO staff had little knowledge and so lacked confidence in the arrangements for non-disclosure within the prison system. Despite this, there was little evidence from interviews with staff, victims, and the HMIP satisfaction survey or from inspection of records that requests for non-disclosure had been ignored. Some VLOs were asked to provide reports directly rather than having the victim’s views incorporated in the case manager’s report. This contravened the NPD guidance and many were confused about the correct process. Reports should have been sent to the case manager and then forwarded to the prison.

8.26 There were examples of good local links being developed, and it was evident that many of the criticisms made during the course of the inspection referred to prisons outside the area. Inclusion of victims’ issues in contracts between probation areas and prisons would be a way of promoting best practice.

Good practice example:

In Greater Manchester, one of the seconded prison SPOs had provided training for prison staff on victim contact work.

Criterion: Ongoing contact with victims and closure of cases is managed according to section 10 of the guidance.

- 8.27 The guidance also set out the requirements for maintaining contact with victims and closing cases. These processes were based on a combination of standard procedures and self-determination by the victims. In most areas the initial meeting between the VLOs and victim was followed up by telephone or written communication with little further face-to-face contact in the later stages. The fact that the only national standard target relating to victim work concerned the timeliness of initial contact reinforced this approach and did not encourage additional meetings at subsequent stages of the sentence, despite the expectations in the guidance.
- 8.28 The file reading showed that 64% of victims were not clear what to expect by way of post-release support, although 85% were given a contact telephone number. Only 23% said that they had been told what information they would receive if the offender breached the licence conditions or was recalled to prison. Similar comments were made through the HMIP satisfaction survey, in which 89% indicated that they wanted information about the release conditions and less than half were completely satisfied with the way in which it was currently provided.
- 8.29 We found that, in most areas, contact with victims ended at or about release, rather than at the end of the licence. Some victims may, however, have felt more vulnerable and in need of advice and information once the offender was back in the community. There were examples of good practice in Bedfordshire and Teesside where, as well as contact details being provided, the case remained open and, in Thames Valley, an additional standard letter was also sent on termination of the licence.
- 8.30 During the fieldwork staff were often unclear as to the arrangements for disposal of victims' records and some areas had internal policies which superseded those of the NPD. For example, records in Teesside were kept for at least six years.

Overall findings for Standard 5: Quality of service delivery: Exchange of information, written reports and records

Strengths

- The initial interviews were recorded well in most areas, with pro formas being developed and used to promote consistency.
- VLOs communicated with case managers promptly about victims' concerns.
- VLOs made considerable efforts to ensure that they learnt of significant dates for the victims.

Areas for improvement

- The expectations placed on VLOs when assessing victims needed to be clarified.
- Victims of offenders serving life sentences reported delays in receiving the tariff.
- The victim's views were not appropriately reflected in all the reports prepared for the prison and Parole Board and no request was made for information in a high proportion of DCR cases.
- Guidance on non-disclosure to prisons was not always followed and VLO staff lacked confidence in its application.
- Victims were not clear what service to expect following the offender's release.

Recommendation

The NPD should ensure that victims' views are appropriately taken into account in the supervision of offenders through the development of a standard assessment framework for VLOs to use when working with victims.

9. STANDARD 6: Inter-agency arrangements and cross-area border responsibilities

Description of STANDARD 6:

The area has in place systems and structures to ensure good communication and referrals between agencies within the area and with other probation areas.

- 9.1 This chapter looks at how work with other agencies and areas was formalised and arrangements implemented. It concludes by commenting on the service offered to the victims of Street Crime.

Criterion: *Protocols with other relevant agencies are developed and reviewed regularly.*

- 9.2 Arrangements were in place at a national level for the NPS to receive victims' details from the police in accordance with the Victim's Charter. Probation Circular 8/97²⁹ outlined the agreement that had been reached with the Association of Chief Police Officers to provide details when requested by probation services. Although these instructions had been in place for five years, they were still to be implemented consistently across all police forces. Areas felt that the police did not attach the same significance to the timeliness of information as, unlike the probation service, they did not have a target for contacting victims within eight weeks.
- 9.3 In some areas, the delays were also attributed to different interpretations of data protection issues. An attempt was made to clarify the situation in Home Office Circular 33/2001.³⁰ A standard paragraph was to be inserted in the letter sent by the police to victims, informing them of the offender's sentence, which would state that their details would be sent to the local probation area unless they indicated otherwise within 10 days. However, not all victims were sent this letter and, even if they were, not always within the short timescale required. The audit showed that only 19 of 42 areas had implemented Home Office Circular 33/2001 and concerns existed over the timeliness of information in 12. These findings were related, as the majority of areas where timeliness was a problem attributed the delays to the implementation of Home Office Circular 33/2001. A number of police and probation staff expressed serious reservations about the viability of the arrangement and its ability to assist probation areas to meet their deadlines.
- 9.4 The data protection issues contained in Home Office Circular 33/2001 were interpreted in various ways by the police in the different areas inspected. In all but one, however, the process was clear and was designed to assist the local probation area in meeting its target for initial contact. Three areas had draft protocols outlining the new arrangements to be put in place to meet the requirements of the circular. One protocol was agreed but

