

stress protect
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west midlands
police and crime
commissioner

Vulnerable Victims Review

Foreword

One of the key roles of the Police and Crime Commissioner is ensuring that victims of crime are heard and are able access good, holistic support to help them overcome their experience. Moreover, as the Commissioner spends nearly £4 million per year on support services for victims of crime, making sure that what is offered is suitable, victim-led and also continues to evolve in the same way crime does is the priority. By constantly looking at how we can provide a better service to victims we can ensure that every person who has suffered a crime and needs help, gets appropriate and timely support.

This review looks at the services provided to vulnerable victims by the police. Our victims services receive over 38,000 referrals each year and over the past year I visited a number of these services, seeing the excellent work being done to support vulnerable people who have been impacted by crime and receiving support.

As I spoke with victims and heard their experiences of the police and criminal justice system, I asked myself 'are we doing the best by them?', 'how can we improve their experience to make it better?' Also, for the victims for whom we don't get it quite right, how do we make sure we improve our service to them?

I called for this Vulnerable Victims Review; the first of its kind to be held in the West Midlands. I wanted to hear the voices of victims first-hand and to understand the challenges they face when navigating the complicated criminal justice system.

A number of key themes have emerged as result of this review, and I have since been working with partners from across WMP, as well as the wider criminal justice system, to improve our collective offer. We must ensure we have a criminal justice system where victims feel confident to come forward, seek justice, report a crime, and get the support they need.

Excellent work is being done to support victims of crime, but we can always strive to make things better and that is what this review has brought to light. A victims journey, be it from police contact or from service providers, should be one that meets their individual needs and gives them confidence in the system.

I would like to thank my fellow panel members who provided invaluable insight and support during the evidence phase and the staff in the OPCC who have supported the review and this report.

Waheed Saleem,
Deputy Police and Crime Commissioner



Vulnerable Victims Review

Introduction

In 2019 the Police and Crime Commissioner (PCC) for the West Midlands published a Victims Statement¹ outlining his continued commitment to securing improvements in services for victims by working directly with those who are impacted by crime as well as with the voluntary and community sector. Since taking office in 2014 the PCC has advocated for evolving services for victims of crime resulting in opportunities for dedicated individuals and agencies involved in service delivery to come together. This synergy has paved the way in creating innovative, vibrant networks and relationships and created new ways of working, extending existing services and inspiring new services across the West Midlands. In his vision for the coming year (2020/2021) the PCC committed to 'establishing a victims panel which will listen to the lived experiences of victims, their ideas and recommendations for how the commissioning of local services could be improved'. The Vulnerable Victims Review provides a step towards fulfilling this commitment and seeks to learn from the experiences of victims themselves. This report is a testament to the brave individuals who came forward and shared their experiences.

"I will continue to work toward a simplified experience for victims that ensures the victims' voice is put both at the heart of the service and delivery"

West Midlands Police and Crime Commissioner

The Domestic Violence Crime and Disorder Act (2004) transferred responsibility for commissioning support services for victims to PCC offices in 2015 following the Government consultation [Getting it Right for Victims and Witnesses](#). Since the transfer of responsibility the PCC has engaged in a program of consultation events with victims, criminal justice practitioners and service providers which have resulted in the creation of partnerships and networks to better support victims across the region. This includes the West Midlands Domestic Abuse Consortium, the Sexual Violence Consortium, the Forced Marriage and Honour Based Abuse Helpline and the Victims Commission.

The Victims Commission; a key strategic partnership is the PCC's advisory group on the provision of specialist services. The role of the Victims Commission is to ensure that services have a positive impact on victims, improving their circumstances around coping with the effects of crime and recovering from the harm they have experienced. In addition, the Victims

Commission has succeeded in building a culture of collaboration and ownership for victim care through the voluntary and community sector so that victims experience quality support from the first point of contact. Members of the Victims Commission bring expertise; knowledge and experience to the development of policy related to victims and have been selected to represent the different priorities outlined in the Police and Crime Plan 2016-2020². Commission members continue to contribute to and influence the priorities within the Police and Crime Plan, and make recommendations regarding funding and service delivery.

Priorities for the Victims Commission are illustrated below and have been informed using intelligence from the West Midlands Police Strategic Assessment, Local Police and Crime Plans, local consultation, consultation with victims of crime and the West Midlands wide consultation process. Current priorities for the commission include:



¹ <https://www.westmidlands-pcc.gov.uk/victims/>

² <https://www.westmidlands-pcc.gov.uk/your-commissioner/police-crime-plan/police-and-crime-plan-2016-20/>

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Multi-agency partnerships and governance structures have also been embedded within the region to provide strategic oversight. The recent evaluation of the regional Preventing Violence against Vulnerable People Board (PVVP) in 2019 has allowed for a vibrant new structure; four Exploitation Boards including the Domestic Abuse Board, Rape and Serious Sexual Offences (RASSO) Board, Human Trafficking and Modern Slavery Board and the Criminal Exploitation and Missing Board have replaced the old structure. The new exploitation boards provide a platform for strategic changes, strengthening pathways and coordinating multi-agency responses to crime allowing for system wide improvements. These boards are responsible for the development and delivery of multi-agency strategies which prevent children, young people and adults from being harmed through exploitation. They protect those who have been harmed, pursue offenders who have harmed and ensure that key stakeholders are effectively contributing towards delivery of priorities.

