

REQUEST FOR DMPC DECISION – PCD 377

Title: Review of Integrated Victim & Witness Resource Plan 2018-2020

Executive Summary:

- In April 2017 the Deputy Mayor for Policing and Crime approved a three-year victim and witness resource plan to enable the delivery of a change and improvement programme and the provision and integration of victim and witness services (the “**Resource Plan**”) with a total budget of £47,110,918 (the “**Victims Budget**”). Almost £30 million is a grant from the Ministry of Justice (the “**MoJ Victims Grant**”), with the remainder from MOPAC’s budget.
- Having reviewed delivery and spend for 2017/18, it has been identified that there is a need to carry over committed victims commissioning funds for 2017/18 to 2018/19. This proposed carry over will come from MOPAC funds, as all services funded through the MoJ Victims Grant have delivered to budget.
- Additional funds for 2018/19 and 2019/20 are also requested to meet commitments made within the new London strategies, and re-commissioning of MOPAC’s large-value, pan-London, universal and specialist victim support services.
- To provide stability, funds to continue to provide victims support services following their re-commissioning for 2020/21 are requested. This will require an extension of the Resource Plan in relation to these services. The funds will be provided by the MoJ Victims Grant with the terms of the Grant Agreement.

Recommendation:

That the Deputy Mayor for Policing and Crime approves:

- 1) the three-year Victims Budget of £47,110,918 is increased by £1,898,539 (total budget for 2018/19 is now £17,592,781 and total budget for 2019/20 is now £16,070,437) to a total budget of £49,009,457 from existing MOPAC resources.
- 2) up to £9,000,000 [from the 2020/21 MoJ Victims Grant] is allocated to 2020/21 for the provision of victim services in 2020/21
- 3) carrying over £975,244 of the Victims Budget from 2017/18 to 2018/19 to continue delivering the projects initiated in 2017/18 or deferred to 2018/19 under the Integrated Victims and Witness Programme.

Deputy Mayor for Policing and Crime

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature

Spencer Henderson

Date

21/05/18

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC

Decision required – supporting report

1. Introduction and background

- 1.1. The Integrated Victim and Witness Services Resource Plan 2017-2020 (PCD174) (the “**Resource Plan**”) approved a three-year budget of £47,110,918 (the “**Victims Budget**”) to deliver commitments of the Police and Crime Plan 2017-2020 to improve the provision of victim services and victims experience by putting them at the heart of the criminal justice service.
- 1.2. The Victims Budget consists of Ministry of Justice (MoJ) funds (£29,092,663) that is anticipated to be granted to MOPAC and additional MOPAC funds (£18,018,255) over the three-year period allocated as per the table below.

Integrated Victims and Witness Resource Plan 2017 – 2020		Overall Budget
Section 1	Victim and Witness Service Change and Improvement Programme	£4,179,523
Section 2	Preventing Victimisation	£775,000
Section 3	Universal Service Offer	£16,901,030
Section 4	Specialist Service Provision	£24,135,365
Section 5	Commissioning and Programme Delivery	£1,120,000
Total		£47,110,918

- 1.3. One of the purposes of the Resource Plan was to develop a ring-fenced budget that would enable responses to change in demand for services and need of victims and witnesses across the victims portfolio by building resilience and flexibility both in the use of resources and the commissioned services; and consider delivery models and commissioning options to achieve the best possible services and outcomes for victims and witnesses.
- 1.4. The overall Resource Plan will also be reviewed at the mid-year point and at year end, and will be re-profiled at least annually as the identified current assumptions, dependencies and risks are realised. This will provide the opportunity to review progress and risks and to identify and re-utilise underspends within the planned budget across the programme to maximise delivery.

