

VICTIM-CENTRED APPROACH UPDATE FROM VICTIM SUPPORT SCOTLAND

July 2019



Introduction

Victim Support Scotland (VSS) operates under the vision that ‘All those affected by crime who need it receive high quality support to recover from their experiences’, as set out in our *Victims and Witnesses First: VSS Strategy 2018-2021*¹.

Alongside this, the mission of Victim Support Scotland is that: ‘Victims and witness of crime are at the heart of justice in Scotland.’ This paper provides an update on the recent work of Victim Support Scotland in the development of an approach to victim care that is being described as the ‘victim-centred approach’. This paper starts with a background to what is meant by an enhanced victim-centred approach within victim care services. It is followed by updates about some of the new and innovative services and developments which Victim Support Scotland, and its partners, are leading on to make significant contributions towards this ambition.

Background

The concept of a multi-organisation, coordinated approach to justice systems has become particularly prominent in Scotland since the 2017 review by former Solicitor General, Dr Lesley Thomson QC, entitled *Review of Victim Care in the Justice Sector in Scotland*². Thomson uses the phrase ‘victim-centred’ in this report when describing the multi-agency victim care model that has emerged in other justice systems such as New York, the Hague, and England and Wales (see Appendix).

Thomson’s review highlights that one of the key messages from victims, witnesses and survivors of crime is that navigating the criminal justice system involves encountering many different professional bodies which often have their own eligibility criteria, organisational cultures, technical language, building locations and personnel. Those victims who have reported a crime have to both take in information given to them and provide information to others at multiple different points. This has the potential to retraumatise individuals by requiring them to retell their experiences again and again throughout their justice journey. In making recommendations for reviewing how victim care should be reorganised in Scotland, the review concludes:

“There is considerable scope in Scotland to improve the victim’s experience by adopting a more integrated model, informed by some of the approaches described above. Not only would this provide what it is victims say they want, it could yield significant business efficiencies. It is important that any new way of working is crafted for the Scottish system making full use of the high level experience and expertise which exists across both the public and third sectors in Scotland. We have identified two important features which would merit further examination in the Scottish context:

- *A service which assists a victim throughout the entirety of his or her journey through the justice system. By this, I anticipate that the same body should assist the victim from the point of reporting to the police, through any prosecution, and after the conclusion of a prosecution.*
- *A single service which provides the full range of services which a victim needs (one front door).” (Thomson 2017: 53)*

¹ http://www.victimsupportsco.org.uk/wp-content/uploads/2018/10/VSS_Strategic_Plan_2018-2021_External.pdf

² https://www.copfs.gov.uk/images/Documents/Victims_and_Witnesses/Review%20of%20Victim%20Care%20in%20the%20Justice%20Sector%20in%20Scotland.pdf

The potential benefits of the ‘integrated model’, or ‘one front door’ as Thomson terms it, include: systems based around the needs of victims and involving their choice; reduction of duplication; development of a common language between services; improvement of sharing between organisations for the benefits of service users and system planning; the involvement of a diversity of skill sets in providing support, reduction in attrition; improvement of confidence in the system; the speeding up of justice; and a reduction in perceived organisational boundaries.

Existing literature and examples from across public and third sector services provides evidence of how services might be reframed fully around service users, taking on the label of being ‘victim-centred.’

The principle of such victim-centred design is at the core of many of the current and upcoming developments across Victim Support Scotland.

The Support for Families Bereaved by Crime (SFBC) service is a flagship service of Victim Support Scotland, which started on 1 April 2019, and provides expert personalised support to individuals based around victim needs.

Victim Support Scotland, alongside partners in key justice organisations in Scotland, is actively engaged in informing future policy and service development. These include participation in the Victims Taskforce, involvement in an invitation to tender around victim-centred service design, and ongoing relationships with the Scottish Prison Service, the Crown Office and Procurator Fiscal Service and Police Scotland. Upcoming initiatives such as the Justice Centre in Inverness show how a multi-organisation approach is already beginning to emerge in practice when designing the criminal justice settings of the future.