Victims said

"I had to choose between my wellbeing or continuing the prosecution. I chose my wellbeing."

Vulnerable Victims Review

The Vulnerable Victims Review

This review focuses on victims who have been subject of Stalking and Harassment, Domestic Abuse, Sexual Assault and Abuse. It particularly examines the service provided by West Midlands Police and other criminal justice agencies.

Acknowledgements

We would like to begin by extending our sincere thanks and gratitude to those who participated in this review by sharing their experiences and invaluable opinions with us. We are grateful for the opportunity to hear first-hand how victims of Stalking and Harassment, Sexual Assault and Abuse and Domestic Abuse have been treated by the Police and other criminal justice agencies. These accounts will form the basis of informing practice and improving our service offer to victims. We would also like to thank the service providers who tirelessly work to support victims of crime. Their views have enhanced the key recommendations, which the PCC will be using to drive forward improvements and change. Particular thanks goes to;

- **Black Country Women's Aid (BCWA)** who offer support to victims and survivors of abuse and exploitation in Sandwell, Dudley, Wolverhampton and Walsall. Some of the specialist services at BCWA include; Domestic Abuse, Sexual Assault and Abuse, Stalking and Harassment and Modern Slavery. Therapeutic Services are also provided to adults, children and young people.
- **Coventry Rape and Sexual Abuse Centre (CRASAC)** who provide support, information and advocacy to all victims and survivors of sexual violence including adults, children and young people in Coventry. Some of the services offered by CRASAC include; counselling, crisis and advocacy, group therapy and Helpline support.

- **Panahghar** based in Coventry and Leicester, Panahghar offer temporary accommodation and support to Asian women and their children who have suffered from domestic violence and abuse, forced marriage and honour-based abuse.
- **Rape & Sexual Violence Project (RSVP)** offer empathic services in Birmingham and Solihull to support children and adults of all genders who have been subjected to sexual violence and abuse.
- **Roshni** are based in Birmingham and support South Asian women and their children who have suffered from domestic violence and abuse, forced marriage and honour-based abuse.
- **Sikh Women's Action Network (SWAN)** offer support across the region to victims of domestic abuse, child sexual exploitation, grooming and honour based abuse. SWAN also provides a support network for socially and economically disadvantaged women.
- **The Haven Wolverhampton** supports women and dependent children who are vulnerable to domestic abuse, and homelessness. They provide practical and emotional support services in Wolverhampton.

We would also like to extend our thanks the panel members who formed the panel of professionals who heard the review;

- Waheed Saleem, Deputy Police and Crime Commissioner - Chair
- Jayne Meir, Assistant Chief Constable - West Midlands Police
- Dr. Michael Larkin, Lecturer - Aston University
- Sarah Marwick, OPCC Strategic Police and Crime Board Member

Vulnerable Victims Review

Executive Summary

Being the victim of a crime can be an extremely traumatic experience. Such trauma is likely to affect almost every aspect of a person's life; from the ability to go outside, to the ability to feel safe in their own home. As agencies tasked with delivering justice and holding perpetrators to account, all criminal justice agencies have a duty to ensure victims are treated with the dignity and respect they deserve. Deputy Police and Crime Commissioner, Waheed Saleem called for this review to develop a greater understanding about the needs of victims, to get an insight into their experiences and to create a mechanism to influence multi agency practice.

The Code of Practice for Victims of Crime 2015³ (better known as the Victims Code) is a statutory document which sets out the minimum level of service that victims of crime should receive from criminal justice agencies and other organisations, including victim support services in England and Wales. The Victims Code enables victims to receive the information they need about their case, the criminal justice system, and the support services available, so they can navigate the justice process and make informed decisions about which services to access and what to expect from them.

Despite this, in a recent survey carried out by Vera Baird; the national Victims Commissioner it was found that four out of five victims of crime had never heard of the Victims Code suggesting victims are not being made aware of their rights and thus being let down by representatives of the criminal justice system⁴.

The Victims Code is currently being reviewed and a national consultation is underway. The consultation seeks to simplify the code so that it is more accessible and understandable to those navigating the complexities of the justice system. A copy of the draft code can be found here. The PCC has consulted with Local Criminal Justice Partners and contributed to the national consultation process so that the new version of the code can be meaningful to victims living in our region.

The purpose of this Vulnerable Victims Review is to hear the voices and experiences of victims of Stalking and Harassment, Sexual Assault and Abuse, and Domestic Abuse. The review seeks to explore how

the criminal justice system as a whole is responding to the needs of these victims and how the Police can improve its service offer to better meet those needs. Findings of the review echo the findings of Vera Baird's survey, reinforcing the national narrative around the dissatisfaction of victims with the Criminal Justice System, the lack of communication afforded to them and the lack of an ability to be afforded justice for the crimes they had experienced and in some circumstances continue to experience.

Victims said

"I had to choose between my wellbeing or continuing the prosecution. I chose my wellbeing."

Victims said

"Despite promising to visit me no officers came to my house. So although disabled I had to travel 13 miles to the police station"

³ Code of Practice for Victims of Crime October 2015

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/476900/code-of-practice-for-victims-of-crime.PDF

⁴ Victims statistics, year ending March 2019: Published report of the Victims' Commissioner for England and Wales

Vulnerable Victims Review

Methodology

The PCC commissions a number of organisations across the region to provide support services to victims of crime. Through these providers, the Deputy Police and Crime Commissioner, Waheed Saleem, wrote to victims inviting them to take part in the review.⁵ Victims were informed that the purpose of the review was to encourage those who were currently or previously supported by an Independent Advocate to come forward and share their views so that we can better understand the scale, breadth and nature of their interactions with the Police, in an effort to improve our response.

