

6<sup>th</sup> February 2024

## FOI 04/2024

I write in connection with your request for information processed under the Freedom of Information Act 2000 and received in the Office of the Police and Crime Commissioner (OPCC) for Derbyshire on 23/01/2024 when you asked the following question(s):

***Please can you provide the specification and any other ITT documents that were released by the PCC during the last procurement round for Derbyshire's Adult Victims, CYP Victims and RJ services.***

I can confirm that the Office of the Police and Crime Commissioner for Derbyshire holds some of the information that you have asked for.

In answer to your request please find attached three PDF specifications for the services above.

This is to inform you that the Office of the Police and Crime Commissioner (OPCC) for Derbyshire does not hold some of the information you have requested as the ITT documents are held by Derbyshire Constabulary's procurement team.

You are able to submit a FOI request to them directly for the information, should you wish to, using the link below -

[I want to find information about the police | Derbyshire Constabulary](#)

If you are not satisfied with our response to your request, under Section 17 of the FOIA of the FOIA you are entitled to ask for an internal review of our decision. Any internal review needs to be submitted within two months of the date of receipt of this response and state why you are unhappy with the response. You can submit an internal review in the following ways:

- \* emailing the OPCC Inbox –  
PCCOffice@Derbyshire.PNN.Police.UK or;
- \* writing to the OPCC at –  
The Office of the Police and Crime Commissioner for Derbyshire  
Butterley Hall  
Ripley

Derbyshire

DE5 3RS

By phone – 0300 122 6000 (as a reasonable adjustment under the Equality Act 2010).

If you are not satisfied with the outcome of the internal review under Section 50 of the FOIA you can apply directly to the Information Commissioner (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the internal review procedure provided by the OPCC. You can contact the ICO in the following ways:

- \* online at the ICO –  
<https://ico.org.uk/global/contact-us/> or;
- \* writing to the ICO at –  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Marie Romano'.

**Marie Romano**  
**Interim Strategic Lead for Governance and Compliance**  
**On behalf of the Police and Crime Commissioner**



# The Specification – Derbyshire Victims’ Service (CoRe)

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## Introduction

**The Commissioner wishes to procure a general emotional and practical service to support all victims of crime, including dedicated support for victims of Hate and ASB crimes and incidents. This service will be accessible throughout the County of Derbyshire, including the City. During the course of existing contracts the PCC provided additional resource for victims of ASB and specialist support for victims of Hate Crime was established. These elements have all been included in the new specification.**

## National and Local Context

On the 1st of October 2014, the Police and Crime Commissioner (PCC) for Derbyshire took over responsibility from the Ministry of Justice for commissioning victims services. Derbyshire was one of seven PCC areas nationally which were early adopters of the new commissioning system. *For the purpose of this specification ‘county’ and ‘Derbyshire’ means the geographical county and therefore includes the city.*

The Police and Crime Plan for Derbyshire 2016-21 has the following priorities:

- Working to keep the most vulnerable in our communities safe from crime and harm and supporting those who unfortunately find themselves a victim of crime;
- Working to tackle the emerging threats of cyber and cyber-enabled crime on individuals, businesses and communities;
- Working to tackle the impact of drugs and alcohol on communities;
- Supporting those with mental health issues, including those with learning difficulties, who come into contact with the Criminal Justice System, as victim or offender, to get the right support, from the right agencies at the right time;
- Working with young people, including those who have been either victim of crime or offenders, to understand their needs and prevent them becoming involved in criminal activities;
- Working with the Constabulary to develop the policing family to be more representative of the diverse communities it serves;
- Working with the Constabulary and partners to maximise the opportunities from developments in technology

Many factors have influenced the future direction of crime prevention in Derbyshire. The priorities which have been set have been guided by public opinion as well as evidence from our partners of the key risks and threats facing the county in terms of crime. Issues raised in the Home Secretary's Strategic Policing Requirement are also critical to our future plans. Currently the following have been identified as the key threats and risks and as such are the areas that will be prioritised when it comes to allocating resources:

- Cyber Crime (Digital gap & Vulnerability)
- Domestic Abuse
- Domestic Extremism
- Human Trafficking
- Immigration Crime
- Modern Slavery
- Organised Crime
- Protecting Vulnerable Children (Child Abuse & CSE)
- Sexual Violence (FGM/Forced Marriage)
- ASB
- Cultural difference
- Lack of engagement
- Substance misuse
- Data quality
- Skills & Diversity of Workforce
- Technology
- silo working

Alongside the work to implement the Police and Crime Plan for Derbyshire in promoting safer communities, the PCC's primary function in respect of victims is to deliver the Victims' Code of Practice<sup>1</sup> in line with EU regulations<sup>1</sup> i.e.

- Free of charge
- Confidential
- Non-discriminatory
- Available whether or not a crime has been reported to the police, and
- Available before, during and for an appropriate time after any investigation or criminal proceedings

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<sup>1</sup> Ministry of Justice (2015) Victims Code of Practice

The European Union (EU) Directive on Victims of Crime<sup>2</sup> states that services, at a minimum, should offer:

- *Information regarding the criminal justice system*
- *Information regarding the rights of victims and how to access such rights*
- *Information and assistance applying for criminal injuries compensation*
- *Information regarding the criminal justice trial and preparation to attend trial*
- *Emotional and psychological support*
- *Advice relating to financial and practical challenges following the crime*
- *Information relating to the risk and prevention of secondary and repeat victimisation, intimidation and retaliation*
- *Access to appropriate services specifically targeting the needs of the individual victim*

To achieve these outcomes, all commissioned providers will need to develop and support the work across Derbyshire as a partner to ensure a whole systems approach for victims.

The overall vision and ambition is to reduce the number of victims and crimes over time, deliver positive outcomes for victims and communities, improve and ensure equal access and increase the confidence and number of people coming forward for support and/or to report the crime to the police.

This specification is underpinned by the OPCC Commissioning Strategy which outlines our values and principles and the partners with which we work.

