

VICTIM SUPPORT IN THE UK – ITS HISTORY AND CURRENT WORK

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I. INTRODUCTION

Victim Support is the national charity for victims of crime in England, Wales and Northern Ireland and it includes the Witness Service. Scotland also has Victim Support but because its legal system is different to that of the rest of the UK, Victim Support Scotland is a separate organisation. Our role is to help people cope with crime.

II. VICTIM SUPPORT

- Supports victims
- Supports witnesses in all criminal courts in England and Wales
- Campaigns for victims' rights
- Trains staff in other agencies
- Provides consultancy services

Victim Support is the national charity for victims of crime and witnesses. We are an independent service offering free and confidential help, irrespective of whether or not a crime has been reported. Our primary purpose is to help people cope with crime. In recent years we have offered help and support to people attending court, through our witness services. We also campaign for victims' rights and we are regularly consulted by a range of public agencies about issues concerning victims.

We offer training and consultancy services to public agencies and commercial organisations, for example we recently ran a national training programme for the new Youth Offending Teams in victim awareness, via the Youth Justice Board. We also offer consultancy to retail and security firms whose staff have been victims of crime at work.

Victim Support was founded in Bristol, which is in south west England, in 1974 by a police officer and a probation officer. There are now 374 Schemes throughout England, Wales and Northern Ireland, organised into 52 Areas which are coterminous with police and other criminal justice agency boundaries. These are 52 separate charities with their own boards of trustees, which are affiliated to the National Association of Victim Support Schemes (normally known as Victim Support). London and Surrey are organised differently. In London there are 32 boroughs and each has its own separate Victim Support service. In Surrey there are a smaller number of individual services for each major town in the county.

In Victim Support we have:

- 13,803 volunteers
- 1140 staff (98 of these at National Office);
and our finance comes from:
- Central government (the Home Office) which in 2001-2 contributed £27 million, (equivalent to Yen 4.7 billion). This is 80% of our funding
- Local government and donations, which provides 20% of our funding.

Victim Support is a charity, and this enables us to remain independent of central government and the criminal justice system.

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III. VALUES AND PRINCIPLES

- Services are free and confidential – we do not pass information about victims on to other individuals or organisations without the victim's consent
- Valuing diversity helps make our services equally accessible
- We are independent of the criminal justice system, but able to influence it
- We work in partnership with other organisations, locally and nationally.

Confidentiality can be a difficult principle to uphold. Courts and police sometimes expect us to tell them if witnesses we are in contact with do not want to give evidence. The 1998 Data Protection Act has made some police services less willing to share information with us, and we need this information to receive and prioritise referrals. The 1998 Human Rights Act means we have to balance the principle of confidentiality with principles such as the right to life, so in some very limited and exceptional circumstances we would have to breach confidentiality if, for example, someone's life is in danger.

Valuing diversity includes:

- Ensuring staff and volunteers reflect the demographic mix of the communities in which they work
- Making services equally accessible to everyone, regardless of language, race, disability, sexuality etc.
- Ensuring people are offered support in a manner which is appropriate to their needs
- Taking action to promote anti-discrimination initiatives
- Ensuring staff and volunteers are treated fairly.

Although most of our income comes from the Home Office, we are an independent charity and this means we can, when necessary be critical of government initiatives that fail to promote the rights of victims and witnesses. Working in partnership means using local structures (more information about this is available in a later part of this paper) and working with other voluntary and statutory organisations to provide the best possible service to victims and witnesses. Examples of partnership work include the provision of local services to domestic violence victims and support for young witnesses with the NSPCC. In domestic violence work, we do not operate refuges (houses where women who are victims of domestic violence can stay, with their children, to escape the violence). So we have to refer women in need of this provision to the local branch of Women's Aid or Refuge. Similarly, although we support witnesses in court, some specialist aspects of the support might be undertaken by other agencies. The National Society for the Prevention of Cruelty to Children work with children who have been abused, and they might sometimes act as preparer if the child has to go to court. So it is important that we work closely and co-operatively with a range of other agencies.

IV. VICTIM SERVICES

In 2001-02 we contacted:

- 1,257,089 victims
- 151,603 crown court witnesses in 88 crown courts
- 103,073 magistrates' court witnesses in 207 magistrates' courts.

We do not usually offer a service to victims of minor offences and car theft victims, unless these have an unusually significant impact for the person, such as racial harassment or the theft of a disabled person's car.

The Magistrates' Court Witness Service is a very new development for Victim Support. During the year 2000-2001 we have increased the number of services in the magistrates' courts and all criminal courts in England and Wales now have a witness service.