²⁹ Probation Circular 8/97 *Probation service contact with victims.*

³⁰ Home Office Circular 33/2001: *A revised version of the "Release of Prisoners" leaflet.*

did not specify the timescale for the information to be produced. The arrangements did not always require formal protocols and two areas just relied on a simple administrative system.

- 9.5 Good working arrangements existed between police and probation staff, except in South Wales where there were significant delays in the receipt of victim information. Data protection issues had already been addressed in protocols relating to the registration of sex offenders in three areas who were able to build upon these helpful precedents. In South Wales, the arrangement with the police was not covered by any formal arrangement or protocol and the information received could be inaccurate or late.

Good practice example:

Teesside had set up protocols for receipt of victim information with neighbouring police forces to overcome difficulties about exchanging information on 'out of area' cases and had thereby improved their ability to meet the NPD target.

- 9.6 Although there was often evidence of good working practices with VSSs but they were not always formalised in a protocol. Bedfordshire, Thames Valley, Lincolnshire, West Yorkshire and part of Avon & Somerset had written protocols or service level agreements. However, it was not always current nor did it cover all the key issues, such as the different organisational roles and joint working practices. The ease with which probation staff had set up joint arrangements varied across the area in several instances. All needed to review their working practices with VSS to ensure they were consistent and contained in an up-to-date protocol.
- 9.7 There was considerable confusion about contact with the victims of young offenders. Whilst probation areas had been told to undertake the work,³¹ the instruction in the monitoring form was less than clear and had not been circulated to YOTs by the Youth Justice Board. Consequently, local practice was patchy and it was not always possible to determine whether or not the victims of young offenders were getting a victim contact service or not. The difficulties were exacerbated by the fact that YOTs themselves had contact with victims at the pre-court stage to discuss reparation and mediation packages to put to the court. Unless victim contact was clearly spelt out, the two roles could become confused, both in the minds of the workers as well as the victims.
- 9.8 Examples of good practice did exist. In Lincolnshire, probation staff were undertaking the statutory duty to contact victims of YOTs under a new protocol. Bedfordshire was also working with victims of young offenders although its protocol needed updating to include the wider requirements of the CJ&CSA 2000. In Bristol and part of Greater Manchester, local staff worked well together to ensure that the work with the victims of young offenders from the YOT was passed to the VLO.

³¹ Op cit. See footnote 5.

Good practice example:

In Greater Manchester, the Salford team VLO and the victim specialist in the local YOT had established a good system for close liaison.

- 9.9 The NPD were developing a strategic protocol with the Youth Justice Board for this work. Until it became available it was very difficult for local areas to negotiate with local YOTs, some of whom were unaware of the statutory duty placed upon the probation service. It was apparent that any national protocol would require a clear implementation strategy to overcome the difficulties evident in the field.
- 9.10 No area had included victim contact in the contracts with prisons. In local prisons, the work consisted of informing offenders of victims' rights and raising awareness about the impact of their offending. An example of good practice was found at HM Prison Wealstun where, instead of waiting until the offender made an application for HDC, staff piloted an agreement to seek the victim's views beforehand. In prisons with offenders serving long sentences, victim contact and communication, either at key stages of the sentence or some unforeseen event such as an offender absconding, could be usefully reinforced by inclusion in the contract. During the inspection a number of areas visited were negotiating new contracts with prisons. This work would be aided by a national lead, with a standard set of requirements stating what information should be passed on to probation areas and identifying timescales.
- 9.11 Contact with local SSDs was not frequent but could be complex, particularly in cases involving children. Areas should discuss the issues and agree a protocol, covering, as with VSS and YOTs, the statutory duty, roles and the arrangements for joint working where required.
- 9.12 Even when areas had protocols with other agencies, they had still to establish a formal structure for communication, such as joint meetings and a system of regular reviews. Quarterly meetings would be useful with the police, YOTs and VSS. Protocols with all agencies, including SSDs, should be subject to review, based on evaluation of the quality of the work, informed by structured monitoring.