- Needs-led (evidenced-based)
- Victim-centred
- Transparency and Simplicity
- Value for money
- Sustainability
- Partnerships
- Co-production
- Prevention

### **The Government's Victim's Strategy 2018<sup>3</sup>**

Whilst overall crime has been falling, violent crime is rising. Despite crime having fallen since the mid-1990s, there has been a recent increase in some higher harm violent offences recorded by the police. There are more reports of sexual offences and also increases in fraud and cyber-crime, which now account for just under half of all crime in England and Wales. In the year ending March 2018 there was a 16% increase in knife crime in England and Wales and the rate of violence against the person offences recorded by the police was similar in England and Wales at around 24 per 1,000 of the population. The government are addressing

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<sup>2</sup> European Union (EU) Directive on Victims of Crime

<sup>3</sup> The Government's Victim's Strategy 2018

the rise in serious violence through the Serious Violence Strategy which strikes a balance between prevention and law enforcement.

As the types of crime being committed are changing, our response in the way we tackle them and support victims must change too. More people are coming forward to report crimes that have traditionally been under-reported, creating more demand in the system. In 2006, the Code of Practice for Victims established, for the first time in law, services that must be provided to victims of crime in England and Wales by criminal justice agencies. In 2010, the first Victims' Commissioner was appointed. This post was set up to champion the interests of victims and witnesses and to encourage good practice in their treatment. Getting it Right for Victims and Witnesses' was published in 2012 and set out the government's approach for making sure victims and witnesses get the support they need.

The Victim's Strategy 2018 outlines the latest policy to ensure victims receive the support they need throughout their experience of the criminal justice system.

*“Behind every crime statistic, there are real victims and families left picking up the pieces – physically, psychologically and financially. How we support victims is a mark of the kind of country we are. Every victim's journey is different. For some, it is short and quickly behind them. For others, it is a journey that can last for years and take over their lives. Whatever the nature of the crime, people want to know there will be the right support available.”*

Victims want to be treated fairly, properly and with dignity. They want clear, timely and accurate information. They want the opportunity and the support to make their voice heard. The strategy puts forward a package of measures that will further improve victims' experience. It ensures victims are offered the support they should be and they have clear, reassuring and empowering information about the justice process. The strategy also highlights extra funding for specialist support to meet the needs of victims of particularly pernicious crimes that are on the rise such as violent assaults and sexual and domestic abuse.

In principle, we must make it easier for people who have suffered a crime to cope, recover and move on with rebuilding their lives. A victim's grief and anguish should not be compounded by grievance and anger towards a system that should support them, whatever the crime-type or set of circumstances and they should be given the opportunity to be an active and properly supported participant in the process of seeing justice delivered.

The vision is for a justice system that supports even more victims to speak up by giving them the certainty that they will be understood, that they will be protected, and that they will be supported throughout their journey, regardless of their circumstances or background.

The overarching commitments in the Strategy are to:

- Strengthen the Victims' Code, and consult on the detail of victim focused legislation, including strengthening the powers of the Victims' Commissioner, and delivering a Victims' Law.
- Hold agencies to account for compliance with the Victims' Code through improved reporting, monitoring and transparency.

- Develop the role of the Independent Public Advocate for bereaved families who have lost loved ones in extraordinary and tragic events.
- Abolish the rule which denied compensation for some victims who lived with their attacker prior to 1979 and consulting on further changes to the Criminal Injuries Compensation Scheme.

The strategy aims to:

Improve support for all victims of crime, whether or not they report the crime.

- Increase spending from £31m in 2018 to £39m in 2020/21 to improve services and pathways for survivors and victims of sexual violence and abuse who seek support to and from Sexual Assault Referral Centres.
- Develop a new delivery model for victim support services, coordinating funding across government.
- Expand and extend support available to families bereaved by homicide, including bringing in new funding for advocacy support for families bereaved by domestic homicide.
- Spend £8 million on interventions to ensure support is available to children who witness domestic abuse.

Improve victim support after a crime has been reported.

- Introduce improved police training, including new guidance on conducting interviews and collecting evidence, and a trial of body worn cameras to take Victim Personal Statements.
- Increase the number of Registered Intermediaries, communication experts helping vulnerable victims and witnesses give their best evidence at police interview and at court, by 25%.
- Increase opportunities for victims to engage in alternative solutions to court.
- Improve overall victim communication, including when explaining decisions not to prosecute and on the right to review Crown Prosecution Service decisions.

Better support victims during the court process.

- Improve the court environment, with new victim-friendly waiting areas and a new court design guide focussing on accessibility for the most vulnerable. Free up court time in the magistrates' court by dealing with crimes with no identifiable victim (e.g. fare evasion) outside court hearings.
- Continue to use video links to allow vulnerable victims to provide evidence away from the defendant and courtroom altogether.
- Encourage take up of pre-trial therapy by launching new guidance and a toolkit for prosecutors and therapists.

Make sure victims understand a court's decision, the implications for them, and for the offender.

- Review and consider extending the Unduly Lenient Sentence scheme so victims and the public can have sentences reconsidered by the Court of Appeal.
- Reform the Victim Contact Scheme, making it easier to opt-in, introducing more frequent communication, and greater use of digital contact methods
- Improve Victim Liaison Officer training, especially in supporting victims during parole hearings and in making a Victim Personal Statement.
- Review and consider whether any improvements need to be made to entitlements for victims of mentally disordered offenders.

### Derbyshire Victims' Service – The Cope and Recover (CORE) model

Derbyshire Victims' service, also called CORE is an integrated service model with strong referral and communication mechanisms to ensure that access and seamless referral and support is delivered for victims and families.





Some of the CORE services are co-located - a generic provider, a young people's service, and a Restorative Justice provider. The Constabulary's Witness Care service is also closely located. This provides the opportunity and the ability to coordinate and integrate their delivery of support to victims in a seamless way to improve the experience of victims as they journey through the criminal justice system and recover from the impact of crime. Other services form part of CORE provision but are located in different places throughout the City and County to meet service users/victims' needs.

## **Anti-Social Behaviour**

The Anti-social Behaviour, Crime and Policing Act: antisocial behaviour (Home Office May 2014) provides statutory guidance for frontline professionals on operational measures such as Community Trigger, Community Remedy and further powers police and partners may use to prevent and manage ASB as part of the Criminal Justice response to offenders, rather than strategic policy for partners.

While it is recognised that anti-social behaviour (ASB) is not a crime, it is well accepted that victims of ASB may have the same needs and requirements as any other victim of crime and should therefore receive support to cope and recover in the same way as victims of crime.