Our 374 local services are managed by 52 Areas (with the exceptions of London and Surrey). Each Area has a Management Committee who are the trustees of the local charity, which employs an Area Manager, a coordinator for each local service and a small number of administrative staff. Most of the support of the victims is done by unpaid volunteers. Areas are individual charities, affiliated to the National Association of Victim Support Schemes.

The witness services are managed by a coordinator, most of whom are supervised by area managers, except in London and Surrey. Some judges and court officials were initially resistant to the establishment of

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witness services, fearing that the service might interfere with the judicial process. However, in many instances the improved support of witnesses has enabled trials to continue when they previously might have failed, and this has helped witness services gain credibility and the respect of witnesses and the court.

Victim Supportline operates during daytime and evening hours, and is run from Victim Support National Office. It is staffed by a manager, six coordinators and a team of volunteers. Last year it took 22,083 calls. Its telephone number is 0845 30 30 900.

97.3% of the victims we help are referred directly by the police, who ask victims if they consent to their details being passed to the local Victim Support scheme. (The Data Protection Act, implemented in October 2001, has made this more difficult.) If the offence is one of domestic violence, homicide or sexual crime, referrals are not made directly. This is particularly important with domestic violence, when we must ensure that contact from a volunteer does not put the victim at further risk.

Victim Support wants to increase the number of victims referred by themselves or other agencies. This is so that we can offer a service to many more of the 54% of victims who, according to the 1999 British Crime Survey do not report the offence to the police.

A. Referral Trends in 2001-02

- More referrals of violent crime (robbery up by 13%)
- Less domestic violence (down by 5% on last year, following a steady increase)
- More referrals of racially motivated crime (up by 13%) – a tenfold increase since 1993
- 27% of referrals are burglary victims
- More referrals of criminal damage (up 8%)

To some extent, these figures replicate current crime trends in the UK, where burglary and theft has reduced slightly, but violent crime has increased. There is more street robbery, partly due to thefts in the street of mobile phones etc by young people, committed against young people. Very recently, there has been an alarming increase in gun crime which is a source of great concern as these offences are a feature of deprived urban communities, and witnesses are often too intimidated to give evidence. The trend for a very large increase in referrals concerning domestic violence, racially motivated crime and other hate crime (including homophobic crime) may be due to more awareness of the extent of these offences, better and more informed police response to it; and for racist crime the establishment of reporting centres. These are at locations other than police stations where racist incidents can be reported to the police, and where Victim Support is often represented.

Types of crime referred to us:

- 65% of referrals are for people who have been victims of property crime such as burglary and criminal damage.
- 29% is violent crime, including homicide, sexual offences and robbery.
- 6% is for referrals of other crime categories, including road death.

V. SERVICE DELIVERY

By volunteers supervised by a smaller number of paid staff

- By specialist staff for supporting victims of racist or homophobic crime and domestic violence
- All volunteers are carefully selected and trained (40 hours basic training)
- Serious crime training is available for more experienced volunteers who want to broaden their skills and experience.

VI. TRAINING

All volunteers must complete a basic training course (about 40 hours). This covers a range of topics including:

- Victim Support aims, values and organisation
- The impact of crime on victims and significant others
- Listening skills and support skills
- Diversity and equal opportunities.

Volunteers are usually expected to work for a few months before going on to do further specialist 'serious crime' training. This includes courses on:

- Supporting victims of racist crime
- Sexual violence (separate courses for supporting male and female victims)
- Domestic violence
- Supporting people bereaved by homicide

There is a separate training programme for Witness Service volunteers.

VII. VOLUNTEER MANAGEMENT

Volunteers are selected by an interview with the local co-ordinator (service manager) and sometimes a committee member. References are taken up and a Criminal Records Bureau check is undertaken to find out whether the potential volunteer has any criminal convictions. Having a criminal record will not automatically bar someone from volunteering for Victim Support – it depends on the nature of their record. Volunteers are expected to attend for regular supervision with the local co-ordinator.

Victim Support volunteers can often do their work in the evening or at weekends, whereas Witness Service volunteers must be available during the day. They are expected to work about one day per fortnight, though many do more hours than this.

VIII. REFERRAL AND ALLOCATION

The Victim's Charter specifies we must contact referrals in 4 days. The local co-ordinator receives the referrals by fax from the police each day and these are prioritised for contact either by letter and leaflet, telephone call or a personal visit to the victim's home by a volunteer. The proportion of victims receiving a personal contact was 23.4% in 2001-02. The number of contacts varies according to type and seriousness of offence, ranging from on average one or two for burglary victims, to six or more for people bereaved by homicide.