A total of 20 victims took part in the review. Victims were encouraged to bring their support advocates with them in order to ensure they were safeguarded throughout the process. A total of 27 support practitioners also took part in the review. Organisations who participated included:

- Black Country Women's Aid
- CRASAC
- Panahghar
- Roshni
- RSVP
- Sikh Women's Action Network (SWAN)
- The Haven Wolverhampton

Terms of reference

To examine the service provided by the Police and other criminal justice agencies to victims of Stalking and Harassment, Domestic Abuse and Sexual Assault and Abuse. In particular focusing on:

1. The role of the Independent Advocates in supporting victims of Stalking and Harassment, Domestic Abuse and Sexual Assault and Abuse.
2. The policies, processes and systems of West Midlands Police from initial contact to outcome
3. The working arrangement between West Midlands Police and the Independent Advocates

The review panel

Invitations and terms of reference⁶ were sent to a number of selected individuals to form the review panel including the National Victims Commissioner Vera Baird. Unfortunately she was not available to participate in the review.

The members of the panel were:

- Waheed Saleem, Deputy Police and Crime Commissioner - Chair
- Jayne Meir, Assistant Chief Constable - West Midlands Police
- Dr. Michael Larkin, Lecturer - Aston University
- Sarah Marwick, OPCC Strategic Police and Crime Board Member

The review was split into three sessions. The first part of the day heard the testimonies of individuals affected by Stalking and Harassment, the second part heard from individuals affected

by Sexual Assault and Abuse and the final part of the day heard from individuals affected by Domestic Abuse.

During these

designated sessions the attendees described their experience of each type of offence and the response of criminal justice agencies. Representatives from specialist services supported individuals through the process and later submitted written feedback from their clients as well as their own professional observations not only on the experiences of victims but also on the Vulnerable Victims Review process itself. Several of the same individuals contributed to all three sessions because their experience encompassed all the offences. Often there is a continuum of behaviour that criminal justice agents separate into offence classifications sometimes missing the connection between each incident. Victims do not see or understand this distinction and they simply describe their experiences.

Much of the time was focused on victims and their experiences, which limited the time available for Support Practitioners to address the Panel, however, they were able to submit written submissions to the Review.

Victims said

"My second case officer was fantastic. I felt valued and my voice heard"

⁵ A copy of the invitation can be found in annex 1

⁶ Invitation to panel members and Terms of Reference can be found in annex 2 and 3 respectively.

Vulnerable Victims Review

Findings

The report sets out the key themes identified by the victims and professional representatives present. The information is separated into commentary relating to Stalking and Harassment, Sexual Assault and Abuse and Domestic Abuse, with recommendations at the conclusion of the report. Many of the themes and recommendations are relevant to each type of offence as they represent a range of abuse behaviours. A number of themes emerged during the discussion and have been summarised as follows;

1. Consistency – the importance of having a consistent response after disclosure to the victim/survivor and a known point of continued contact, especially incorporating plans to maintain communication when key staff are unavailable through sickness, on leave, or moved to other posts.

2. Communication – the importance of keeping in touch about case progression (or lack of it), and doing what the police say they are going to do – victims/survivors described feeling that they had no support after making a report; felt frustrated and frightened when the police did not call back as promised; they believed that the police were not honest with them.

3. Enforcement – non-molestation and restraining orders must be acted upon to be effective. Victims/survivors said nothing was done after they reported a breach of an order. They felt order's was pointless, as they offered no protection.

4. Evidence capture and response – victims/survivors reported the police response as being too slow and missing opportunities to collect evidence, too sparse in their wider checks for historic and social aspects of abuse (and/or connecting all crime and log numbers to single case); there was also ambiguity about the evidential use of phones, CCTV, transcripts and mobile phones. There was a concern that police responses often focused on specific

single incidents rather than identifying a pattern of abusive behaviour. Within all interpersonal abuse the contextual nature and patterns of behavior demonstrate a continuing pattern of offending conduct, often leading to an increased risk of harm for the victim/survivor. This feedback demonstrates that patterns of escalating risk are not being captured or recorded and not responded to by the police.

5. Systemic incoherence – the police and the CPS do not make enough joint decisions. This results in victims often being caught between different accounts and not knowing what is happening or why. There was a lack of contextual information about the decision-making process, responsibilities of agencies and the processes involved.

Victims/survivors did not know what to expect or time scales involved.

6. Burden of change – often, victims/survivors were expected to make changes to their work, home, schools and daily lives, ('just leave him'), rather than perpetrators being made to take accountability for their behaviour. Victims/survivors present voiced that without a criminal justice response and identification of offending behaviour, perpetrators would without access to their current victim, go out and find someone new to inflict the cycle of abuse upon once again.

7. Not believing victims/survivors when perpetrators give an alternative account of events – victims/survivors felt that the police were sometimes too quick to be persuaded by a perpetrator's versions of events and that, with more scrutiny, these accounts would be shown to be untrue. They also felt that the police did not respond adequately to perpetrators ability to mobilise proxy abusers in their cause (e.g. when perpetrators enlisted the help of friends and family to sustain the abusive environment around the victim/survivor). This was particularly reflected regarding child contact and the issues with perpetrators using family members to continue this abuse.