There are different elements to these incidents, i.e. they are often persistent and repetitive, very local to the victim's community and their home, and sometimes aggravated through a perceived difference or characteristic of the victim, verging on Hate Crime in some cases.

## **Hate Crime**

### **Action Against Hate - The UK Government's Plan for tackling Hate Crime 2018<sup>5</sup>**

Hate crime victims are less likely to be satisfied by police handling of an incident than victims of other crimes. The Government promotes a victim-centred approach to hate crime which means listening to what victims and their advocates want. Evidence from stakeholders and academics indicates that we should further explore restorative justice options.

The Hate Crime Action Plan focuses on five themes:

1. Preventing hate crime by challenging beliefs and attitudes;
2. Responding to hate crime within our communities;
3. Increasing the reporting of hate crime;
4. Improving support for victims of hate crime; and
5. Building our understanding of hate crime.

Improvement in support for victims will continue through:

- The Law Commission review into the coverage and approach of current hate crime legislation.

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<sup>5</sup> Action Against Hate - The UK Government's Plan for tackling Hate Crime 2018

- Offering improved support for victims in the criminal justice system, including through the Victims' Strategy and Victims' Code. □□
- Supporting specific communities who are particularly vulnerable.

The PCC commissioned the University of Leicester, Centre for Hate Studies to conduct a test and learn evaluation of Hate Crime Community Advocacy in Derbyshire (May 2019). The evaluation showed that Derbyshire Victims' Services is highly regarded by stakeholders and victims. The support delivered is considered high quality and effective as is its awareness raising activity. The research found that there were good levels of awareness of the victim's code, and good working practices with the police. In terms of the advocacy approach, victims described feeling understood and well supported. Victims valued the independence of the role for reporting to the police.

Key aspects of advocacy were identified as:

- time to listen;
- lived experience on the part of the advocates;
- reporting on behalf of victims especially to the police;
- offering a single point of contact, on-going support, onward referral to other agencies for support.

This has informed a new hate crime model in Derbyshire which combines general advocacy which all hate crime victims should receive, alongside specialist provision, if needed, to support specific hate crime strands.

### **Victim Triage Unit**

In January 2019 the OPCC and the Force introduced a new unit which makes contact with victims who initially decline support to help encourage referrals into appropriate support services. The unit is successfully:

- Improving the victim experience of CORE services, enabling more people to be referred into support to help them to cope and recover from the crime and associated criminal justice experiences;
- Improving victim satisfaction rates for the Force;
- Monitoring, improving and evidencing of compliance with the Victim's code;
- Increasing the likelihood of positive outcomes and convictions at court;
- Improving compliance with GDPR for both the Force and OPCC.

### **Prevalence and Demand**

## **Crime in Derbyshire**

The population of Derbyshire combined is 1,048,138, 791,966 in the County and the population of Derby City is 256,172. From April 2018 – March 2019 there were 54,688 recorded victim-based crimes in Derbyshire<sup>6</sup>, 1,243 recorded Hate occurrences and 255 hate non-crimes. In addition there were 44,497 ASB incidents recorded across all types of ASB, many of which do not require victim services' support. In quarter 1 (2019/20), there have been 41 referrals made to the current service in relation to ASB.

Based on demand on the current service, since the implementation of the Triage, it is estimated that there could be a potential of between 6,000-10,000 victims of reported crime opting into services per year. In the last year there were 6258 total referrals to the current service, 4,944 referrals were directly from Derbyshire constabulary and there were 280 self-referrals. Of these there were 201 hate crimes and incidents (179 crimes) and 376 ASB crimes and incidents (137 crimes). It is an intention of the commissioner to increase self-referrals into all victim's services and improve engagement rates across the board.

## **Scope of Specification**

The Commissioner wishes to procure a general emotional and practical service to support all victims of crime, including dedicated support for victims of Hate and ASB crime and incidents, across the county of Derbyshire. The service will also work with the OPCC to identify emerging trends and where there are gaps in provision. The specifics of this are outlined below. The Office of the Police and Crime Commissioner for Derbyshire (OPCC) is the sole funder for this specific service and will lead the procurement process. This contract is being procured and managed by the OPCC for Derby and Derbyshire. The service is for any victim of crime, 18 years plus. There is a recognition that victims will identify with a range of different types of service to meet their individual needs. The OPCC wishes to encourage self-referral, address unmet needs and offer a choice in service provision. The service will need to operate flexible hours to meet the needs of victims. As a guide the current service operates Monday- Friday 8am-8pm and Saturdays 9-1pm.

The OPCC expect the contract to operate from 1 April 2020. The duration of this contract is for three years, with a further option of one year plus one year extensions.

The OPCC is seeking to commission a provider which will deliver both preventative and direct interventions for victims of crime increasing the safety and protection of victims. Every victim referred or who self refers will be offered a service or will be supported to find the appropriate service to meet their needs in accordance with national and local strategy, policy and guidance. The service will:

- Provide a single access and referral point for victims and referrers offering a consistent, equitable and easy to access service across the whole county;
- Deliver safe and evidence-based interventions and services that people need including Advocacy, emotional support, information provision and signposting. The

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<sup>6</sup> Derbyshire Constabulary Performance Team

service will apply person-centred approaches which may range from short-term, limited intervention such as a phone call or letter through to longer term restorative or trauma informed interventions requiring several weeks of case work. The provider will evidence how it will triage referrals based on need assessment;