2. Delivery in 2017/18 (Year 1)

2.1 Significant progress has been made in year 1 of the Resource Plan:

- The first independent Victims’ Commissioner for London has been appointed and has become instrumental for ensuring the victims’ voices are heard by decision-makers and initiating change to improve the victims’ experiences of criminal justice. The Victims’ Commissioner for London hosted the first Victims’ Summit for London, which was so well received that it will become an annual event, and is leading the biggest and most in-depth review of compliance with the Code of Practice for Victims of Crime that has ever been undertaken, which is due to report in October 2018.
- London’s restorative justice service, Restore: London was also launched by the Mayor of London at the Victims’ Summit. Restore: London is a pan-London service that, as well as providing

outcomes for victims that cannot be achieved through the traditional criminal justice route to enable them to cope and recover from the experience of crime, aims to promote restorative justice and develop the sector to embed restorative justice, practice and approaches across London.

2.2 MOPAC was also successful in its application to the Home Office's Violence Against Women and Girls (VAWG) Transformation Fund to develop new services for victims, which is being match funded by MOPAC.

2.3 All wider victim support services have been maintained and continue to improve to deliver quality services to victims. A needs assessment has been commissioned to ensure that the provision of services meet the needs of victims, active pathways are in place between agencies to ensure the victim reaches the right service to meet their needs, and identify any gaps in provision.

3. Proposed Delivery in 2018/19 (Year 2)

3.1. The annual review of the Victims Budget has identified the need to carry over funds allocated for 2017/18 to be carried over into 2018/19 to support project delivery, alongside a request for additional funds for 2018/19 to meet new funding commitments and to enable a significant re-commissioning of the pan-London universal and specialist victims support services.

3.2. £975,244 of funds from the Victims Budget is required to be carried over from 2017/18 into 2018/19 that are being delivered across financial years.

3.3. This action presents no risk to the delivery of these projects within the three-year plan timeframe, and the programmes of work pose no further cost pressure in 2019/20. The Victims Budget has enabled flexibility to ensure resources are responsive to need and demand.

3.4. In 2018/19 and 2019/20 MOPAC anticipates budget pressures, these are related to the following key delivery areas to improve victim care and will be informed by the review of compliance with the Code of Practice for Victims of Crime and the provision of support services being led by the Victims' Commissioner for London:

- MOPAC will be re-commissioning all pan-London universal and specialist victim services in April 2019. Identifying areas of improvement and change in the services offered, ensuring better integration of services offered to victims. It is proposed these services will be re-commissioned for a two year period, please see part 4 below.
- MOPAC will be commissioning a new, specialist victim and witness service for children and young people affected by crime, with a focus on supporting victims of high harm crimes including knife crime and child sexual exploitation and assault. This commissioned service will align to the wider commissioning task regarding pan London adult services.
- Integrating MOPAC's commissioned victim support services, including witness services. This work will also take a view on how to integrate court based victim services as per the signed Criminal Justice Devolution (MOU).
- There is now a mayoral commitment to sustain the current funding levels for the pan-London Domestic Violence service, hence costs are higher than had been previously budgeted for. The implementation of the VAWG Strategy is currently being costed and is not currently included within the Victims Budget.
- Continuation of the Economic Crime Victim Care Unit managed by Action Fraud and the City of London Police to meet the growing demand for victims of fraud in London. This service is currently being evaluated by the Home Office and a decision whether to continue the project at the end of 2018/19.

- 3.5 Assuming the carry-over of budget from 2017/18 to 2018/19 is approved, the additional funding requirement to deliver the new commitments as set out in section 3.4, is £1,898,539, which will take MOPAC's total spend over three years from £47,110,918 to £49,009,457. This is split between the financial years as follows: £15,346,239 for 2017/18, £17,592,781 for 2018/19, £16,070,437 for 2019/20 and £9,000,000 for 2020/21 (see paragraph 4 below).
- 3.6 The commissioning strategy as to whether services are provided via grant agreements or contracts for services has not been made and will be subject to separate decision-making processes as appropriate.