Police referrals contain varying levels of information. Sometimes this is sufficient to enable the priority the referral is given to be determined. We should receive data including name, address, offence, ethnic origin, and whether or not they are a repeat victim. But these details are not always available. The co-ordinator will prioritise the referral according to these criteria. Elderly people, victims of hate crime and repeat victims usually get priority. The proportion of victims receiving a personal contact is rather low at 23.4%. It is low because we do not have the resources to speak to every victim, and some do not want contact. However, research suggests that even receiving a letter and one of our leaflets helps victims recover from the effects of crime, because it demonstrates that people care about them.

IX. THE VICTIM SUPPORT SERVICE MODEL

Victim Support provides information, practical help and emotional support to people who have experienced a crime, to witnesses, and to their families and friends. Our services are based on the principle of community involvement – for many people, the expression of concern by a fellow citizen can be very helpful in repairing the harm done by crime. We try to ensure that our volunteers reflect the diversity of the communities in which they work. Our services are provided in the following ways:

- We contact people by letter, 'phone or visit. For some types of crime, such as when someone is bereaved by homicide, we make contact in a different way that reflects the particular sensitivity of the situation.
- We will arrange for a trained volunteer to see people in their homes, at our local office, or sometimes at another place that is safe and convenient for the person being supported.
- The volunteer will provide people with plenty of time and will listen while people talk about their reactions to the crime. If it will help, the volunteer will give information about the wide range of emotions that are normal following a crime.
- The volunteer will identify help and support that will most usefully meet the person's needs and expectations. If help is wanted that is beyond the scope of Victim Support, such as bereavement counselling or re-housing, we will assist with finding that help.
- If practical help is needed, we will try to arrange it. Practical help can include applying for criminal injuries compensation, providing support if the person wants to go to the police station, help with

claiming benefits, access to crime prevention advice, and a range of other services. People bereaved by homicide may need our help with arranging a funeral, while others may need us to advocate on their behalf with other organisations such as the Criminal Injuries Compensation Authority or the local housing department.

- We help people get information. This includes information about their rights, and if they have reported the crime, with progress in the case.
- We can arrange support at court through the Witness Service, which operates in every criminal court in England and Wales, and which is part of Victim Support.
- All our staff and volunteers are carefully selected, trained and supervised to help ensure that we support people in a genuine and professional manner.

Emotions felt on being victimised include shock, anger, fear (about going out, or staying in, about being a victim again, about encountering the offender, about other people's reactions); the shattering of our normal assumptions about life and other people, and sometimes guilt. It is important that people's feelings are listened to and acknowledged – friends and family often jump too quickly to giving advice and telling people to “put it behind you now”. VS volunteers are trained to listen, give the victim time to express their emotions, without giving ill informed advice.

Advocacy can include pressing housing authorities to re-house, liaising with the police, writing a letter to the Benefits Agency etc. Last year we helped about 20,000 people with criminal injuries compensation claims, including helping victims with appeals.

Research shows that what victims are most frustrated by is the lack of information – about progress with their case, about the court process, and progress with their claims.

The Victim Support service is not:

- Counselling
- Legal advice
- Medical intervention

and we cannot normally make our service available when no criminal offence has taken place. However, in practice we do sometimes offer support when it is not certain that a crime has been committed. An example of this is road death. 71% of Victim Support services offer help to people bereaved by road death. That help has to be offered before it is known whether or not one of the drivers involved will be prosecuted.

The British Association for Counselling and Psychotherapy define counselling as being a process that “takes place when a counsellor sees a client in a private and confidential setting to explore a difficulty a client is having, distress they may be experiencing, or perhaps their dissatisfaction with life or loss of a sense of direction or purpose” (BACP, *Training and Careers in Counselling*, 2001). Counselling is beyond our remit because we do not have the resources to offer it, nor the expertise to supervise staff or volunteers engaged in practising counselling. However, all our volunteers are trained to use some counselling skills, particularly active listening. Counselling has had a “bad press” in the UK in recent years. Nor do we offer psychological debriefing.

We do not offer legal advice but we can sometimes help victims to access *pro bono* legal advice.

We do not usually provide a service where no crime has been committed, though in some circumstances we might offer support if none is available from other agencies, for example to people bereaved by suicide.