Victims said

"Police contact was very poor and only happened when the officer wanted something. The contact triggered flashbacks and symptoms of PTSD"

Vulnerable Victims Review

8. Not understanding victims

– victims reported that the police often acted in ways that implied that they did not understand survivors' psychological state, or the impact of violence and trauma on a person. Examples included waiting 3.5 hours before making a statement, asking someone to make decisions about their case, which should really have been policing decisions. Other examples included how and when outcomes of an investigation were communicated; when cases were closed victims/survivors were emailed or told via a telephone update. There was no humanity to the interaction just short conversations leaving no opportunity to explore the reasoning or discuss the decision, leading victims to feel confused and lacking information.

"For some bizarre reason I couldn't do anything about it, I couldn't get no help from no one"

(Anonymous)

9. Gender bias - Over-reliance on male officers to take statements from female victims. It may be unavoidable depending on the availability of female officers but more needs to be done to match the expectations of victims/survivors. In the case of historic disclosures female officers should always be available as there is time to shape and plan a response to each victim/survivor.

10. Language - Inconsistent access to appropriate translation and interpretation services. This is inappropriate and breaches evidential best practice to take disclosure from an individual without the support of an appropriate interpreter. An example provided by a victim/survivor from a South-Asian background described having made several domestic abuse reports to the police. On each occasion officers communicated with her then partner. As a result, she had limited access to her child following the separation and she felt this could have been avoided by having an interpreter present when she made her statements.

11. Incomplete and misleading advice about the court forms required for children's evidence-giving – victims/survivors felt the need for children to give evidence

was used as a threat to discourage further action, when in fact fuller information about pre-recorded statements would have allowed them to proceed. Victims/survivors emphasised the importance of using special measures appropriately and the options communicated and made available.

12. Use of sensitive issues as a 'get out' to prevent further police involvement for example perpetrators with mental health problems or families where cultural sensitivity was required. These barriers often limit the confidence of a victim/survivor to report the abuse, as they fear that agencies will be impotent when faced with complex family issues. This anticipated response compounds their trauma, fear and ability to seek help.

13. Safety - Failure to offer safe escort service to allow survivors to collect documents and belongings from home.

"Police didn't believe me, CPS didn't believe me; officers have seen the Facebook posts and done nothing about it"

(Anonymous)

"As victims we are not allowed to get on with our lives but perpetrators are"

(Anonymous)

Vulnerable Victims Review

Stalking and Harassment

Stalking is a form of harassment and involves fixation and repeated or unwanted behaviour that makes a person feel distressed or scared. Behaviour is varied but can include being followed, repeated messages on social media, being sent unwanted gifts or threats of violence. Threats may not be made but victims may feel scared by the unwanted attention of the perpetrator. Even if no threats are made it is still stalking and is a crime. Anyone can be a victim of stalking, however in the West Midlands 96 percent of stalking victims are women. On average, victims will suffer 70 to 100 incidents before reporting these to police. 15 percent of adults aged 16 to 59 have been victims of some stalking and/or harassment behaviours⁷. The PCC funds a regional Stalking and Harassment Service delivered by Black Country Women's Aid. During 2019/20 the service saw a total of 607 referrals coming into their stalking service. A total of 228 of these cases were supported in reporting to police.

Findings from this review echo those found in the report by Her Majesty's Inspectorate of Constabulary (HMIC) as part the National Joint Thematic Stalking and Harassment Inspection, who carried out a participatory research project seeking the views and experiences of victims of stalking and harassment⁸. The overwhelming sense from victims of this category was the feeling of being trapped, which was in some cases compounded further by the police response. Victims spoke about every aspect of their lives being watched by stalkers, the feeling of having to clock in and out, constant text messages and Facebook posts. Another aspect of stalking and harassment described by victims was intimidation by other people on behalf of the stalker. Victim feelings of being let down by the police were explored. Victims felt the language and comments used by some officers gave victims the feeling that they were not being believed.

Victims reported that unless there was physical violence there was no obvious crime, which negatively influenced the police response. One victim stated; the police only assessed the physical element of her harassment, not the whole picture including the perpetrator's course of conduct. Victims of this particular crime type raised the issue that each time they called the police for help, they were dealt with by different officers on each occasion. One victim reported she communicated with 10 different officers, none of them linked the cases together and managed the cases as separate incidents.

Victims said

"The officer said it was not ideal for the perpetrator to be restricted from working"

Another example given by a victim was how officers

were taking ineffective statements by asking questions such as 'Are you afraid'? without elaborating and asking why, simply accepting a yes or no answer. On occasions when a full statement was taken, officers were criticised by supervisors for taking too long to deal with the incident.

An advocate from Black Country Women's Aid Stalking and Harassment Service said that in terms of capturing the evidence, the context was the key to securing quality evidence to identify the patterns of stalking and harassment conduct. She reported that elaborating on the DASH/SASH questions was imperative not just applying the risk assessment as a standalone tick box exercise. She also identified there was a gap in training regarding stalking and harassment and officers needed to be aware of the risks facing victims. Social media and digital victimisation is playing a critical role in how victims are being stalked. A shared understanding of this needs to be developed so that officers do not simply advise victims to limit or stop their social media activity particularly as some victims rely on social media for their livelihoods. Police advise places the responsibility on victims to change their behaviour thus removing accountability from perpetrators.