Criterion: Effective formal local or regional inter-agency arrangements have been agreed with the police, VS, YOTs, prisons and social services to ensure a reliable flow of information between agencies to meet the requirements of victims.

- 9.13 Regional collaboration was limited but some positive initiatives were seen. Lincolnshire had established useful links with other probation areas at middle manager level. A regional group had organised several cross-grade training events and a conference in autumn 2002 to share best practice and improve homogeneity. Lincolnshire also encouraged its victim contact administrative staff to visit other areas to share and develop their practice. The ACO in Thames Valley chaired a regional risk management and victim network, set up to promote greater consistency, which had also arranged a conference, and the SPO was involved in a practitioner group. Greater Manchester was working with other probation areas in the North West to pilot a victims' survey in Merseyside for potential roll-out across the region.

Criterion: Systems between probation areas are in place to ensure 'out of area' work, as described in Probation Circular 62/2001, including the use of pro formas and instructions, is handled effectively.

- 9.14 Systems for contacting 'out of area' cases varied between areas. Most staff used the VC1 form but had customised it. This form contained in the national guidance did not cover all types of cases and was particularly difficult to use when both the offender and victim were out of the area. Consequently, letters and even e-mails were used with the potential for confusion. Several areas had made arrangements with their neighbouring areas to undertake this work in a different way from that described in the national guidance, leading to inconsistency in practice.
- 9.15 Problems with the NPD lists of contacts were evident as some areas had supplied only an ACO name and VLO and administrative staff needed an operational contact to resolve day-to-day queries. The most frequent issues were:
- finding the office address where an offender was being supervised 'out of area' to send information to the supervising officer
 - contacting 'out of area' police for victim details
 - 'follow the Judge' cases when the originating court was in another area
 - where bordering areas made specific and different arrangements to fit local circumstances
 - discretionary cases where areas had different criteria for accepting such cases.
- 9.16 While acknowledging there was no easy solution to the issues posed by the 'out of area' cases as they stemmed from the wording of the Act itself, it must be possible to find a more practical system. This should be taken forward by the NPD to ensure consistency between areas.

Criterion: The area has a system for checking that any delays which affect the service to victims and any issues of communication are brought to the attention of the other agency/area and resolved.

- 9.17 Staff showed remarkable tenacity in following up individual cases when delays occurred. Administrative staff chased victim information from other areas by letter and telephone, obstacles were overcome and results for initial contact were constantly improving. VLOs were assiduous in investigating returned letters and sending reminders when no reply was received, checking the addresses and giving victims a second chance to take up the service.
- 9.18 The Crown Court systems for the identification of the victims needed attention. The best practice was in Greater Manchester Crown Courts where a member of the administrative staff had a specialist role in checking forms filled by PSO and PO colleagues to ensure accuracy before the prosecution case papers left the building. The administrative manager also had an excellent system for contacting 'out of area' cases.

- 9.19 Some areas had experienced problems due to the absence of administrative and VLO staff. As the work was a specialism in many areas, there were no other staff trained to step in if gaps occurred. All areas should ensure sufficient knowledge in the organisation to provide contingency arrangements for victim contact work as a matter of course.

Good practice example:

Staff in West Yorkshire had access to a database of court results in order to check that all relevant victim cases had been identified.

Criterion: (Where applicable) Is the area meeting its obligations under the SCI (Probation Circular 30/2002)?

- 9.20 Four of the eight areas inspected were designated under the SCI. The NPD had not required areas to undertake any additional victim work with these offenders designated under the SCI but expected a 'step change' in the level of contact.
- 9.21 Thames Valley not only ensured all SCI cases were contacted in line with the national standard but also examined those cases that did not come within the criteria to offer discretionary contact. SCI cases were marked with an 'R' by the CPS, which assisted identification and monitoring. The response from West Yorkshire offering all victims of robbery contact, even if the offender was sentenced to less than 12 months, exceeded the statutory requirement. Very few cases had been sentenced under SCI in Greater Manchester but, as the area was meeting the national target, they were confident that these victims would be contacted within eight weeks. The cases were not being monitored separately, however, so the area would not be able to assess their own performance. Avon & Somerset were actively engaged with the SCI and all the victims of these offenders were flagged and specifically targeted by administrative staff to ensure every effort was made to offer them the service.