- Provide a clear pathway for those who choose not to report the crime as well as those who do. Referral or signposting of those who access the service and who are assessed to have therapeutic or clinical counselling needs or other specific needs will be expedited by the provider. Inter-dependency with other services will be need to be demonstrated;
- Be able to respond to and encourage self-referrals;
- Raise awareness of ASB and hate crimes and incidents and impacts on victims and provide dedicated case workers to respond and support these victims;
- Work in partnership with all other providers to define pathways and facilitate referral and support for people
- Provide appropriate case management systems to identify trends and monitor performance.
- Monitor and report on outputs and outcomes on a quarterly basis based on quantitative and qualitative data.
- Show how it will engage victims and service users in service design and evaluation of effectiveness;
- Train all staff providing the CORE service to identify risk and make or actively support appropriate referrals in line with local policy and procedures for further assessment and support;
- Victims deemed to be vulnerable will be assessed within 24 hours as a priority;
- The service should be flexible and available to manage the demands of the victims requiring a service. The service shall clearly define its operating hours including its out of hours offer and emergency duty arrangements and be operationally based in Derbyshire
- Create and operate within a partnership environment of positive relationships with stakeholders;
- Provide value for money. The provider will be expected where possible to make efficiency savings through innovation and in response to emerging trends;
- Work as a CORE provider of victims services, using the Commissioner's branding;
- The service should demonstrate how it will work with the OPCC and other partners including where it will locate, given consideration to co-location, ICT, case management

systems and data –sharing arrangements. The service will be required to demonstrate innovation, through the use of technology to reach diverse audiences and to ensure coverage of support throughout the County;

- The provider will uphold the Equality Act 2010 and the Public Services (Social Value) Act 2012, where the provider ‘will improve the economic, social and environmental well-being’ of the local communities within which this service will work. ;
- The service should be delivered to support people wherever is safest and preferred by the victim, within reason;
- The service should have knowledge of and be able to secure access to local services.
- A timely response of ‘referral to service’ for all those contacting the service and reported as part of the performance monitoring tool
- Consult regularly with victims on appropriateness of the service to continually improve, develop and implement action plans on areas to change.

## **Outcomes**

The provider will:

- demonstrate outcomes for victims across the four main MOJ outcome measures. It will be for the provider to determine how best to do this and what tools will be used to gather and evaluate impacts.
  - Improved health and Well-being
  - Better able to cope with aspects of everyday life
  - Increased feeling of Safety
  - Better informed and empowered to act
- Seek to reduce risk and harm to victims and their families, enable people to cope and recover, promote prevention and support independent living.
- Improved health and well-being, increased safety and perceptions of safety, re-integration, victims feeling informed and an improved experience of the CJS Service user satisfaction.

The PCC would expect to see an increase of both self-referrals and those referred from other organisations, through an effective marketing campaign, referral pathway and partnership working with local support organisations across the county. In addition, the provider will need to improve the current engagement level from those referred who report a crime. This would be reviewed with the provider throughout 2019/20 for the next year. The service must therefore have a flexible operating model and the capacity and capability to manage shifts in referrals and demands in dialogue with the Commissioning team.

- Increase number of self-referrals to the service;
- improve the current engagement level;
- Deliver an accurate performance and activity report on a monthly basis and attend quarterly contract monitoring meetings providing relevant victim profiles, outcomes reports and completion of the MOJ dashboards;
- Consult with victims regarding their experiences and to co-produce effective outcomes/service improvements;
- maintain consistent standards and measures to demonstrate effectiveness and efficiency;
- Ensure skilled and effective workforce are recruited and receive appropriate training
- Prepare and agree with the PCC a cost improvement plan for each financial year;
- publicise and market the service as part of the PCCs CORE model of Derbyshire Victims' services;
- Effective signposting for every victim who contacts the service;
- victims are effectively triaged according to their need;
- 100% of victims referred or presenting for support a service will have a delegated named worker to work with
- 100% of victims accessing the service will receive a response according to the victims preferred mode of contact
- 100% of people accessing the service will be assessed and either supported or signposted to the service that meets their needs

# The Specification – the provision of specialist victim services for young people under the age of 18 years

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## Introduction

The Derbyshire Police and Crime Commissioner wishes to procure a service for all young victims of crime who are under the age of 18 years in Derbyshire (to include Derby City). The service will complement the commissioned service for adults and other specialist provision (as outlined below). The Commissioner is seeking a joint funding arrangement with the Provider which will be required to successfully tender for this contract.

## Scope of Specification

- Provider(s) will need to deliver an evidence-based, trauma-informed and restorative support service within Derbyshire that meets the needs of young victims and that can demonstrate co-operation with a range of organisations and partners in the city and county including the other services forming the PCC's CoRe victims offer. This will include a range of statutory agencies such as the councils, the police and health organisations and a range of other support services. The provider will also need to demonstrate close working relationships with other voluntary bodies.
- Applications will be considered from single organisations or Consortia. Where there is more than one provider in the delivery of this service as a single consortium, there will be one named accountable organisation within that consortia for the quality, finance and strategic requirements of this contract.
- The OPCC expects the contract to operate from 1 April 2023. The duration of this contract is for three years with a further option of two 12 month extensions.
- A delivery timetable explaining start up, mobilisation and service delivery will be required as part of the provider's response to the specification.

## The specifics of the service are:

The service will be a victim-centred service enabling young victims to cope and recover as part of the Commissioner's CoRe suite of services outlined below. It will address individual needs of any victims using it. It will aim to increase the well-being and safety of victims and their families in Derbyshire.

It is for:

- Young People under 18 who are victims of crime Separate specialist services are commissioned to help young people recover from domestic abuse, sexual abuse or exploitation.
- All victims irrespective of gender, sexuality, race, religion or disability
- All victims who are residents of Derbyshire (including the City).

The service will be a holistic service incorporating both practical and emotional support elements. It will offer the following:

- appropriate assessment and triage
- tailored support to the individual needs of the victim
- accurate and impartial information to victims of all forms of crime
- emotional and practical support to meet the needs of the victim, this may be on-line, on the phone and/or face to face
- signposting and referral, single incidents of support or long-term case-work and restorative interventions
- act as a single point of contact
- ensure the safety of victims
- provide a professional service

## **Operating Requirements**

The provider will need to demonstrate a flexible operating model and one that can meet requirements of the Victims code and changing needs of victims including where necessary out of hours support for young people.

## **Workforce Requirement**

The Commissioner will be looking for the provider to employ a skilled and trained workforce.