Furthermore, modern service design ideas, such as the Icelandic Barnahus concept, lend themselves to joint working arrangements, for example the innovative upcoming partnership between Victim Support Scotland and Children 1st. Victim Support Scotland is also committed to continuous evaluation of its own practice to incorporate a victim-centred approach, for example in the review of information materials and leaflets for victims and witnesses.

The remainder of this report will explore in more depth these current and upcoming developments led by Victim Support Scotland.

Support for Families Bereaved by Crime service

A key priority in the past year for Victim Support Scotland has been the development of our Support for Families Bereaved by Crime (SFBC) service, available to families and next of kin who have been bereaved by murder or culpable homicide. Although Victim Support Scotland was already delivering some aspects of this support in different parts of the country, there had been no dedicated service or staff in place to provide a nationally consistent response and therefore no mechanism to provide continuity of support for family members, something our service users told us was essential.

Designing the SFBC service

We involved people with lived experience in the design of this service so we could understand their perspective and experiences. Key stakeholders, including Police Scotland and the Crown Office and Procurator Fiscal Service (COPFS), gave valuable input and insights into the development of the service and we have extended this steering group to involve CICA (the Criminal Injuries and Compensation Authority) to help guide further service development. Victim Support Scotland is currently working with CICA and Police Scotland to speed up response times and improve processes that aim to provide financial support for families bereaved by crime.

Following a tender, we worked with service design consultants Thrive who used both their expertise and our knowledge and experience to develop a support solution to improve outcomes for families and next of kin. Working in collaboration with an external agency provided a new perspective on what the most effective model to meet the needs of families could be.

Commencing the SFBC service

We have now designed a service blueprint to inform service delivery, developed a suite of products to provide improved and consistent information for families and next of kin, developed referral pathways and produced publicity material. Training has been provided to Police Scotland colleagues and COPFS colleagues.

In the first year of the service a full team has been recruited within Victim Support Scotland with a National Coordinator, a number of key support workers and data analysis/administration staff. We commenced the new service on 1 April 2019 after a period of testing. Since launching in April, the service is supporting nine next of kin via a dedicated support key worker, and an additional six extended family members affected by a bereavement are being supported by the wider Victim Support Scotland team. Many families are being supported to access financial support from both the Victim Support Scotland's Victims' Fund and the Moira Fund as financial concerns are a recurring theme.

We anticipate this service continuing to evolve. The number of key support workers is expected to increase over time in line with demand, and we are working closely with families who have been affected, as well as key stakeholders, in order to inform future developments.

The new service officially launched on 24 July 2019 coinciding with a visit of the Cabinet Secretary for Justice to Victim Support Scotland's Glasgow office. Part of this launch included the roll-out of a new **webpage** about the service which includes guidelines offering practical advice to families. During the service design process, it had been highlighted that some family members may be more comfortable accessing information on-line, and an underlying principle of the service is that it can be accessed from anywhere in Scotland via the website.

Victims Taskforce

Victim Support Scotland is a member of the Scottish Government's Victims Taskforce and attends quarterly meetings. Our role is about helping ensure this forum drives forward changes to make sure victims' experiences of the criminal justice system are much improved and that we create more effective policies. Victim Support Scotland chairs the workstream focussing on the 'victim-centred approach' and has been a key influence to ensure victim's voices are central to the work of the taskforce³.

At the second meeting of the Victims Taskforce in March 2019, a joint paper was presented by Rape Crisis Scotland and Victim Support Scotland about placing victim engagement mechanisms at the heart of the Taskforce's work. Such engagement is essential in order to ensure that the work of the Taskforce, including victim-centred service re-design, is informed by the experiences of the people whose lives the Taskforce exists to improve.

The joint paper from March 2019 presented the idea of a 'Sounding Board' group, composed of approximately six to ten victims and survivors and chaired by a nominated member within this group who would then attend general Taskforce meetings. The Sounding Board membership would in turn be drawn from themed 'Reference Groups' of victims/survivors around the workstreams of the Taskforce, whose work and membership could feed into the overarching Sounding Board group.