Overall findings for Standard 6: Inter-agency arrangements and cross-area border responsibilities

Strengths

- Good working relationships existed between probation areas and the police and VSS.
- Regional collaboration was limited but some positive initiatives were seen.
- Staff showed remarkable tenacity in following up individual cases where delays had occurred.

Areas for improvement

- Although arrangements were in place for the NPS to receive victim information from the police, they did not meet probation areas' need for timely information.
- There was confusion concerning contact with the victims of young offenders.
- Links with agencies needed to be strengthened by the agreement of a protocol, covering the statutory duty, respective roles and arrangements for joint working where necessary.
- Systems for contacting 'out of area' cases varied leading to inconsistencies in practice.
- Crown Court systems for the identification of staff differed.

Recommendation

The NPD should facilitate good communication with other organisations involved in victim contact work, such as the police, VSS, YOTs and SSDs, by advising areas on the development of protocols and their review.

10. STANDARD 7: Wider diversity

Description of STANDARD 7:

The NPS has taken into account the needs of the local community and given attention to the accessibility of victim contact arrangements to meet victims' specific needs and any wider diversity issues.

- 10.1 This chapter takes an overview of the work on wider diversity issues within victim contact work.

Criterion: *The NPD has progressed the collection of race and ethnicity data on victims.*

- 10.2 The HMIP report on victims 2000 contained the recommendation that the Home Office should "*consider whether it is appropriate to monitor routinely the race and ethnic origin of victims contacted by the service and, if this is considered appropriate, introduce monitoring arrangements.*" The wording was cautious out of recognition of the sensitivities involved in surveying people who were accessing a service on a voluntary basis as victims of a serious offence. However, there was no evidence that any action had been taken by the NPD to implement the recommendation. As areas were not required to collect and monitor the ethnicity of victims, the NPD had no means of knowing whether the NPS was meeting the wider diversity needs of victims. This omission should be rectified.
- 10.3 This lack of central direction created difficulties for areas in that the only system available, the PREM form, was not tailored to victims. Another obvious issue raised by staff throughout the inspection was the difficulty of knowing whether they were meeting the needs of minority ethnic groups, as little information was available about those who chose not to take-up contact.
- 10.4 Avon & Somerset and Thames Valley were attempting to address this problem at a local level by exploring the possibility of obtaining information about victims' ethnicity from the police at the point of referral. It was an example of good practice. This initiative would be further improved once the police changed to self-identification in 2003. Thames Valley was also attempting to survey all those victims who did not take-up the service but with limited success. We experienced similar problems with the low returns for the questionnaire for this inspection. Every effort should be made to tackle this issue in the design and administration of the NPD survey.

Criterion: Evidence that attention is given to victims with specific needs:

- (a) the needs of women who are often disproportionately represented as victims especially in certain offence categories, particularly domestic and sexual violence;**
- (b) evidence that the area's policy, procedures and practice take account of the specific needs of child victims;**
- (c) methods were sought to assist areas to deal sensitively with victims who are targeted because of their race, ethnicity or sexual orientation;**
- (d) availability of leaflets and letters in other languages.**

10.5 Areas were aware of the different issues relating to male and female victims of sexual offences but were not always able to ensure these victims were given the choice of a VLO of the same sex due to the staffing profiles of the area. Only three of the areas inspected could match victims' gender/race to staff member. Victims were asked, as part of the inspection, for their views about the gender and ethnicity of the VLO and whether it made a difference to the service they received. The responses are shown in table 18.

Table 18: Do you feel that the gender and/or ethnicity of the person you saw was helpful to the way they worked with you? (Source: HMIP victim satisfaction survey)

VLO gender or race	Initial contact sample	Post-release sample
Did not make a difference	52%	64%
Gender and ethnicity of staff was helpful	47%	33%
Gender and ethnicity of staff was unhelpful	1%	3%

Commentary

▶ The majority of victims felt the gender or race of the VLO did not make a difference.

10.6 Although most victims said that they would welcome the option, the awareness and knowledge of the VLO was considered to be more important. Commendable efforts were made by male VLOs to be sensitive to the needs of female victims of sexual violence. It was essential that VLOs were able to approach the particular offence with an appreciation of the personal and difficult issues that it raised for the victim and their implications.