⁷ <https://www.west-midlands.police.uk/campaigns/talking-stalking>

⁸ The Victim Journey A participatory research project seeking the views and experiences of victims of stalking and harassment Commissioned by Her Majesty's Inspectorate of Constabulary as part the National Joint Thematic Stalking and Harassment Inspection. Dr Holly Taylor-Dunn, Professor Erica Bowen and Professor Liz Gilchrist Centre for Violence Prevention University of Worcester July 2017. <https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/the-victim-journey.pdf>

Vulnerable Victims Review

A victim described how 3 months after reporting to the police no one contacted her. Poor communication was a common theme. Sometimes officers were on annual leave or their mailboxes were full. Another theme echoed by several victims was a lack of understanding or explanation from the police and CPS around the decisions made in their cases. One victim described her frustrations that she was unable to explore why CPS classified her case as 'no further action'.

"The system has failed me. It is critically flawed. I never understood why my case was NFA'd"

(Anonymous)

Sexual Assault and Abuse

West Midlands Police have reported an increase in reporting for different forms of Sexual Assault and Abuse in line with national trends. "Since 2014, reported adult rape offences have increased by over 40%. Since 2014, reported child rape offences have increased by over 55%."9 Nationally there continues to be a focus on adult rape criminal justice outcomes. Despite significant increased levels of reporting, the charging rate has fallen significantly, as has the police referral rate to CPS. This was reflected in the NPCC led report entitled "End-to-End Review of the CJS Response to Rape" – Prime Minister's Implementation Unit, and the recent "Violence against Women and Girls" report."9 The HMCSI Rape Inspection 2019 found that the CPS had not been "risk adverse" in pursuing cases but the overall figures showing a reflection that "since 2016, the number of cases prosecuted by the CPS has fallen by 52%. This is despite the fact that there has been a 43% rise in the number of rape allegations to the police."10

"1 year after me reporting the offence, CPS wanted my phone records"

(Anonymous)

More recently a review completed by West Midlands Police suggests that nearly 50% of all Sexual Assault and Abuse reports are filed due to victim attrition either at the very outset of an

investigation or pre-charge. It is important to recognise and reflect that the reasons given by victims within the review may contribute to this attrition rate. In relation to Sexual Assault and Abuse cases, the responses from victims were particularly damning. Throughout the session there were robust responses about victims being let down by the system.

Victims had the impression that the police and the CPS were hiding behind each other. There was a lack of consistency and communication

with victims was poor. The Rape and Sexual Violence Project (RSVP) commented that the disbandment of the Historic Investigation Team required victims to report via 101 a non-recent crime, which, due to its nature was not prioritised. Advocates present agreed that in their experience, many victims of historical sexual abuse reports felt they were not important to the police as any response was assessed against more acute investigations.

An advocate from one specialist agency stated there were not enough officers to deal with the demands of the current levels of reporting. They also echoed many of the points raised in the Stalking and

Harassment session of

poor or no communication with the police, on one occasion no updates were given for up to six months and victims described repeatedly calling police or the officer in charge often only to be told that they are too busy to speak to them. One victim reported that when their officer in charge was away from work they could not obtain an update, as there was no additional resource available to examine the case files. Consistency, of response, knowing who to contact and how to get through to someone is important so that a victim does not feel like they are powerless in the criminal justice process.

9 Strategic Police and Crime Board, Hidden Crimes Review; 21012020 SPCB - agenda item 10b - Increased reporting and recording of hidden crime, Broadcast 21/01/2020. <https://www.westmidlands-pcc.gov.uk/archive/spcb-21st-january-2020/>

10 HM Crown Prosecution Service Inspectorate, Rape Review, Published 17 December 2019 <https://www.justiceinspectorates.gov.uk/hmcsi/inspections/rape-inspection-on-report-december-2019/>

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There was a discussion around the importance of officers understanding the psychological impact of rape and sexual assault. One victim stated that she had reported incidents of domestic and sexual abuse several times to the police; only elements of the domestic abuse were taken seriously but no charges were followed. Victims felt the police did not listen to them.

One victim reported that there was a missed opportunity when interviews were not completed for some time. Particularly in the case of witnesses who were interviewed belatedly, it was only when she reported that the perpetrator had abused their child that services took an interest in the sexual abuse allegation, this again diminished her sense of worth and led her to feel that her the abuse that had happened to her was not as important to the police. Victims wanted a defined period of time regarding communication; there were many failed promises of communication creating stress and anxiety. Victims wanted a clear understanding of how to communicate with investigating officers. There were many negative comments about delays for the initial interviews, missing evidential opportunities and perpetuating offending behaviours. One victim described how upset she felt when the offender was charged but she was informed by email. This was described as a sterile method of sharing information, providing no opportunity to ask questions.