The Scottish Government, Rape Crisis Scotland and Victim Support Scotland have all started the process of inviting individuals to take part in Reference Groups aligned to their workstreams, which will in turn form the overall Sounding Board group:

- A number of individuals are already linked into Rape Crisis Scotland's own 'Survivor Reference Group' and might be potentially ready to feed into the work of the Taskforce around specific topics to do with survivors of sexual crime.
- Along a similar model to Rape Crisis Scotland, Victim Support Scotland is in the process of setting up a 'Victim-Centred Reference Group' of individuals interested in providing input into the Taskforce in group or in one-to-one formats. This group will be crucial to giving input on a new victim-centred approach in Scotland as recommended in the Thomson Report.

It will be emphasised at all stages of the Reference Group that the purpose of the group is about engagement and participant co-production and not direct emotional support.

However, general printed resources about the support services available for people affected by crime in Scotland will be readily present for anybody who requires this information.

A new post within Victim Support Scotland is Service User Engagement Officer. Tirion Seymour was appointed to this position in April 2019 and part of her remit is to liaise with all interested group participants ahead of the first Victim Support Scotland reference group in the Autumn of 2019.

³ Current copies of the Victims Taskforce workplan and papers are available at the following link: <https://www.gov.scot/groups/victims-taskforce/>

GDPR

A sub-group within the Taskforce has been established to look at identifying current barriers to effective information sharing giving consideration to GDPR legislation. Information sharing between agencies is essential to support victims through the justice system and to avoid them having to repeat their stories, which has the potential to lead to re-traumatisation. The group is looking at how timely and proactive advice and support should be provided that both complies with data protection law and protects victims' rights.

Victim-centred approach: invitation to tender

Victim Support Scotland is involved with a current Scottish Government call out for an agency to take a user-centred, service design approach to research and understand the gaps in support within a victim or a witness' journey through the criminal justice system. This work will facilitate the definition of a long-term vision for an end-to-end service for victims and witnesses. This work therefore is being considered as the discovery phase to enable this vision to be developed and to provide supporting evidence for further service development.

The discovery phase will deliver:

- The current 'as is' victim and witness experience of the criminal justice process.
- A clear understanding of the main concerns and pain points that victims and witnesses experience in relation to the process and their interaction with criminal justice organisations.
- Identify future 'to be' service requirements and journeys, which meet the needs of service users and facilitate the delivery of victims' rights, as set out in the Victims Code⁴ (in Scotland these are currently enshrined in legislation as part of the Victims and Witnesses Act (Scotland) 2014).

This discovery phase is being commissioned by a collaboration between COPFS, Victim Support Scotland and the Scottish Government. The progress of this collaborative piece work will be overseen by a steering group comprising members of each organisation and other representatives of the criminal justice agencies and third sector support providers. This group will set the strategic direction for the project. It is important to note that timing of this discovery phase corresponds with the design and prototyping of an initial online service for witnesses to access their witness statements which is being developed by COPFS. TrackMyCrime was launched in England by the U.K. Government in 2015 as a new online service allowing people who report a crime to follow it through the investigation stage easily and securely. This is something we will give consideration to in Scotland coinciding with this online offering.

⁴ <https://www.mygov.scot/victim-witness-rights/>

Victim-focussed improvements in criminal justice

Part of our *Victims and Witnesses First: VSS Strategy 2018-21*⁵ is to ‘build partnerships and alliances with other organisations to work together on putting victims and witnesses first.’

Victim Support Scotland has made some excellent progress in its partnership building allowing us to progress with our work in new and innovative ways. In the main, there is a willingness amongst key stakeholders to critically examine services with a view to improving the experiences of victims and witnesses across Scotland.