10.7 Some local initiatives had focused on domestic violence cases. The Duluth pathfinder in West Yorkshire involved the services of HALT to support female victims. They used an agreed pro forma for referral and were working together to improve processes. Lincolnshire had established an inter-agency post of domestic violence manager funded by the statutory agencies whose expertise was invaluable in individual cases. This post, a model of excellent practice, was to be developed into a more strategic role.

10.8 Nevertheless, the degree to which individual VLOs were aware of the issues for victims of domestic violence varied considerably, although some were in contact with local Domestic Violence fora or their local refuge or Women's Aid. Specific training for VLOs was not available. This omission needed to be addressed.

10.9 There was no guidance on child victims, apart from the NPD circular which contained the instruction to contact the parents, guardian or social worker of a child victim and to take account of the victim's age and maturity. Arrangements with the SSDs were not

sufficiently clear. Some areas did not inform the local SSD adequately about victim contact and, consequently, met with difficulties when requesting the involvement of a social worker. Others did not record the age of the victim. All areas should attend to this weakness as a matter of urgency. Areas should notify SSDs about the service and set up clear arrangements for liaison in cases where there were child victims with social workers involved.

- 10.10 Some examples of good practice in relation to child victims were apparent. In Greater Manchester, VLOs were informed of the involvement of a responsible adult or the SSD. In Bedfordshire and West Yorkshire, police flagged up cases involving child victims as standard practice. HM Prison New Hall for women was developing a protocol with ACPCs on child victim work. Probation staff at HM Prison Woodhill demonstrated a high level of awareness in working to prison guidelines for child protection. In a number of individual cases VLOs had made specific additional arrangements to meet the needs of child victims.
- 10.11 Almost all areas were exercising discretion in cases of 'hate crime' and VLOs were beginning to develop particular skills for working with the issues. Clear guidance was urgently required to determine which crimes came into the definition of hate crime and identify the specific concerns faced by these victims. Contact should be established with supporting organisations and staff training needs addressed.

Good practice example:

In a case in Bristol, Avon & Somerset, the VLO read the CPS papers to ascertain the language of the victim from witness statements and then arranged for the initial letter to be translated into the appropriate languages, to be sent out alongside the English version.

Criterion: Consultation with minority groups has been undertaken wherever possible to improve the quality of service.

- 10.12 There was little evidence of any consultation with local communities concerning the service given to victims of minority groups. However, West Yorkshire was working with a newly appointed diversity advisor to develop links with minority ethnic organisations. Several areas participated with groups to prevent hate crime, specifically racial harassment, and most were involved in work with their Race Equality Councils. Areas could build on similar links made by the HR departments to improve recruitment to develop a forum for the victims of sexual and violent offenders.
- 10.13 Greater Manchester showed what could be achieved through working with local groups. The area had extensive working relationships with community organisations such as the South East Asian Offenders' Group, Age Concern, CRUSE (bereavement care) and the Pakistani Resource Centre. Staff were able to put these resources to good use by ensuring that the victims of racially motivated offenders were identified from the CPS papers and advice and support obtained through community groups.

Good practice example:

Some VLOs found the Metropolitan Police Handbook on diversity very helpful in working with individuals from minority groups.

Criterion: The area has monitored action to meet the specific needs of minority groups:

- (a) as identified in Probation Circular 62/2001 to see that it is being implemented;***
- (b) victims by ethnic group and/or the prevalence of offences against certain groups (e.g. domestic violence or homophobic offences);***
- (c) use of any such monitoring information to inform service delivery.***

- 10.14 A number of areas sent out a diversity monitoring form to all victims with the initial letter. These forms dealt with a number of wider diversity issues, which could have assisted the area in designing a service sensitive to the needs of the individual. The fact that they were not collated was a missed opportunity.
- 10.15 In Greater Manchester a Disability Focus Group had looked at the needs of victims, examining, for example, the demand for signers. Avon & Somerset and Lincolnshire used the PREM forms at the first interview with victims. Staff described how helpful it was in assisting them with individuals, but no use was made of the aggregated data to inform service delivery.

Overall findings for Standard 7: Wider diversity

Strengths

- Individual areas were attempting to assess the diverse needs of victims by completing PREM forms, obtaining information on ethnicity from the police and sending out diversity checklists.
- Areas were aware of the needs of both male and female victims of sexual assault.
- VLOs were beginning to develop skills in working with victims of 'hate crime'.