Advocates from one specialist agency described the delays in their ability to support people therapeutically, particularly those who had reported historical abuse. The protracted time scale of the reporting and investigation process had negatively impacted on the lives of victims hindering their ability to receive

therapeutic support and move forward with recovery. This is described as one of the reasons for attrition within the process. The Rape and Serious Sexual Offences (RASSO) Board (which forms part of the Exploitation Board structure) involves multi-agency strategic partners working in sexual assault and abuse across the West Midlands. The board is tasked with the following wide objectives –

- 1) Objective 1: Ensure that there are local sexual assault and abuse plans housed in each of the seven local areas to embed the SAAS.
- 2) Objective 2: Include workforce requirements for trauma-informed training in sexual assault and abuse for professionals in related fields within the quality standards.
- 3) Objective 3: Require all providers to develop workforce plans, identify training needs and work with commissioners to ensure that they have plans for meeting any gaps.
- 4) Objective 4: Look to better align and support pathways and awareness of services for victims to allow a smoother transition after disclosure for support and help.

“13 years ago, I became an ISVA, things are worse now than they were then”

(ISVA)

It is important to highlight here that Stalking and Harassment does not currently sit under this new exploitation structure. Part of the recommendations

following this review will be to appraise the governance structure around Stalking and Harassment to ensure effective oversight on how the police are responding to this crime.

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Domestic Abuse

Domestic abuse makes up a significant percentage of policing demand. For 2020/2021 (year to date) DA accounts for 21% (21,992 out of 103,372) of all recorded crime. Domestic abuse been identified as a priority area attracting additional police funding as well as being the focus of contingency planning response to COVID 19. The main theme emerging from conversations with this cohort of victims was the breach of non-molestation orders.

Some victims reported how they were arrested instead of the perpetrators. Claims were made by victims that officers were not impartial and ignored potential evidence. In one instance a victim reported officers were provided with a 3-hour long recording of the incident however this was not used due to the cost of translation.

Use (or lack of use) of interpreters by WMP was heavily criticised, according to one victim it took the force 3 weeks to call her back with an interpreter. Statements taken by male officers were seen as inappropriate and it was felt by victims that poor mental health was being used as a justification by perpetrators to influence the criminal justice process. Another victim reported she had paid for extra security measures, depleting her savings including installing CCTV and making the property safe. She said that the police had told her to come off any social media but had not addressed the risks at the property. She reported being left feeling more isolated, alone and at risk from the police advice to make herself safe rather than dealing with the risks from the offending behaviour of the perpetrator.

One victim reported that the police had a poor attitude towards her due to 'the perceived social status of the perpetrator'. Victims described being socially isolated and means of communication removed from them. The police

advised them to stop social media communications, move into refuge and away from family and friends. One victim reported that when she went to the police she had to wait for several hours before being seen by anyone. Missed opportunities for evidence gathering were similar to those described in the other sessions.

The recently established Domestic Abuse Board (which forms part of the Exploitation Board structure) involves multi-agency strategic partners working in domestic abuse across the West Midlands. The board first met in June 2020 and is tasked with the following wide objectives;

- 1) Objective 1: Ensure that the requirements within the pending DA Bill are translated into local single and multi-agency policy and practice.
- 2) Objective 2: Ensure that the learning from DHRs is understood, shared and informs future practice and commissioning.
- 3) Objective 3: Oversight and understanding of effectiveness of regional interventions including MARAC; Perpetrator Programmes; and pilot projects.

Wider objectives across the Exploitation board structure include improving awareness, reporting and safeguarding of victims of domestic abuse in the West Midlands Metropolitan area and ensuring a robust criminal justice response, a person centred approach and promoting safeguarding and the safety, protection and welfare of victims and survivors.

"There were 28 breaches last year and he never got arrested, just warned"

(Anonymous)

Vulnerable Victims Review

What victims told us;

The police to respond swiftly to breaches of non-molestation, other civil and criminal orders including restriction order

The police to place the onus on the perpetrator to change their life styles, routines and behaviour

The police to challenge the perpetrators account

The police to collect all available evidence and seek patterns of inappropriate behaviour

The police to take their complaint seriously

The police must be professional and knowledgeable about the offences and court processes

To have consistent and timely communications about their case

To feel dafer as a result of effective engagement with agencies

To receive the enhanced entitlements of the Code of Practice for Victims of Crime

Agencies must tailor their response to each individual victim including the provision of escorts to collect belongings

Criminal justice agencies must be responsible to the needs of victims

The police to provide great accessibility to female officers or staff or the choice of gender

Improved provision of appropriate translation and interpretation services

Better partnership working between the police and CPS

Vulnerable Victims Review

What support agencies told us;

<p>Victims are re-traumatised as they have to provide details of historical offences 3 times. First to a 101 operator, then again to a Response Officer who makes a request for an ABC interview and a third time during interview</p>	<p>The dispersal of the Historical Investigation Team has been very detrimental to the treatment of victims and relationships between the police and partners. This is more apparent among victims of historical sexual assault and abuse</p>	<p>Often response officers do not provide a specific time to see the victim just a date, and this is always assuming a more urgent incident does not occur</p>	<p>There are reduced human interactions; communications are via emails, letters or messages often short, abrupt and informal police language, often not understood by the victim</p>
<p>Officers ignore the Victims Code Statutory Obligations</p>	<p>Disclosure of victims past sexual history is routine</p>	<p>Victims are accused of 'making things up' to progress Family Court hearings</p>	<p>There is no investigation support for offences committed outside the UK</p>
<p>Officers need to be more honest about the progression of an investigation and regularly update victims</p>	<p>Officers share details of the high workloads making victims feel their case is less important and focus on criminality ignoring the humanitarian aspect of their work</p>	<p>Officers use language which blames victims for their situation and prejudices them</p>	<p>Cases are handed between officers so contact and decision making is inconsistent</p>
<p>The allocation of an investigating officer for historical allegations is very protracted</p>	<p>Examining the phones and social media devices negatively impacts on victims</p>	<p>CPS decision making and the criminal justice process is too lengthy and ignores the needs of victims and witnesses</p>	<p>ABC interviews are cancelled by officers as they respond to more critical incidents without any consideration of the impact on victims of historical reporting</p>