4. Providing Victim Support Services in 2020/21

- 4.1 As noted in paragraph 3.4 above, MOPAC will be re-commissioning specialist victim services in April 2019. The re-commission of the services is market-sensitive and in order to enable the new services to mobilise and develop, it is proposed that the Resource Plan is extended for a further year to 2020/21 for these particular services.
- 4.2 Based on current service costs, the funds required to deliver these critical victim support services for 2020/21 totals £9,000,000.
- 4.3 The MoJ Victims Grant will be utilised to fund these services for 2020/21.

5. General Data Protection Requirements

- 5.1 MOPAC will take all reasonable steps to assure that services commissioned or in receipt of funding from MOPAC are compliant with the General Data Protection Requirements (GDPR).
- 5.2 MOPAC has taken proactive steps to assure itself that providers of victim services are compliant with GDPR and other data protection legislation. Providers have completed and provided the Information Commissioner's Officer's (ICO) checklist and MOPAC will be convening a workshop, attended by a representative of the ICO, to support their compliance with data protection legislation.

6. Financial Comments

- 6.1 The expenditure budget has been updated to include the current forecast position and Home Office funded Police Transformation funded projects. The updated breakdown is outlined in the table below.

	Original budget	Updated April 2018	Difference
Victim and Witness Service Change and Improvement Programme	£4,179,523	£4,071,697	(£107,826)
Preventing Victimisation	£775,000	£555,000	(£220,000)
Universal Service Offer	£16,901,030	£17,135,937	£234,907
Specialist Service Provision	£24,135,365	£26,645,606	£2,510,241
Commissioning and Programme Delivery	£1,120,000	£601,217	(£518,783)
Home Office funded Police Innovation/Transformation projects	-	£11,657,595	£11,657,595
Total	£47,110,918	£65,333,734	£18,222,819

- 6.2 The budget is funded from a combination of MOPAC and external funding. A breakdown of the funding by source is outlined in the table below:

	Original budget	Updated April 2018	Difference
Ministry of Justice	£29,092,663	£29,092,663	-
2016/17 underspend	£1,990,000	£1,990,000	-
Reserves	£4,724,255	£4,724,255	-
MOPAC	£11,304,000	£11,304,000	-
Home Office – VAWG	-	£1,000,000	£1,000,000
Home Office – Child house	-	£6,290,230	£6,290,230
Home Office – Multi Agency Stalking	-	£4,158,987	£4,158,987
Home Office – Hate Crime	-	£208,378	£208,378
Total	£47,110,918	£63,435,195	£16,324,277

6.3 This report requests approval for additional resources of £1,898,539 from existing MOPAC resources.

7. Legal Comments

7.1 MOPAC's general powers are set out in the Police Reform and Social Responsibility Act 2011 (the 2011 Act). Section 3 (6) of the 2011 Act provides that MOPAC must "secure the maintenance of the Metropolitan Police Service and secure that the Metropolitan Police Service is efficient and effective." Under Schedule 3, paragraph 7 (1) MOPAC has incidental powers to "do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office." Paragraph 7 (2) (a) provides that this includes entering into contracts and other agreements.

7.2 Section 143 (1) (b) of the Anti-Social, Behaviour Crime and Policing Act 2014 provides for MOPAC to provide or commission services "intended by the local policing body to victims or witnesses of or other persons affected by, offences and anti-social behaviour." Section 143 (3) specifically allows MOPAC to make grants in connection with such arrangements and any grant may be made subject to any conditions that MOPAC thinks appropriate. As the proposals in this decision form are about supporting victims, they fall within the parameters of the legislation.

7.3 Under MOPAC's Scheme of Consent and Delegation, the decision to approve budget virements or movements of £500,000 and above, and all offers made of grant funding are for the DMPC. The decisions in this report can be approved by the DMPC.

7.4 Officers must ensure that they are content that MOPAC can comply with any conditions to which the Ministry of Justice funding is subject and in any event no reliance should be placed upon such funding until there is a legally binding commitment from Ministry of Justice to provide the same.