Areas for improvement

- The NPD had not progressed the collection of race and ethnicity data on victims. The lack of central direction created difficulties for areas when attempting to monitor their own practice.
- There was little NPD guidance to support work with child victims and arrangements with SSDs were not sufficiently clear.
- Consultation with community groups regarding victims work had only taken place in a small number of areas.

Recommendation

The NPD should ensure that all victims have equal access to the contact service and that the specific needs of those from minority groups are given appropriate consideration by taking urgent action to progress the collection of race and ethnicity data on victims and to use these to inform service delivery.

Appendix 1

Comparison of numbers of victims reported by areas with number of offenders sentenced

	(A) Offenders sentenced 2001 (Violent & Sexual Offences) 12 months and over	(B) Victims reported by areas 2001/2002 12 months and over	Ratio (B)/(A)
Avon & Somerset	168	503	2.99
Bedfordshire	155	273	1.76
Cambridgeshire	84	157	1.87
Cheshire	185	209	1.13
Cumbria	72	132	1.83
Derbyshire	117	269	2.30
Devon & Cornwall	159	221	1.39
Dorset	66	102	1.55
Durham	44	67	1.52
Essex	150	240	1.60
Gloucestershire	38	119	3.13
Greater Manchester	516	1,110	2.15
Hampshire	263	289	1.10
Hertfordshire	82	149	1.82
Humberside	142	280	1.97
Kent	217	363	1.67
Lancashire	312	476	1.53
Leicestershire	149	253	1.70
Lincolnshire	74	134	1.81
London	1,144	2,095	1.83
Merseyside	278	699	2.51
Norfolk	82	158	1.93
North Yorkshire	77	155	2.01
Northamptonshire	94	233	2.48
Northumbria	210	437	2.08
Nottinghamshire	211	376	1.78
South Yorkshire	227	477	2.10
Staffordshire	146	390	2.67
Suffolk	71	93	1.31
Surrey	36	94	2.61
Sussex	166	395	2.38
Teesside	155	250	1.61
Thames Valley	225	325	1.44
Warwickshire	72	176	2.44
West Mercia	153	233	1.52
West Midlands	492	1,443	2.93
West Yorkshire	354	1,038	2.93
Wiltshire	55	86	1.56
Wales areas (together)	461	542	1.18
England and Wales Total	7,702	15,041	1.95

Appendix 2

STANDARD 1: Results and monitoring

Criteria:

1. Clear guidance has been issued to areas by the NPD on the collection of information on meeting the target.
 2. Systems are in place to ensure contact meets the target:
 - (a) an arrangement has been established with the police, Crown Court or others to ensure victim contact staff receive full information in a timely manner;
 - (b) administrative systems enable staff to identify and contact victims within eight weeks of sentence;
 - (c) arrangements are in place to coordinate cases where there are multiple victims;
 - (d) offer of contact is actually made within eight weeks of sentence.
 3. The area has made all reasonable attempts to ensure face-to-face contact takes place.
 4. The Board receives regular reports which:
 - (a) contain progress towards meeting national and area targets;
 - (b) breakdown the information by race, gender and ethnicity and used to assess disproportionate impact on any minority group.
 5. Effective monitoring systems are in place to report the results to the Home Office in accordance with Probation Circular 61/2001.
 6. The NPD is gathering evidence on whether the NPS is meeting its statutory duties to all victim groups and taking corrective action as appropriate.
 7. Victims are satisfied with the service they have received.
-

STANDARD 2: National Probation Service and area policy and procedures

Criteria:

1. The NPD has provided sufficient leadership to areas on victim contact.
 2. Appropriate guidance has been produced by the NPD to support the implementation of Section 69 of the CJ&CSA 2000.
 3. Areas' policies and procedures cover:
 - (a) the Board's duty to consult and notify victims of the release arrangements of all offenders convicted of a sexual or violent offence leading to a sentence of 12 months or more including the use of discretion in working with victims of offenders who do not come within the statutory duty;
 - (b) arrangements for meeting and monitoring the Home Office target for timeliness of contact with victims;
 - (c) development of systems/procedures sensitive to victims' needs and wider diversity issues;
 - (d) other systems or structures needed to meet the requirements of Probation Circular 62/2001.
 4. Areas' policies and procedures are cross-referenced with other related policies (e.g. public protection, child protection and resettlement).
 5. Clear recruitment policies are in place including:
 - (a) appropriate safeguarding arrangements for victims;
 - (b) evidence that the recruitment of staff has taken account of wider diversity issues (e.g. advertising ensured that minority groups in the community would see the advert).
 6. The method by which a member of the public/victim can complain and the system for dealing with complaints.
-

