

DMPC Decision – PCD 775

Title: Victims' Commissioner Extension

Executive Summary:

To extend the work of the Victims' Commissioner for one year as a consequence of the delay in the Mayoral election until May 2021.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Approve a one-year extension of the funding for the work of the Victims' Commissioner with a total budget of £354,000 to cover salary and the associated costs with delivering the work.
2. To approve a drawdown from General Reserves to fund the above.

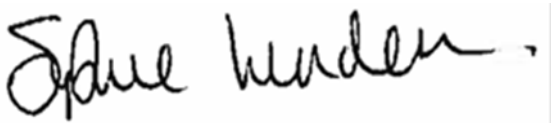
Deputy Mayor for Policing and Crime

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

Date 8/6/20



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

1. Introduction and background

- 1.1. As a consequence of the Covid-19 pandemic the London Mayoral election has been delayed until 6 May 2021 (Coronavirus Act 2020 s60(6)). In order to meet the ongoing commitments in the Mayor's Police and Crime Plan, it is necessary to extend the funding available to provide for the London Victims' Commissioner, as originally set out in PCD 174:

1.4 The Victims' Commissioner will support the Mayor and MOPAC as we work to improve the experience of victims and survivors of crime in London. By working with victims and victims' groups the Commissioner will be a dedicated champion to stand up for survivors of crime throughout the capital and ensure that their voices are heard clearly and can drive improvements in victims' services across policing and the Criminal Justice Service. The Victims' Commissioner will have a substantial leadership role over the delivery of the investment outlined in this decision.

1.5 The new Victims' Commissioner will focus on partnership, scrutiny and challenge and will work with central Government and stakeholders including the MPS, Crown Prosecution Service, Ministry of Justice and victims themselves, and will report directly to the Deputy Mayor for Policing and Crime. The Victims' Commissioner will work to ensure that the requirements and commitments under the national Code of Practice for Victims of Crime are being met.

- 1.2. The decision extends the funding available for one year to just beyond the next Mayoral Election, in line with the timescale in the previous decision.

2. Issues for consideration

- 2.1. Despite the postponement of the Mayoral Election the work of MOPAC is continuing in line with the Police and Crime Plan 2017-2021. A new Police and Crime Plan will be prepared following the Mayoral Election in line with the requirements as set out in the Police Reform and Social Responsibility Act 2011.

- 2.2. The Police and Crime Plan 2017-2021 states:

Our clear ambition for the Criminal Justice Service in London is for it to effectively and fairly deliver justice for all victims of crime. But delivering justice does not just extend to seeing an offender punished and put on a path to rehabilitation. Delivering true justice for victims means helping them to recover from the trauma of the crime they have experienced and supporting them in their ongoing recovery.

Not every victim will need the same level or type of support, but we will champion all victims and defend their interests. In order to do this effectively, MOPAC will appoint London's first independent Victims' Commissioner. They will support the Mayor and MOPAC as we work to improve the experience of victims and survivors of crime in London.

By working with victims and victims' groups the Commissioner will be a dedicated champion to stand up for survivors of crime throughout the capital and ensure that their voices are heard clearly and can drive improvements in victims' services across policing and the Criminal Justice Service.

The new Victims Commissioner will work with central Government and stakeholders including the MPS, Crown Prosecution Service, Ministry of Justice and victims themselves, and will report directly to the Deputy Mayor for Policing and Crime.

The Victims' Commissioner will also work to ensure that the requirements and commitments under the national Code of Practice for Victims of Crime are being met. Adherence to the Code of Practice by the MPS needs to improve, and the Commissioner will conduct a full review of compliance in the MPS and other partner agencies.

- 2.3. Extending the funding for the Victims' Commissioner and associated support for one year will enable this work to continue and ensure that the commitments in the Police and Crime Plan can continue to be met.
- 2.4. The COVID-19 pandemic has raised significant issues for all victims of crime, particularly those victims of Domestic Abuse where evidence from other countries indicates that victimisation will increase. As a consequence, the work of the Victims' Commissioner during this period is particularly important.

3. Financial Comments

- 3.1. The total budget requirement totals £354,000 and this will cover the Victims' Commissioner and associated support for one year. It will be funded from General Reserves held by MOPAC.

4. Legal Comments

- 4.1 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 MOPAC has wide 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.
- 4.2 Section 143 (1) (b) of the Anti-Social Behaviour Crime and Policing Act 2014 provides an express power for MOPAC, as a local policing body, to provide or commission services "intended by the local policing body to help 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.
- 4.3 The powers in section 143 were given to MOPAC following the Government's response to the consultation Getting it Right for Victims and Witnesses (2 July 2012) in which it set out a package of reforms to the way in which support services for victims of crime are to be provided.
- 4.4 The recommendations in this decision are in line with the legislation.

5. GDPR and Data Privacy

- 5.1. GDPR matters have been discussed with the Data Protection Officer, who has confirmed that no Data Protection Impact Assessment (DPIA) is required for this area of spend.

However, the personal details of any individuals or organisations with whom contact is made for the purposes of the engagement will be managed in accordance with MOPAC's wider Privacy Notice.

6. Equality Comments

- 6.1. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7. Background/supporting papers

PCD 174 Integrated Victim and Witness Services Resource Plan 2017 – 2020
PCD 377 Review of Integrated Victim & Witness Resource Plan 2018-2020

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

If yes, for what reason:

Until what date: N/A

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 –NO

ORIGINATING OFFICER DECLARATION

Tick to confirm statement (✓)

Financial Advice:

The Strategic Finance and Resource Management Team has been consulted on this proposal.

✓

Legal Advice:

Legal advice is not required.

✓

Equalities Advice:

Equality and diversity issues are covered in the body of the report.

✓

Public Health Approach

Due diligence has been given to determine whether the programme sits within the Violence Reduction Unit's public approach to reducing violence. This has been reviewed and supported by a senior manager within the VRU.

✓

Commercial Issues

Commercial issues are not applicable.

✓

GDPR/Data Privacy

- GDPR compliance issues are covered in the body of the report and the GDPR Project Officer has been consulted on the GDPR issues within this report.
- A DPIA is not required.

✓

Director/Head of Service:

The Head of Governance and Risk has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.

✓

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



Date 03/06/2020