It is more important than ever for Victim Support Scotland to be able to understand victims’ needs, to respond and adapt our services and support, and to stand up for victims’ and witnesses’ rights and wellbeing in the justice system. Building strong partnerships helps us deliver high quality support to and achieve improvements for victims of crime in Scotland.

Beyond the partnership working that has already been highlighted, some other key examples of partnership working in this area over the last period includes:

Scottish Prison Service

We have a joint work-plan with colleagues from the Scottish Prison Service to ensure that victims and bereaved families participating in the Victim Notification Scheme have access to support at an earlier stage. We have established a short-life working group to oversee this. We continue to train Scottish Prison Service staff on victim impact and awareness. We are also planning the roll out of training to Victim Support Scotland staff and volunteers on the Victim Notification Scheme and the potential impacts on victims and bereaved families.

Police Scotland

We continue to have a strong working relationship with Police Scotland and hold high level strategic meetings every six weeks. Our joint working plan aims to improve the number of referrals to Victim Support Scotland from Police Scotland enabling us put victims and witnesses first. We continue to work closely on a range of initiatives to raise awareness of our work and highlight the need for police officers to make victims aware of our services. Victim Care Cards, informing victims of their rights and providing contact details for support organisations including Victim Support Scotland, are used by all active ‘on duty’ police officers across Scotland.

We assisted Police Scotland to re-design and deliver a probationer training module on supporting victims, which will eventually become a Scottish Qualification Authority (SQA) accredited course. Around 1,000 probationers have been trained so far in 2019. As a result of this, new police recruits have a comprehensive understanding of the impact of crime on victims and an awareness of the support we offer through our services. We have also produced a film to increase awareness of our work, which has been shown as part of mandatory briefings for all officers.

⁵ http://www.victimsupportsco.org.uk/wp-content/uploads/2018/10/VSS_Strategic_Plan_2018-2021_External.pdf

Scottish Children's Reporter Administration

We are building a close partnership with the Scottish Children's Reporter Administration (SCRA) in supporting child victims referred to courts for a proof hearing. We have been able to improve descriptions of Victim Support Scotland's services in letters provided by SCRA to victims of young offenders. A leaflet has also been created to accompany the letters which gives guidance to victims of child offenders about the justice system and the service that we can provide for them.

Victims Organisations Collaboration Forum Scotland

Critical to our partnership working is our involvement in the Victims Organisations Collaboration Forum Scotland (VOCFS). The Forum is a collective of key victims' groups who have a knowledge and understanding of the impacts on victims in the justice sector and what needs to be done to achieve effective services to victims across the country. We host and chair quarterly meetings for the group.

The Forum works collaboratively to help inform Scottish Government decisions and press for meaningful changes on issues affecting victims of crime in Scotland. For example, we work on joint consultation responses to provide a distinct and consistent voice for victims' organisations in our sector, as can be seen in the feedback from VOCFS on Standards of Service for the Scottish Prison Service and Parole Board Scotland.

Local initiatives

Victim Support Scotland continues to build strong local partnerships across the country. Examples include: work with the Scottish Courts and Tribunal Service and other justice partners in Inverness in advance of the new Justice Centre due to open early 2020; engaging with local LGBT+ services; involvement with Fife College; and success in our Central region accessing more remote areas to provide support to local communities. Most local offices participate in community justice partnership meetings for their region, bringing the victim's perspective to the fore. During Victims Awareness Week, staff and volunteers were active in each community, raising the profile of the organisation locally and through the media.

Homeless victims of crime

Homeless people are often vulnerable, contending with assault, rape, robbery and human trafficking. As a critical part of our strategy, we are working with organisations such as Glasgow City Mission and Social Bite to engage people experiencing homelessness who have been affected by crime. We have made personal alarms available and continue to raise awareness of our third-party reporting centres that allow a crime to be reported without attending a police station. We have also highlighted our court and community-based services which help people navigate through the criminal justice system. We are continuing to encourage self-referrals and seek additional ways to engage with the homeless community who have been affected by crime.