STANDARD 3: National Probation Service management and resource allocation

Criteria:

1. The NPD is developing appropriate coordinated IT arrangements to support victim contact work.
 2. Allocation of resources is based on sound workload assessment.
 3. There are clear lines of accountability and staff are regularly supervised and appraised.
 4. Training needs have been assessed and met at a national and area level as outlined in HMIP's thematic inspection *The Victim Perspective: Ensuring the Victim Matters* (2000).
 5. Data collection and record keeping are managed in accordance with Probation Circular 62/2001, with due regard for the security and safety of victims.
 6. Links have been established with community organisations that are able to offer continuing support to victims where necessary.
 7. Health and safety procedures are in place which:
 - (a) take account of the specific issues in contacting and visiting victims;
 - (b) ensure victim contact work has been risk assessed;
 - (c) provide the additional support mechanisms to meet the needs identified in the risk assessment of victim contact work.
-

STANDARD 4: Quality of service delivery

Criteria:

1. The guidance contained in Probation Circular 62/2001 is clear and interpreted consistently by areas.
 2. Standard letters and leaflets are used to contact victims which:
 - (a) contain the information specified in para. 5.5 of Probation Circular 62/2001;
 - (b) include a tear-off pro forma with a firm appointment, request for change of venue and specific needs, e.g. interpreter;
 - (c) are available in languages other than English.
 3. Operational systems are in place to ensure:
 - (a) that all the special needs and wider diversity issues covered in Probation Circular 62/2001 are considered;
 - (b) use is made of victims' personal statements where available;
 - (c) the content of the initial interview meets the criteria in para. 5.15 and information is conveyed/received as at Appendix B of Probation Circular 62/2001;
 - (d) victims are informed of the following (when information is available to NPS staff):
 - maintaining contact with victims
 - during the appeal proceedings and notifying the victim of the outcome of those proceedings
 - recall, escapes, deportation and home leave.
 4. When assessing and managing risk priority is given to:
 - (a) the concerns of victims in the risk assessment and management of the relevant offender(s);
 - (b) victims are informed about MAPPPs and information is provided about risk to victims, with their consent, to the meetings;
 - (c) victims are informed about the decisions of multi-agency risk meetings which effect their safety.
 5. Pre-release contact meets the following criteria:
 - (a) supervising officers inform offenders of victims' rights to make representations about the conditions of release;
 - (b) supervising officers ensure VLOs are kept informed of key developments so that the victims' views can be sought in time to allow them to be taken into account when HDC, ACR, parole or any other pre-release reports are prepared;
 - (c) contact is undertaken to meet the criteria for giving and receiving information outlined in Appendix B of Probation Circular 62/2001.
 6. Following pre-release contact:
 - (a) victims are informed promptly about licence conditions and release arrangements in accordance with the guidance in para. 7.1 of Probation Circular 62/2001;
 - (b) during the licence period the area responds promptly to any information about breach of conditions related to the victim and informs the victim of the outcome.
-

STANDARD 5: Quality of service delivery: Exchange of information, written reports and records

Criteria:

1. The initial interview with the victim is recorded and relevant details communicated to the supervising officer.
 2. Appropriate communication occurs at key stages in lifer cases and other long sentences, including notification of the tariff.
 3. Contact with victims pre-release:
 - (a) the VC5 form for ACR/parole notification is completed by the supervising officer and sent to the VLO giving appropriate notice of the deadline for enquiries;
 - (b) VLOs contact victims promptly to ensure their views are taken into account when HDC, ACR, parole or any other pre-release reports are prepared;
 - (c) ACR/parole assessment notification form VC5 part 2 (or other equivalent mechanism) are completed in sufficient detail, given the circumstances of the case, and sent back on time.
 4. Communication between supervising officers and VLOs:
 - (a) ACR/parole assessment reports contain victims' views in a manner which reflects the content of VLOs' reports. Victim's concerns are used to inform the use of additional licence conditions;
 - (b) supervising officers forward a copy of the parole/ACR/HDC report to the VLO with the VC6 the Release Notification Form;
 - (c) VLOs complete part 2 of VC6 and return it to the supervising officer;
 - (d) disclosure of victims' views: is dealt with according to the guidance in section 9 of Probation Circular 62/2001, any issues of non-disclosure are handled in a manner appropriate to the case.
 5. Ongoing contact with victims and closure of cases is managed according to section 10 of the guidance.
-