7.5 Officers must ensure the Financial Regulations and Contract Regulations are complied with.

7.6 To the extent any services required are to be commissioned by MOPAC, such services must be procured by MOPAC in accordance with the Contract Regulations and officers must ensure that appropriate contract documentation is put in place with and executed by MOPAC and proposed service providers before the commencement of the required services.

7.7 To the extent that MOPAC intends to award grant funding to third parties in respect of projects that align with the aims of the Resource Plan, officers should ensure that the appropriate approvals are obtained and funding agreements are put in place with and executed by MOPAC and proposed recipients.

8 Equality Comments

- 8.1 Section 149(1) of the Equality Act 2010 provides that, in the exercise of their functions, public authorities must have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 8.2 The obligation in section 149(1) is placed upon the Mayor, as decision maker. Due regard must be had at the time a particular decision is being considered. The duty is non-delegable and must be exercised with an open mind.
- 8.3 Some communities are over-represented amongst victimisation data and/or who fall within the scope of the EU Victims' Directive 2012/29/EU, i.e. victims of more serious crimes, vulnerable victims, particularly those whose circumstances make it difficult for them to access support, and repeat or persistently targeted victims, who must receive a prioritised service. In addition, the analysis indicates that those living in more deprived neighbourhoods are more likely to be targeted.
- 8.4 The evidence indicates differential experiences of victim satisfaction and confidence amongst different sections of London's community – BAME (black, Asian and minority ethnic), women, young people, boys/men, and people with physical and mental health disabilities. The evidence also indicates that some areas of London are more vulnerable than others to crime and victimisation. However, analysis shows that the number of high harm victims that are either BAME or White is proportionate to the current London ethnic projections.
- 8.5 The proposals detailed in this decision will ensure that a victims' referral mechanism is provided for all victims of crime in line with the EU Directive on Victims of Crime. In addition, these proposals will ensure enhanced provision through Victim Support for young, vulnerable and repeat and persistently targeted victims.
- 8.6 The Crime Survey for England and Wales shows that only 40 per cent of victims report their crime to the police. MOPAC's commissioned support services will be accessible to all victims, whether or not they have reported their crime to the police. MOPAC ensures that pathways into support are tailored so that the police route to support is one of many available to victims.
- 8.7 MOPAC will continue work to build capacity and capability in the Voluntary Community and Social Enterprise (VCSE) sector, which will improve the coverage of specialised services to particular vulnerable victim groups in London. This will be done through the Small Grants Fund and through direct commissioning arrangements with providers of specialised support to victims of crime.
- 8.8 The funding being provided for specialised services will support a range of provision for victims suffering from hate crime (disability, faith, lesbian, gay, bisexual and transgender, and race), domestic and sexual violence, vulnerable victims of economic crime and young victims of crime. In

doing so, MOPAC's commissioning approach supports vulnerable and repeat victims, and particular sections of minority communities who are over-represented amongst victims of crime.

- 8.9 The programmes of work covered by this decision will contribute to achieving the aims and objectives outlined in the Police and Crime Plan, which has been underpinned by extensive consultation, including focus groups with victims of crime. The Police and Crime Plan is designed to tackle the inequalities in provision of victim services that were evidenced during these consultation meetings. MOPAC's service provision and commissioning intentions reflect and take account of these findings. Full Equality Impact Assessments will be undertaken for each of the programmes of work covered by this Decision.

9 Background/supporting papers

- 9.1 PCD174 Integrated Victim and Witness Services Resource Plan 2017-2020.

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 Confidentiality: Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – Yes, detailed financial information that is commercially sensitive

ORIGINATING OFFICER DECLARATION

	<i>Tick to confirm statement (✓)</i>
Director of Criminal Justice and Commissioning: The Director of Criminal Justice and Commissioning has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓
Legal Advice: The TfL legal team has been consulted on the proposal.	✓
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓

OFFICER APPROVAL

Chief Executive Officer

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature

R. Lawrence

Date

13/06/18