Further work under way in Scotland

Rape Crisis Scotland – National Advocacy Project

The National Advocacy Project (NAP) was set up with Scottish Government funding in February 2016 to help improve the support available to survivors of rape and other serious sexual crimes, and specifically their experience of the criminal justice process.

Rape Crisis Scotland has led this project, which has sought to gain a better understanding of survivors' motivations to proceed or not to proceed with criminal proceedings and the difference that advocacy support makes to such decisions.

In March 2018, the Scottish Government agreed to provide enhanced funding of £1.7 million over two years to expand the number of advocacy workers in areas of most demand and provide additional capacity for Rape Crisis Scotland to support and co-ordinate the expanded project at a national level.

Researchers from the Scottish Centre for Crime and Justice Research (SCCJR) based at the University of Glasgow were tasked with evaluating the pilot. The final report, *Evaluation of the Rape Crisis Scotland National Advocacy Project*⁶ by Oona BrooksHay, Michele Burman, Lisa Bradley and Deborah Kyle, was published in March 2018. The main findings included:

- During its first 18-months, a total of 991 victim-survivors accessed the National Advocacy Project with the majority (69%) coming into contact after making a report to the police and 25% doing so before involving the police.
- Researchers found that of those who had received advocacy support prior to any police report, almost two-thirds (62%) went on to make a report, suggesting that victim-survivors felt supported enough to engage with criminal justice.

Tell Us Once

Local authorities throughout Scotland are part of a service called Tell Us Once. When someone has passed away, there are multiple agencies and council services that need to be informed. Previously a family member or spouse would have to do this separately, but now this opt-in service means that a notification is only given once, and the rest is handled by the local authority, as can be seen for example in West Dunbartonshire Council.⁷

The service is of particular use to families who have been bereaved by crime. It takes away some of the burden of contacting a number of organisations at a time when people are dealing with traumatic events and relates to a 'one front door' model.

⁶ https://www.sccjr.ac.uk/wp-content/uploads/2018/01/RCSNAP-Evaluation-Final-Report_2018.pdf

⁷ <http://www.west-dunbarton.gov.uk/media/4311258/reporting-a-death.pdf>

Upcoming developments in Scotland

Justice Centre in Inverness

Scotland's first purpose-built Justice Centre in Inverness is due to be completed late 2019. Victim Support Scotland has a track record for providing support for witnesses within court settings throughout Scotland and will have a similar presence on the ground at this new centre.

The justice centre will have six new courtrooms that will incorporate the very latest digital technologies to simplify and enhance the experience for all users of the justice system.

Facilities for video links and recording of evidence for children and vulnerable witnesses are included.

The ethos of the new facility links directly to a victim-centred approach and the building's design is set to reflect this. It is also about joint working, allowing multiple partners to collaborate onsite.

Other organisations that will be represented in the centre are:

- Citizens Advice Scotland
- Crown Office and Procurator Fiscal Service
- Families Outside
- Highland Council (Criminal Justice Social Work)
- HMCTS (Social Security and Child Support Tribunal, Employment Tribunal)
- NHS Highland
- Police Scotland
- Scottish Women's Aid

Barnahus in Scotland

In the 2018-19 Programme for Government, the Scottish Government committed to exploring how the Barnahus concept could operate within the context of Scotland's child protection, justice and health systems.

The Barnahus concept was established in Iceland in 1998. It seeks to provide an immediate trauma-informed response to child victims and witnesses of serious and traumatic crimes in a familiar and non-threatening setting.

Barnahus is now in place in more than 10 different countries, mainly Scandinavian but also including England, with each taking a slightly different approach to application of the model based on these principles.

The Scottish Government wants to balance a child's right to recovery from the point at which they disclose abuse with their right to access justice in a child-centred way, in line with the principles of the UN Convention on the Rights of the Child and GIRFEC (Getting it right for every child).

The current commitment is to explore how Barnahus could work in our adversarial system, which includes cross-examination. However, the Scottish Government has not ruled out future consideration of the single forensic interview approach.