## **Outcomes**

The service provider will need to work in partnership and within the existing MOJ outcomes framework under the Victims Code of Practice:

The following outcomes will need to be measured:

- Improved health and Well-being
- Better Able to Cope with Aspects of Everyday Life
- Increased feeling of Safety



- Better Informed and Empowered to Act

**This may change during the term of the contract to meet national requirements.**

### **Performance Indicators/Service expectations**

- A minimum expectation that the service will receive referrals on all young victims of crime at all risk levels directly from the Police unless a victim opts out. The service for 2021/2022 received approximately 3000 referrals, of this total the police referred through approximately 1000 victims a year. Separate specialist services are commissioned to help young people recover from sexual abuse or exploitation.
- The service will demonstrate through data and outcomes that every effort has been made to make contact, engage and maintain a service for as many of these referrals as possible, whilst recognising that victims may decline to engage or contact may not be established.
- The service will need to encourage and support self-referrals and provide and promote opportunities to increase pathways for victims who do not want to report to the police.
- Consult with victims regarding their experiences and co-produce effective outcomes/service improvements.
- Maintain consistent standards and measures to demonstrate effectiveness and efficiency.
- Publicise and market the services provided in line with the Commissioner's CoRe Victims offer.
- Create and operate within a Partnership environment of positive relationships with Commissioners and all stakeholders.
- Provide value for money. The Provider will be expected where possible to make efficiency savings through innovation and in response to emerging trends.
- Providers will be expected to attend relevant local Partnership meetings and contribute to shared strategies and actions. Providers will need to operate under the governance of the Police and Crime Plan and the Domestic and sexual Abuse partnership arrangements.
- Providers will be required to ensure co-ordination and seamless journeys for victims. There will need to be joint working relationships with:
  - The OPCC
  - Police
  - Specialist Victims services
  - Children and Adults Social Care
  - Acute and primary health services
  - Mental health services
  - Substance misuse services

- Housing and refuge providers
- Other voluntary and community sector providers

## **National and Local Context**

### **National Context**

Police and Crime Commissioners are locally elected to secure efficient and effective policing. They have a legal duty to consult with victims in setting the policing priorities in their area and to hold the Chief Constable of the police in their area to account.

Alongside the work to implement the Police and Crime Plan for Derbyshire in promoting safer communities, Police and Crime Commissioners are responsible for commissioning many of the services that support victims outlined in the Code of Practice for Victims of Crime (Victims' Code 2015, 2020)<sup>1</sup>.

This Code sets out the services and a minimum standard for these services that must be provided to victims of crime by organisations (referred to as service providers) in England and Wales.

It acknowledges that the terms 'complainant' and 'survivor' are often used in the criminal justice system to describe a person who has made a criminal allegation to the police. However, for the purpose of this Code, the definition of a 'victim' is:

- a person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence
- a close relative (or a nominated family spokesperson) of a person whose death was directly caused by a criminal offence.

The following persons can also receive Rights under this Code if they are:

- a parent or guardian of the victim if the victim is under 18 years of age;
- a nominated family spokesperson if the victim has a mental impairment or has been so badly injured because of a criminal offence that they are unable to communicate or lacks the capacity to do so.

All service providers must have the victim's best interests as their primary consideration and take the victim's age, maturity, views, needs and concerns fully into account.

(see appendix for 12 rights)

### **Enhanced Rights - Victims of the most serious crime**

You are eligible for Enhanced Rights under this Code as a victim of the most serious crime, if you are a close relative bereaved by a criminal offence, a victim of domestic abuse, hate crime, terrorism, sexual offences, human trafficking, modern slavery, attempted murder, kidnap, false imprisonment, arson with intent to endanger life and wounding or causing grievous bodily harm with intent.

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<sup>1</sup> Code of Practice for Victims of Crime in England and Wales, 2020, Ministry of Justice

Additional Enhanced Rights that are available for bereaved close relatives are highlighted separately within each individual Right of this Code.

## **Persistently Targeted Victims**

You are eligible for Enhanced Rights under this Code as a persistently targeted victim if you have been targeted repeatedly as a direct victim of crime over a period of time, particularly if you have been deliberately targeted or if you are a victim of a campaign of harassment or stalking.

At present, The European Union (EU) Directive on Victims of Crime<sup>2</sup> states that services, at a minimum, should offer:

- *Information regarding the criminal justice system*
- *Information regarding the rights of victims and how to access such rights*
- *Information and assistance applying for criminal injuries compensation*
- *Information regarding the criminal justice trial and preparation to attend trial*
- *Emotional and psychological support*
- *Advice relating to financial and practical challenges following the crime*
- *Information relating to the risk and prevention of secondary and repeat victimisation, intimidation and retaliation*
- *Access to appropriate services specifically targeting the needs of the individual victim*

To achieve these outcomes, all commissioned providers will need to develop and support the work across Derbyshire as a partner to ensure a whole systems approach for victims. The overall vision and ambition is to reduce the number of victims and crimes over time, deliver positive outcomes for victims and communities, improve and ensure equal access and increase the confidence and number of people coming forward for support and/or to report the crime to the police.

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<sup>2</sup> European Union (EU) Directive on Victims of Crime

## Victims Strategy 2018

The Victim's Strategy 2018<sup>3</sup> aimed to ensure victims receive the support they need throughout their experience of the criminal justice system.

*“Behind every crime statistic, there are real victims and families left picking up the pieces – physically, psychologically and financially. How we support victims is a mark of the kind of country we are. Every victim’s journey is different. For some, it is short and quickly behind them. For others, it is a journey that can last for years and take over their lives. Whatever the nature of the crime, people want to know there will be the right support available.”*

Victims want to be treated fairly, properly and with dignity. They want clear, timely and accurate information. They want the opportunity and the support to make their voice heard. The strategy puts forward a package of measures that will further improve victims’ experience. It ensures victims are offered the support they should be and they have clear, reassuring and empowering information about the justice process. The strategy also highlights extra funding for specialist support to meet the needs of victims of particularly pernicious crimes that are on the rise such as violent assaults and sexual and domestic abuse. In principle, we must make it easier for people who have suffered a crime to cope, recover and move on with rebuilding their lives.

Key aspects of the strategy were:

- Strengthen the Victims’ Code, and consult on the detail of victim focused legislation, including strengthening the powers of the Victims’ Commissioner, and delivering a Victims’ Law.
- Hold agencies to account for compliance with the Victims’ Code through improved reporting, monitoring and transparency.
- Develop the role of the Independent Public Advocate for bereaved families who have lost loved ones in extraordinary and tragic events.
- Abolish the rule which denied compensation for some victims who lived with their attacker prior to 1979 and consulting on further changes to the Criminal Injuries Compensation Scheme.
- Improve support for all victims of crime, whether or not they report the crime.
- Increase spending from £31m in 2018 to £39m in 2020/21 to improve services and pathways for survivors and victims of sexual violence and abuse who seek support to and from Sexual Assault Referral Centres.
- Develop a new delivery model for victim support services, coordinating funding across government.
- Expand and extend support available to families bereaved by homicide, including bringing in new funding for advocacy support for families bereaved by domestic homicide.