X. LOCAL PARTNERSHIP WORK

The 1998 Crime and Disorder Act established local crime reduction partnerships. The Act specified that all agencies are equal partners in reducing crime and the effects of crime.

Victim Support is involved, providing information of effects of local crime on victims and sometimes, information about patterns of unreported crime. Partnership work offers opportunities to influence the policies of other local agencies and to improve the service offered to victims by helping organisations to work together effectively and share information. It also enables us to reach out to the 50% of victims who do not report the crimes they have suffered and who therefore are not referred to Victim Support by the police.

XI. SERVICE EXAMPLE: RACIST CRIME

The Stephen Lawrence enquiry report (1999) prompted the development of better services to victims of racist crime. This includes:

- Specialist training programme for volunteers working with racist crime
- Third party reporting
- Better partnership work in responding to victims' needs

Stephen Lawrence was an eighteen year old black man who was murdered in 1993 by a group of racist thugs while on his way to meet friends near his home in south London. The subsequent police investigation failed to find sufficient evidence to secure convictions of those who were arrested and charged with his murder. Such was the level of public concern that an enquiry into the police handling of the case was established. It reported in 1999 and the results of the enquiry caused a scandal in the extent of the institutional racism in the criminal justice system that was revealed. The enquiry's findings have prompted a large scale programme of criminal justice reform which is still ongoing. Third party reporting enables people who have been victims of racist crime to report at a location other than a police station if that is preferable to them, for example at a Victim Support office or a local community centre.

The following example describes some work undertaken by the Victim Support Racist Incidents Officer in Northampton, which is a large town in the English midlands. It illustrates how a local Victim Support Scheme was able to help a victim of racist crime despite there being no criminal prosecution. The victim's real name is not Mrs Jones.

Mrs Jones worked full time and owned her house. For several months she had experienced regular minor damage to her car. She thought this was strange because nobody else in her street had their car vandalised. Sometimes she found that people had trampled and broken plants in her front garden, and sometimes rubbish bins were emptied out all over it.

The problem of the damage to her car got so bad that friends and relatives felt anxious about visiting her, in case their cars were damaged too.

Mrs Jones, who is African-Caribbean, reported the incidents to the police on several occasions and they thought it was racially motivated but could not catch the offenders. They referred her to Victim Support.

When the Victim Support volunteer came to see Mrs Jones she told the volunteer she had also received verbal abuse in the street, with people shouting racist remarks. She said she did not take much notice because she had put up with this sort of thing most of her life.

The volunteer involved the Victim Support Racist Incidents Officer, who contacted the police and the local authority. A meeting was held and it was suggested to Mrs Jones that the police could install a surveillance camera temporarily. Mrs Jones agreed and this was done. The police watched the video tape, and they were able to identify the people damaging her car and garden. Using this evidence, the local authority began eviction proceedings against the offenders, who were local authority tenants, and they left the area.

The harassment stopped. Despite the fact that the evidence was insufficient to bring about a prosecution, it did enable the eviction of the offenders and this brought some peace at last for Mrs Jones.

XII. WITNESS SERVICE

The Witness Service is part of Victim Support and it offers:

- Pre-trial visits to familiarise witnesses with the courtroom
- Information about the court and legal process
- Separate waiting areas with support available
- Enhanced support for vulnerable and intimidated witnesses
- Help after court if it is needed.

The police and the Crown Prosecution Service are responsible for informing victims of the progress of the case, including the outcome of the trial if the victim has not remained in court to hear it. However, the Witness Service often gets involved in contacting the police and CPS on witnesses' behalf to speed up the process of information giving.

XIII. THE LEGAL CONTEXT AND VICTIM SUPPORT STRATEGY

The legal context: in English law, victims have no status in criminal proceedings and are not entitled to representation. They have no status in court unless they are witnesses. The presumption of defendant's innocence until proven guilty can unfortunately imply that the victim is lying. The adversarial legal process means witnesses are subject to attempts to discredit their evidence as lawyers fight it out between them in the courtroom. Victims also have no right to challenge a Crown Prosecution Service decision not to prosecute. They can bring about a private prosecution though this is impractical in most instances due to cost. The parents of Stephen Lawrence brought a private prosecution of the young men who were acquitted of his murder, but it failed. It may be that the unsatisfactory position of victims in the English criminal justice process is a factor that has prompted the development of such an extensive programme of support for victims and witnesses.