Victim Support Scotland is a partner in this work and there is a plan under way to develop standards, which will take around 12-months, incorporating time for extensive consultation.

The group informing standards development will also include clinical expertise, health boards, children's services, the third sector and statutory justice partners. It will be informed by children, young people and their families' experiences.

Further to this, Victim Support Scotland is jointly funding a children's rights and participation worker with the charity Children 1st as part of a 'Barnahus – child's development' project. A formal partnership agreement encompassing this work has been signed, and we are also working on other developments designed to improve responses to victims via helplines and other digital support approaches.

User-centred materials

As part of the Victims Taskforce Work Plan we, alongside our partners, have made a commitment to doing a systematic review of hard copy leaflets and publications, online materials and official correspondence to ensure they are up-to-date, victim-centred, consistent and compassionate.

An example of how this works in practice is our work with the Scottish Children's Reporter Administration (SCRA) in relation to supporting child victims referred to courts for a proof hearing. We have been able to improve descriptions of Victim Support Scotland's services in letters provided by SCRA to victims of young offenders. We have also created a leaflet to accompany the letters which gives guidance to victims of child offenders about the justice system and the service that we can provide for them.

As previously outlined, Victim Support Scotland has also been involved in developing accessible information materials as part of the development of our new Support for Families Bereaved by Crime service, which will be widely available in paper and digital formats. This information has been created to be person-centred (i.e. based on individual needs) in consultation with families who have been affected by such crimes.

Conclusion

Victim Support Scotland has made real progress towards supporting the development of a victim-centred approach within Scotland's criminal justice system.

What we have learned over the last period is that lasting and meaningful change can be brought about by strengthening partnerships and championing the voices and experiences of those affected by crime.

We, alongside our partners, are at the forefront of a number of new, exciting and innovative projects that place victims front and centre of service redesign and improvement. Our new Support for Families Bereaved by Crime service, for example, aims to have a positive influence and impact on those that have been adversely affected by serious crimes and should be an exemplar to the rest of the world of how to make such change happen.

Looking ahead, Victim Support Scotland's involvement in the Victims Taskforce will be critical to the success of rolling-out a victim-centred approach that works across the entirety of Scotland.

By creating a group who carry real life experience of being involved in serious crime, we are helping to shape a genuinely victim-centred approach to developing services that will make a lasting positive difference in the lives of victims and witnesses across Scotland.

Appendix

Review of Victim Care in the Justice Sector in Scotland
Dr Lesley Thomson QC (2017)

England and Wales

In England and Wales a key feature of the justice system are the Witness Care Units which aim to provide a single point of contact for victims and witnesses for information about the progress of their cases, and to minimise the stress of attending court. Witness Care Units are in place across England and Wales and are jointly staffed by the police and the Crown Prosecution Service.

New York

The New York County District Attorney's Office has established a Witness Aid Services Unit (WASU) which provides a wide variety of services to victims of crime. In addition to providing information about the prosecution process and the progress of the individual cases, the WASU also offers emotional and practical support intended to help victims deal with the effects of crime.

The Victim Assistance Center (the VAC) undertakes a role similar to that of VIA and provides information about the criminal justice system and serves as a liaison between victims and prosecutors, the court system and other criminal justice agencies. The VAC also provides information about the victim's case such as progress information and information about bail.

The Hague

The Victim Information Counter (VIC) at The Hague is a co-operative venture between different organisations in the field of victim rights and victim support. The model is different from that in New York because, rather than being part of the prosecutor's office, it is located separately. The office brings together professionals from the public prosecution service, Victim Support, the police and the Criminal Injuries Compensation Fund. The VIC at The Hague operates according to a 'one window' format, allowing victims a single point of entry to seek information and assistance on a whole range of the issues they may be facing. The approach of the VIC is intended to be focussed on the victim. The concentration of services provided by the different organisations within the VIC aims to simplify the process for the victim and, thereby, reduce the risk of secondary victimisation.