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<sup>3</sup> Victims Strategy, 2018, HM Government

- Spend £8 million on interventions to ensure support is available to children who witness domestic abuse.

## Local Context

### PCC Commissioning Strategy

This specification is underpinned by the PCC's Commissioning Strategy<sup>4</sup> which outlines our values and principles and the partners with which we work. This strategy has been refreshed to reflect the revisions to the Victims code. The set of principles within the commissioning strategy remain the same and are as follows:

- Needs-led (evidenced-based)
- Victim-centred
- Transparency and Simplicity
- Value for money
- Sustainability
- Partnerships
- Co-production
- Prevention

The joint City and County Derbyshire Domestic Abuse and Sexual Violence Strategy (2018-2021)<sup>5</sup> sets out Derbyshire's partnership commitment to work collaboratively towards achieving our shared ambition:

*“To make Derbyshire and Derby a place where everyone can live safe lives, without the threat or experience of domestic violence and abuse or sexual violence because it is not tolerated by our residents or our organisations.”*

The three main outcomes within the strategy are:

- Prevention - engaging and raising awareness with victims, perpetrators, professionals and communities to identify and prevent domestic violence and abuse and sexual violence.
- Protection- victims of domestic violence and abuse and sexual violence are protected and perpetrators are held to account for their behaviour.
- Provision - meet the needs of victims by providing high quality and consistent services at a local level on a risk-based approach.

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<sup>4</sup> [www.derbyshire-pcc.gov.uk](http://www.derbyshire-pcc.gov.uk)

<sup>5</sup> [www.saferderbyshire.gov.uk](http://www.saferderbyshire.gov.uk)

These objectives include “meeting the needs of victims by providing high quality and consistent services at a local level on a risk-based approach.”

The Derby and Derbyshire Safeguarding Adults<sup>6</sup> and Childrens’ boards continue to see domestic abuse as a priority and engage with and support the priorities identified within the Derbyshire Domestic Violence and Abuse and Sexual Violence strategy.

### **Derbyshire Victims’ Service – The Cope and Recover (CORE) model**

Derbyshire Victims’ service, also called CORE<sup>7</sup> is an integrated service model with strong referral and communication mechanisms to ensure that access and seamless referral and support is delivered for victims and families.



Some of the CORE services are co-located - a generic provider, a young people’s service, and a Restorative Justice provider. The Constabulary’s Witness Care service is also closely located. This provides the opportunity and the ability to coordinate and integrate their delivery of support to victims in a seamless way to improve the experience of victims as they journey through the criminal justice system and recover from the impact of crime. Other services form

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<sup>6</sup> [www.derbyshiresab.org.uk](http://www.derbyshiresab.org.uk)

<sup>7</sup> [www.core-derbyshire.com](http://www.core-derbyshire.com)

part of CORE provision but are located in different places throughout the City and County to meet service users/victims' needs.



# Appendix A

## Summary of Victims' Rights

### **1. To be able to understand and to be understood**

You have the Right to be given information in a way that is easy to understand and to be provided with help to be understood, including, where necessary, access to interpretation and translation services.

### **2. To have the details of the crime recorded without unjustified delay**

You have the Right to have details of the crime recorded by the police as soon as possible after the incident. If you are required to provide a witness statement or be interviewed, you have the Right to be provided with additional support to assist you through this process.

### **3. To be provided with information when reporting the crime**

You have the Right to receive written confirmation when reporting a crime, to be provided with information about the criminal justice process and to be told about programmes or services for victims. This might include services where you can meet with the suspect or offender, which is known as Restorative Justice.

### **4. To be referred to services that support victims and have services and support tailored to your needs**

You have the Right to be referred to services that support victims, which includes the Right to contact them directly, and to have your needs assessed so services and support can be tailored to meet your needs. If eligible, you have the Right to be offered a referral to specialist support services and to be told about additional support available at court, for example special measures.

### **5. To be provided with information about compensation**

Where eligible, you have the Right to be told about how to claim compensation for any loss, damage or injury caused as a result of crime.

### **6. To be provided with information about the investigation and prosecution**

You have the Right to be provided with updates on your case and to be told when important decisions are taken. You also have the Right, at certain stages of the justice process, to ask for decisions to be looked at again by the relevant service provider.

### **7. To make a Victim Personal Statement**

You have the Right to make a Victim Personal Statement, which tells the court how the crime has affected you and is considered when sentencing the offender. You will be given information about the process.

### **8. To be given information about the trial, trial process and your role as a witness**

If your case goes to court, you have the Right to be told the time, date and location of any hearing and the outcome of those hearings in a timely way. If you are required to give evidence, you have the Right to be offered appropriate help before the trial and, where possible, if the court allows, to meet with the prosecutor before giving evidence.

### **9. To be given information about the outcome of the case and any appeals**

You have the Right to be told the outcome of the case and, if the defendant is convicted, to be given an explanation of the sentence. If the offender appeals against their conviction or sentence, you have the Right to be told about the appeal and its outcome.

### **10. To be paid expenses and have property returned**

If you are required to attend court and give evidence, you have the Right to claim certain expenses. If any of your property was taken as evidence, you have the Right to get it back as soon as possible.

### **11. To be given information about the offender following a conviction**

Where eligible, you have the Right to be automatically referred to the Victim Contact Scheme, which will provide you with information about the offender and their progress in prison, and if/when they become eligible for consideration of parole or release. Where applicable, you also have the Right to make a new Victim Personal Statement, in which you can say how the crime continues to affect you.

### **12. To make a complaint about your Rights not being met**

If you believe that you have not received your Rights, you have the Right to make a complaint to the relevant service provider. If you remain unhappy, you can contact

# The Specification – the provision of Restorative Justice Services for Derby/Derbyshire

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## Introduction

The Derbyshire Police and Crime Commissioner wishes to procure a Restorative Justice Service in Derbyshire (to include Derby City), for all adults and young people, which is compliant with the MOJ Victims' Code of Practice for England and Wales and the Restorative Justice Council's Restorative Services Standards and Quality Mark.