Vulnerable Victims Review

How the OPCC will respond

Based on what we have learned, through listening to the views and experiences of victims and support practitioners, we will respond to the areas of criminality Stalking and Harassment, Sexual Assault and Abuse and Domestic Abuse by pursuing six main centers of multi-agency activity which include; victim engagement, strategy and leadership, identification of abuse, assessment and management of risk, investigation and prosecution.

Victim Engagement

- With the Victims Commission explore improved ways of working for example embedding the Independent Advocates into WMP PPU to act as a single point of contact for IDVA's, ISVA's and ISAC's.
- Ensure there is clear information for all victims of crime whose electronic devices maybe subject to digital extraction.
- Develop a mechanism such as a lived experiences panel to capture feedback both positive and negative from victims to influence the criminal justice system in partnership with WMP.
- Through the Victims Commission continue to lead and develop future engagement events, utilising the feedback from victims who have contributed to this Review.
- Develop an engagement plan for our LGBT+ communities.
- Develop an engagement plan for sex workers.
- Criminal justice agencies undertake training in re-traumatisation, victimology and how to engage and support victims.
- Engage with Position of Trust discipline hearings or similar formal investigative processes to examine the support for victims, compliance with the spirit of the Victims Code.
- Ensure all officers and staff are aware of guidelines for victims access to therapy and this is covered in specialist training courses for detectives including SCADIP, SSAIDP and ICIDP.

Strategy and Leadership

- The Victims Commission to oversee delivery of these recommendations and monitor progress .
- OPCC to confirm there is effective and proactive strategic leadership at force/CPS level responsible for oversight and performance management arrangements to improve criminal justice outcomes .
- Ensure the results of victims review are reflected in the newly established exploitation framework.
- Review the current force policy on harassment and stalking, sexual assault and abuse and domestic abuse ensuring the response is victim focused particularly for historical abuse offences.
- Review the current arrangements for the reporting and investigation of historical offences.
- Review of current model and expansion in training to ensure officers and staff dealing with harassment and stalking, sexual assault and abuse and domestic abuse receive appropriate training.
- Ensure the force has effective planning in place to identify and meet current and future demands in dealing with harassment and stalking, sexual assault and abuse and domestic abuse.
- Develop a force wide Police/CPS process for the application, monitoring and breaches of all orders designed to protect victims and vulnerable people.

Vulnerable Victims Review

Identification of Abuse

- With the Victims Commission explore improved ways of working for example embedding the Independent Advocates into WMP PPU to act as a single point of contact for IDVA's, ISVA's and ISAC's.
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- Ensure all officers and staff are aware of guidelines for victims access to therapy and this is covered in specialist training courses for detectives including SCADIP, SSAIDP and ICIDP.

Strategy and Leadership

- Develop opportunities to improve the relationship between the police ISVA/IDVA/ISAC including joint training courses.
- Ensure police and CPS staff have the knowledge to recognise reports of harassment and stalking, sexual abuse and domestic abuse including offences committed via digital channels.
- Ensure officers and staff understand the risks and links between harassment and stalking, sexual assault and abuse and domestic abuse and understand the concept of 'a course of conduct'.

Risk Management

- Confirm the Police use risk assessment screening tools effectively to assess risk to victims and families.
- Ensure processes are in place to identify and highlight repeat victims and repeat offenders.
- Ensure use of bail conditions and orders both pre and post-conviction are a consideration in all investigations and applied where necessary.
- WMP to develop a single of contact (SPOC) network for Stalking and Harrassment to mitigate risk and share knowlege.

Vulnerable Victims Review

Investigation

- Ensure processes are in place to give consideration to whether male or female officers respond to a victims request
- Provide additional training for staff working from home engaged with triaging Stalking and Harassment, sexual assault and abuse and domestic abuse incidents.
- Training to include Victims Code and trauma informed responses.
- Confirm investigations are effectively supervised and victims code compliance is adhered to
- Ensure decisions on disposal of cases are appropriate and taken at the right level by the police or CPS staff in accordance with guidance/protocols.
- Confirm that victims are notified of decisions in a timely manner to ensure they are kept safe, especially where there is higher risk.

Prosecution

- Ensure Police case files regarding Stalking and Harassment, sexual assault and abuse and domestic abuse accord with national file standards.
- Confirm prosecution decision-making is appropriate and meets the needs of each case.
- Ensure the needs of victims and witnesses are met by ensuring there is a clearly documented needs assessment.
- Utilise victim Attrition rates data to understand how to support victims through the Criminal Justice process.
- Through a Single Point of Contact (SPOC) ensure that restraining orders are systematically applied for by the police/CPS to protect victims after the court process has concluded.