STANDARD 6: Inter-agency arrangements and cross-area border responsibilities**Criteria:**

1. Protocols with other relevant agencies are developed and reviewed regularly.
 2. Effective formal local or regional inter-agency arrangements have been agreed with the police, VS, YOTs, prisons and social services to ensure a reliable flow of information between agencies to meet the requirements of victims.
 3. Systems between probation areas are in place to ensure 'out of area' work, as described in Probation Circular 62/2001, including the use of pro formas and instructions, is handled effectively.
 4. The area has a system for checking that any delays which affect the service to victims and any issues of communication are brought to the attention of the other agency/area and resolved.
 5. (Where applicable) Is the area meeting its obligations under the SCI (Probation Circular 30/2002)?
-

STANDARD 7: Wider diversity

Criteria:

1. The NPD has progressed the collection of race and ethnicity data on victims.
 2. Evidence that attention is given to victims with specific needs:
 - (a) the needs of women who are often disproportionately represented as victims especially in certain offence categories, particularly domestic and sexual violence;
 - (b) evidence that the area's policy, procedures and practice take account of the specific needs of child victims;
 - (c) methods were sought to assist areas to deal sensitively with victims who are targeted because of their race, ethnicity or sexual orientation;
 - (d) availability of leaflets and letters in other languages.
 3. Consultation with minority groups has been undertaken wherever possible to improve the quality of service.
 4. The area has monitored action to meet the specific needs of minority groups:
 - (a) as identified in Probation Circular 62/2001 to see that it is being implemented;
 - (b) victims by ethnic group and/or the prevalence of offences against certain groups (e.g. domestic violence or homophobic offences);
 - (c) use of any such monitoring information to inform service delivery.
-

Appendix 3

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MOBILE 07973 264412
Fax 020 7273 2131*



June 2002

All Chief Officers

Dear Chief Officer

RE: Thematic Inspection of Victim Contact 2002 – Audit

Further to HM Chief Inspector's letter outlining the above inspection, I am conducting an audit of all areas on several of the key aspects of the inspection. The aim and objectives are outlined in the attached appendix. I anticipate that the audit will be a paper exercise but it may be necessary to follow up the written information by telephone. I would be grateful if you would forward the name and telephone number of the senior manager responsible for victim contact, together with the information identified below, to me at the above address (Room 356) by Friday 2 August 2002.

The following information is requested:

1. Policy, procedures and practice guidance on victim contact.
2. Any examples of policy or methods the area has used to address wider diversity issues in victim contact. Examples could include copies of leaflets translated into other languages, consultation with minority and/or community groups.
3. A description of the model adopted by the area, whether:
 - (a) dedicated specialist staff (includes PO/PSO grades);
 - (b) supervising officer undertakes victim contact;
 - (c) a combination of (a) and (b);
 - (d) other (please specify).

4. Details of the staffing of victim contact:
 - (a) number of staff;
 - (b) grades of staff;
 - (c) your estimate of the actual annual cost to your area of implementing the additional requirements on victim contact resulting from section 69 of the Criminal Justice and Court Services Act 2000. Please also include a brief note indicating how this estimate has been made.
5. Have the police implemented the provision for 10-day notification to victims prior to the release of their details, as outlined in Home Office Circular 33/2001 Annex B? Please give details including protocols if available.
6. Do you have concerns about the timeliness of the information received from the police? If yes, have you raised these formally with the NPD and what was the outcome?
7. Do you receive victim details from:
 - (a) only the police;
 - (b) the police and others. Please indicate all that apply:
 - the police
 - own probation service records
 - court records
 - electoral roll
 - social services
 - press
 - other (please specify).
8. One or two examples of your area's victim contact work which you specifically think represents good practice.
9. Does your area find any particular obstacles to the provision of a victim contact service?
10. Any other comments you would like to include as part of the national audit.

If you have any queries please contact me on the above numbers before 20 June and after 22 July. Between these dates I am on leave and any queries should be addressed to Liz Calderbank on 0161 848 0566 or mobile 07973 384751, or Peter Ramell on 020 7273 3791.

Regards

Yours sincerely

Pat Edwards
HM Inspector