*Restorative justice a process that brings those harmed by crime, and those responsible for the harm, into communication. It enables everyone affected by a particular incident to play a part in repairing the harm which can be valuable in finding a positive way forward. The communication may take many forms, for some this may mean meeting the offender face-to-face, for others, this could be communicating via letter, recorded interviews or videos. Whichever form of Restorative Justice is most suited to you, trained facilitators will prepare and support you throughout.*

*Restorative Justice is voluntary for all parties and it must be agreed by all involved, including facilitators, that it is safe and appropriate to proceed. It will only happen if you and the offender, having acknowledged the basic facts of the case, both want to take part. You do not have to take part and you can withdraw at any time. You can ask to participate in Restorative Justice at a time that is right for you. You may be offered the opportunity to take part because the offender has been referred and it is assessed as safe.*

*(Code of practice for Victims of Crime in England and Wales 2020)*

## Scope of Specification

- Provider(s) will need to deliver an evidence-based, trauma-informed, restorative justice service within Derbyshire that meets the needs of all victims and places them at the heart of the service model.
- Applications will be considered from single organisations or Consortia. Where there is more than one provider in the delivery of this service as a single consortium, there will be one named accountable organisation within the consortia for the quality, finance and strategic requirements of this contract.

- The OPCC expects the contract to operate from 1 April 2023. The duration of this contract is for three years with a further option of two 12 x month extensions.
- A delivery timetable explaining start up, mobilisation and service delivery will be required as part of the provider's response to the specification.

### **The specifics of the service are:**

The provision of good quality, safe and competent victim-lead restorative justice services, available at all appropriate points throughout the criminal justice process – pre and post sentence - and whereby the service will be victim-centred service enabling victims to cope and recover as part of the Commissioner's other suite of victims' services. It will address individual needs of any victims using it. It will aim to increase the well-being and safety of victims and their families in Derbyshire.

Within strict criteria and appropriate assessment, the provision of offender-initiated restorative services but only where there is no risk to victims, there is informed consent from victims and all relevant partners are working together to ensure victim safety and successful outcomes for victims and their families.

The specific scope of the service will cover the following:

- Good quality and range of direct and indirect RJ interventions, both face to face and indirect alternatives, delivered by trained facilitators, offering choice in approach and outcomes and following guidance issued by the Restorative Justice Council to ensure safe and competent interventions. Whilst there is no prescribed model, there is evidence which lends itself to face to face interventions having the most successful outcomes so this should be one of the interventions on offer.
- Equal access for Victims to RJ at all stages of the CJS irrespective of their location, age of the offender or the offence committed against them.
- Awareness-raising activity to create better understanding of RJ and its benefits, what it entails and how to access it, including working with Derbyshire Constabulary on its restorative Policing model.
- Working with other key partners such as the National Probation Service, Youth Justice Service and prisons as well as the OPCC and attendance at meetings such as the Restorative Justice Steering Group; Integrated Offender Management SIG, Out of Court Disposal OCD scrutiny panel, Hate Crime network group.
- Safe, accredited services with effective risk assessment processes.
- Support for wider family members and/or carers.
- Increased public awareness of RJ services in Derbyshire and the referral routes into the service.
- Appropriate governance and partnership working to integrate, co-ordinate and improve pathways and services.

- The service shall operate a single point of contact and assessment point for referrals.
- Transparency and accountability to victims acting on their feedback and views to inform the service development and delivery.
- Close working relationship with the OPCC and the Police and compliance with agreed contract monitoring and performance processes. This is to include using PCC branding, attendance at promotional events such as OPCC roadshows, and working closely with other providers of PCC-funded victims' services.

## **Referral/Pathways**

In 2021-2022 the service received 546 referrals with a 40% successful contact rate and a 31% engagement rate. The Commissioner is looking to increase referral rates and those which then lead to successful contact and engagement rates. Providers will be asked to demonstrate their intentions and methods of achieving this.

The service will utilise the following referral routes and pathways for support:

- Adult Out of Court Disposal Cases, ASB and Community Conflict (non-crime) cases - referred by the Police via the RJ hub based within Police Headquarters.
- Youth Out of Court Disposal Cases - received via the YOS as a result of the Out of Court Disposal panel.
- Pre-Sentence Work - A process is in place, should a judge request this.
- Post-Sentence Work – Referrals received from Witness Care, Prisons, Probation and Victim Services. Victim and Offender initiated referrals to be accepted providing the process remains victim led throughout (excluding Offender referrals for DA & SA).
- Probation Restorative Awareness sessions with Offenders.
- Restorative input and support with ASB outcomes such as; Anti-Social Behaviour Contracts and Criminal Behaviour Orders.
- Referrals from schools across Derbyshire

## **Operating Requirements**

The provider will need to demonstrate a flexible operating model and one that can meet requirements of the Victims code and changing needs of victims and one founded in collaboration with the police's operational requirements and other key partners.

## **Workforce Requirement**

The Commissioner will be looking for the provider to employ a skilled and trained workforce.

## Outcomes

The service provider will need to work in partnership and within the existing MOJ outcomes framework under the Victims Code of Practice:

The following outcomes will need to be measured:

- Improved health and Well-being
- Better Able to Cope with Aspects of Everyday Life
- Increased feeling of Safety
- Better Informed and Empowered to Act

**This may change during the term of the contract to meet national requirements.**

## Performance Indicators/Service expectations

- The service will demonstrate through data and outcomes that every effort has been made to make contact, engage and maintain a service for as many of these referrals as possible, whilst recognising that victims may decline to engage or contact may not be established.
- Consult with victims regarding their experiences and co-produce effective outcomes/service improvements.
- Maintain consistent standards and measures to demonstrate effectiveness and efficiency.
- Publicise and market the services provided in line with the Commissioner's CoRe Victims offer.
- Create and operate within a Partnership environment of positive relationships with Commissioners and all stakeholders.
- Provide value for money. The Provider will be expected where possible to make efficiency savings through innovation and in response to emerging trends.
- Providers will be expected to attend relevant local Partnership meetings and contribute to shared strategies and actions. Providers will need to operate under the governance of the Police and Crime Plan
- Providers will be required to ensure co-ordination and seamless journeys for victims. There will need to be joint working relationships with:
  - The OPCC
  - Police
  - Specialist Victims services
  - Children and Adults Social Care
  - Acute and primary health services
  - Mental health services

- Substance misuse services
- Housing and refuge providers
- Other voluntary and community sector providers

## National and Local Context

Police and Crime Commissioners are locally elected to secure efficient and effective policing. They have a legal duty to consult with victims in setting the policing priorities in their area and to hold the Chief Constable of the police in their area to account.