The Victim's Charter was first introduced in 1990, and updated in 1995. It is currently being revised again. It places obligations on the criminal justice agencies to treat victims better, but currently, no statutory means of enforcement exists so if agencies fail to meet their commitments, the most that can happen is that a complaint can be made. The Charter may have statutory authority when it is revised later in 2003. Victim Support is the only voluntary organisation that has obligations under the Victim's Charter.

XIV. CURRENT AND FUTURE CHALLENGES FOR VICTIM SUPPORT

- Ensuring consistent, higher standards of service provision
- Maintaining a focus on victims amongst a wide range of criminal justice initiatives including restorative justice
- Pressing for adequate resources (of every £100 spent on the criminal justice system in the UK, only £0.20 is spent on supporting victims and witnesses).

Victim Support welcomes the current effort to increase the provision of restorative justice, where this can bring real benefits to victims by them receiving a sincere apology, being able to tell the offender how they have been affected, or when the offender can help restore at least some of what the victim has lost as a result of the offence. However, sometimes victims are put under inappropriate pressure to be involved in restorative justice activity which is primarily for the benefit of the offender or the criminal justice system, not for the victim. Even when this does not happen, involvement in local restorative justice partnerships can be a very resource-consuming activity for Victim Support services.

We want to ensure more consistent standards of service provision, so that victims are entitled to a broadly similar level of service wherever they live.

Supporting victims of racist and homophobic attacks is a particular challenge, as they can be highly traumatised but often do not report the crime. The British Crime Survey found that Asian people in particular were most likely to be the victims of racist crime, but least likely to be satisfied with Victim Support's services. We want to recruit more volunteers from minority ethnic groups, publicise our services more widely, and make more interpreters available.

The very limited extent of research about child victims suggests that they can be more affected by crime than adults, and yet their needs are often unmet. We have recently secured funding from a corporate donor to carry out research into their needs, and we are now devising a service model for helping victimised children that we hope to pilot in 2003.

Implementing the new provisions for vulnerable and intimidated witnesses (I will say more about this in the second paper) is a major challenge for us at this time. So too is the need to increase the number of non-police referrals, i.e. the 50% who don't report the crime so that we can reach people who are afraid or see no point in reporting what has happened to them. We also need to ensure that service provision is based on reliable evidence of what is effective in supporting victims and witnesses.

A. Meeting the Challenges Ahead

We Aim to Achieve:

- A more professional service, with -

- Improved training in dealing with the effects of serious crime, homicide, domestic violence, racist crime etc.
- Continued development of the new 'area' structure to free up coordinators to manage and supervise the volunteers
- Performance measures
- New inspection processes
- Better policy and practice guidance.

To add to our training provision, National Occupational Standards for work with victims have been developed in conjunction with the Community Justice National Training Organisation. They describe the skills staff must develop in order to work effectively in this area (known as 'competencies'), and the standards to be applied to the work. This helps staff and volunteers gain national vocational qualifications and can make volunteering more attractive, as well as helping to drive up standards.

At the same time we are developing new performance measures so that we will be in a better position to tell what is, and what is not effective in supporting victims; and we have established a Victim Support inspectorate to monitor standards of service provision.

B. Looking to the Future

In the Future Victim Support will be:

- Campaigning for a legislated, joined-up approach to victims
- Developing services that are based more on what works, with better standards, and greater consistency in service provision
- Establishing our service to children, people bereaved by road death, vulnerable and intimidated witnesses
- Making services available to more people who don't report crime.

Only 3% of victims come into contact with the criminal justice system. We want agencies dealing with health, housing, employment, insurance and compensation to work together better to meet the needs of the remaining 97% to ensure that the effects of crime are reduced instead of aggravated.

We will campaign for victims' rights to be protected in legislation, and that these rights should be specific, enforceable, and the responsibility of defined agencies.

We campaigned for a Commissioner for Victims of Crime to ensure that victims' rights are addressed throughout all public agencies. Provisions for a Commissioner have now been introduced but he or she will have no statutory powers.

We are reviewing our own services to ensure that they are provided to better quality standards, are based on sound knowledge of what is effective best practice, and are provided consistently across the country. This means making services available to more people, such as children and those affected by road death, as well as increasing the satisfaction of victims and witnesses with the service provided.

We want to reach more people who are victimised, especially those who do not report crime to the police. The British Crime Survey consistently shows that only about half of all crime is reported to the police. Half of all crime is not reported because people think it is too trivial, they feel that there is little the police can do about it, they are ashamed of being victimised, or they mistrust the criminal justice system. We need to be less dependent on police referrals so that we can support those victims who don't report. This involves having more money available to advertise our services, evaluating our services, and achieving a higher public profile.