Vulnerable Victims Review

Conclusion

During his term in office the PCC has worked with voluntary and statutory partners not just to improve services for victims of crime. He has also been instrumental in bringing together representatives of the criminal justice system to craft an improved, holistic pathway that treats all users with dignity and respect. We are not at the end of this journey and many of the comments in this document show that much work still needs to be done. The experiences of the 20 victims and their service providers provide an uncomfortable insight into the frailties of the system, which are comparable to regional and national reporting. Although there have been many enhancements across the West Midlands with improved resourcing, increased finance to grow service provision, greater collaboration and more scrutiny of service delivery it is not enough. This report will become a catalyst for change and the PCC will ensure it is utilised to create additional improvements across the criminal justice system and continue to work in collaboration with West Midland Police and criminal justice agencies to ensure the needs of victims are heard and addressed.

Vulnerable Victims Review

Annex 1

Please ask for: Harjeet Chakira
Telephone Number: 0121 626 5366
E: h.chakira@west-midlands.pnn.police.uk



west midlands
police and crime
commissioner

3rd February 2020

By email:

Dear

We want to hear from you

I would like to invite you to take part in a meeting on **Thursday 4th March 2020 10am – 2pm.**

I am holding the meeting to give you the opportunity to share your experiences (both positive and negative). I have convened a panel that will be chaired by myself and I have invited the Assistant Chief Constable, the national Victims Commissioner and one of the Strategic Police and Crime Board member who is also a GP and works in the homelessness sector.

I appreciate that every victim has a different experience of their interaction with the Police. Your individual journey depends on the nature of the crime, the outcome of the police investigation and the support you receive from local services.

My role as Assistant Police and Crime Commissioner is to hold the police to account. I want to ensure every victim who reports a crime to West Midlands Police receives the right response and the best outcome.

The purpose of holding this review is to encourage victims and survivors who are currently or previously have been supported by an Independent Advocate to come forward and share your views with us so that we can better understand the scale, breadth and nature of your interactions with West Midlands Police, in an effort to improve our response to you.

I would like to reassure you that this will be a safe and confidential process and your feedback will be used to inform our practice, improving the way we respond to victims and survivors going forward. We will not be naming you in the report.

You may be accompanied by a support worker if you wish and you will be free to leave at any time should the process become too overwhelming. Support will be available throughout the day.

After hearing your feedback the panel will make a list of recommendations to West Midlands Police.

I would be grateful if you can indicate to your Independent Advocate if you are willing to participate in this review.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Waheed Saleem'.

Waheed Saleem
Assistant Police and Crime Commissioner West Midlands

Vulnerable Victims Review

Annex 2

Please ask for: Harjeet Chakira
Telephone Number: 0121 626 5534
E: h.chakira@west-midlands.pnn.police.uk



west midlands
police and crime
commissioner

3rd February 2020

By email:

Dear

West Midlands Vulnerable Victims Review

I am writing to invite you to be part of the panel for the above review which will be held on **Thursday 4th March 2020 10am – 2pm, Venue (tbc will be most likely in Birmingham).**

The purpose of holding this review follows my visits to service providers across the West Midlands who are commissioned through the OPCC to deliver support services to victims of Domestic Abuse, Sexual Violence and Stalking. During my visits, I heard directly from advocates and victims; a number of issues were brought to my attention including major inconsistencies in the response received once a crime has been reported to the police.

As a result of these visits I am holding the review; the first of its kind across the West Midlands. The review will hear from victims and advocates about their interaction with different departments within West Midlands Police. The outcome will be to make recommendations on how to improve the victim's journey so they have more confidence in the police.

I enclose the Terms of Reference for the review.

I hope you will be able to join the review panel and help to shape the service we provide to vulnerable victims.

Should you have any further queries please contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Waheed Saleem'.

Waheed Saleem
Assistant Police and Crime Commissioner West Midlands

Vulnerable Victims Review



west midlands
police and crime
commissioner

Annex 3

Vulnerable Victims Review- Terms of Reference

Purpose

To examine the service provided by West Midlands Police to victims of Domestic Abuse, Sexual Violence and Stalking. In particular focusing on:

1. The role of the Independent Advocates in supporting victims of DA, SV, and stalking
2. The policies, processes and systems of West Midlands Police from initial contact to outcome
3. The working arrangement between West Midlands Police and the Independent Advocates

Review Panel

The review panel will be:

- Waheed Saleem, Assistant Police and Crime Commissioner (Chair)
- ACC Jayne Meir- West Midlands Police
- Sarah Marwick- Strategic Police and Crime Board Member
- Dr Michael Larkin lecturer Aston University

Participants

The Panel will hear from the following:

- Victims of DV, SV and Stalking, providing a personal account of their interaction with WMP
- Victims organisations funded through the PCC Victims Fund
- WMP- specifically Force Contact, Response, Neighbourhood Policing, FCID, Criminal Justice, Legal, PPU and the Victims and Witness Lead

Safeguarding

The review will seek to ensure support measures are in place to support the victim/survivor in discussing their journey with the panel, prior to and after the session. The review will also ensure that victims/survivors invited to discuss their journey will have support in place to mitigate the potential for distress and re-traumatisation that talking about their experiences can cause. They will ensure that a victim/survivor has the support of an agency which will work with that individual prior to and after the review. All of this will be done with considerations to confidentiality, safeguarding and the victim/survivor's previous history and/or subsequent potential to report matters through the police.

Outcome

The Panel will produce a report which will be presented to the Commissioner, Chief Constable and the Strategic Police and Crime Board

Secretariat

OPCC Victims Policy Officer and Victims Policy Assistant