Alongside the work to implement the Police and Crime Plan for Derbyshire in promoting safer communities, Police and Crime Commissioners are responsible for commissioning many of the services that support victims outlined in the Code of Practice for Victims of Crime (Victims' Code 2015, 2020)<sup>1</sup>.

This Code sets out the services and a minimum standard for these services that must be provided to victims of crime by organisations (referred to as service providers) in England and Wales.

It acknowledges that the terms 'complainant' and 'survivor' are often used in the criminal justice system to describe a person who has made a criminal allegation to the police. However, for the purpose of this Code, the definition of a 'victim' is:

- a person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence
- a close relative (or a nominated family spokesperson) of a person whose death was directly caused by a criminal offence.

The following persons can also receive Rights under this Code if they are:

- a parent or guardian of the victim if the victim is under 18 years of age;
- a nominated family spokesperson if the victim has a mental impairment or has been so badly injured because of a criminal offence that they are unable to communicate or lacks the capacity to do so.

All service providers must have the victim's best interests as their primary consideration and take the victim's age, maturity, views, needs and concerns fully into account.

(see appendix for 12 rights)

## Enhanced Rights - Victims of the most serious crime

You are eligible for Enhanced Rights under this Code as a victim of the most serious crime, if you are a close relative bereaved by a criminal offence, a victim of domestic abuse, hate crime, terrorism, sexual offences, human trafficking, modern slavery, attempted murder, kidnap, false imprisonment, arson with intent to endanger life and wounding or causing grievous bodily harm with intent.

Additional Enhanced Rights that are available for bereaved close relatives are highlighted separately within each individual Right of this Code.

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<sup>1</sup> Code of Practice for Victims of Crime in England and Wales, 2020, Ministry of Justice



## **Persistently Targeted Victims**

You are eligible for Enhanced Rights under this Code as a persistently targeted victim if you have been targeted repeatedly as a direct victim of crime over a period of time, particularly if you have been deliberately targeted or if you are a victim of a campaign of harassment or stalking.

At present, The European Union (EU) Directive on Victims of Crime<sup>2</sup> states that services, at a minimum, should offer:

- *Information regarding the criminal justice system*
- *Information regarding the rights of victims and how to access such rights*
- *Information and assistance applying for criminal injuries compensation*
- *Information regarding the criminal justice trial and preparation to attend trial*
- *Emotional and psychological support*
- *Advice relating to financial and practical challenges following the crime*
- *Information relating to the risk and prevention of secondary and repeat victimisation, intimidation and retaliation*
- *Access to appropriate services specifically targeting the needs of the individual victim*

To achieve these outcomes, all commissioned providers will need to develop and support the work across Derbyshire as a partner to ensure a whole systems approach for victims. The overall vision and ambition is to reduce the number of victims and crimes over time, deliver positive outcomes for victims and communities, improve and ensure equal access and increase the confidence and number of people coming forward for support and/or to report the crime to the police.

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## Victims Strategy 2018

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Key aspects of the strategy were:

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- Hold agencies to account for compliance with the Victims’ Code through improved reporting, monitoring and transparency.
- Develop the role of the Independent Public Advocate for bereaved families who have lost loved ones in extraordinary and tragic events.
- Abolish the rule which denied compensation for some victims who lived with their attacker prior to 1979 and consulting on further changes to the Criminal Injuries Compensation Scheme.
- Improve support for all victims of crime, whether or not they report the crime.
- Increase spending from £31m in 2018 to £39m in 2020/21 to improve services and pathways for survivors and victims of sexual violence and abuse who seek support to and from Sexual Assault Referral Centres.
- Develop a new delivery model for victim support services, coordinating funding across government.
- Expand and extend support available to families bereaved by homicide, including bringing in new funding for advocacy support for families bereaved by domestic homicide.
- Spend £8 million on interventions to ensure support is available to children who witness domestic abuse.

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## PCC Commissioning Strategy

This specification is underpinned by the PCC's Commissioning Strategy<sup>4</sup> which outlines our values and principles and the partners with which we work. This strategy has been refreshed to reflect the revisions to the Victims code. The set of principles within the commissioning strategy remain the same and are as follows:

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- Provision - meet the needs of victims by providing high quality and consistent services at a local level on a risk-based approach.

These objectives include "meeting the needs of victims by providing high quality and consistent services at a local level on a risk-based approach."

The Derby and Derbyshire Safeguarding Adults<sup>6</sup> and Childrens' boards continue to see domestic abuse as a priority and engage with and support the priorities identified within the Derbyshire Domestic Violence and Abuse and Sexual Violence strategy.

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## Derbyshire Victims' Service – The Cope and Recover (CORE) model

Derbyshire Victims' service, also called CORE<sup>7</sup> is an integrated service model with strong referral and communication mechanisms to ensure that access and seamless referral and support is delivered for victims and families.



Some of the CORE services are co-located - a generic provider, a young people's service, and a Restorative Justice provider. The Constabulary's Witness Care service is also closely located. This provides the opportunity and the ability to coordinate and integrate their delivery of support to victims in a seamless way to improve the experience of victims as they journey through the criminal justice system and recover from the impact of crime. Other services form part of CORE provision but are located in different places throughout the City and County to meet service users/victims' needs.

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### **5. To be provided with information about compensation**

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### **7. To make a Victim Personal Statement**

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## **8. To be given information about the trial, trial process and your role as a witness**

If your case goes to court, you have the Right to be told the time, date and location of any hearing and the outcome of those hearings in a timely way. If you are required to give evidence, you have the Right to be offered appropriate help before the trial and, where possible, if the court allows, to meet with the prosecutor before giving evidence.

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