

## SUMMARY

**Study of the referral system** Interest in victims has been growing since the 1970s. The Victim Support scheme's remit has gradually been expanded and it has developed into a professional organisation. In order to fulfil its remit it is in actual practice heavily dependent on the police for the referral of victims, but the figures show that only a limited proportion of victims who come into contact with the police are referred. This is due partly to the fact that not all victims want victim support; another possible explanation is that victims would like support but do not receive it because of weaknesses in the referral system. The Ministry of Justice's Research and Documentation Centre asked Regioplan to survey referral practice, identify risk situations and suggest possible solutions. The survey was carried out in eight police regions during the period from August 2005 to February 2006.

**National policy** The Terwee Act, which came into force in 1995, improved the position of victims by giving them more rights. The Public Prosecution Service laid down the remit of the police in relation to victim support again in 2004, in its Victim Support Directive. These rules state that the police must inform victims about the option of victim support and discuss with them whether they have any objection to their particulars being passed on to the local Victim Support agency, which can then contact them. Referral where particulars are passed on to Victim Support (with the victim's consent) is termed 'active referral'; where this is not done and the police merely provide information (e.g. in the form of a Victim Support leaflet) it is termed 'passive referral'. Victims who have been 'passively referred' can contact Victim Support on their own initiative if they so wish.

Victim Support has set priorities for contacting victims: they only contact victims of serious crimes that fall under 41 offence codes (active contacting). Victims of less serious offences can apply for victim support, but as a normal rule they must contact Victim Support themselves.

Putting the principle that *all* victims should be referred to Victim Support into practice revolves around the question of which victims are actively referred by the police and actively contacted by Victim Support. The safety net of passive referral is there for the other victims.

Victim Support policy, as laid down in the Registration Guide, is standardised nationwide: only victims of serious crime are actively contacted. Police policy varies from one region to another: some forces apply the Public Prosecution Service rules, whereas others apply Victim Support's priorities and only actively refer victims of serious crimes (the 41 offence codes).

**The police process** The police referral system breaks down into six steps. The first step is taking the crime report, statement or incident report or recording the road accident. The next step is to decide whether the victim is eligible for active referral, i.e. the victim is asked whether he or she would like Victim Support to contact him or her. In four of the forces victim support must be offered to all victims; in four other forces this is done in the case of a limited number of incident codes. All victims who report a crime must be given a crime report pack (passive referral). Opinions vary on *how* victims should be told about victim support (how the question on the desire for support is put) and *whether* this should be done, resulting in varying approaches. How much explanation on referral is given also differs from one force to another and one reporting officer to another.

The police system records whether the victim would like victim support or has no objections against the passing of his or her particulars (possible answers: 'yes', 'no' and 'not known'). The forces surveyed used one of the following systems: BPS, X-Pol or Genesys. The particulars of victims who answered the support question with 'yes' or 'not known' are passed on to Victim Support on a daily basis. Three of the eight forces also carried out quality control on the particulars sent.

**The Victim Support process** Victim Support receives the majority of cases (about 80%) as a result of active referral by the police. The referrals are examined by administrative staff at the organisation's regional offices: they select the incident codes that require active contacting and contact the police if the information is incomplete or unclear. Once the cases have been entered in the system the victims are actively contacted. If a victim needs a follow-up offer from Victim Support the case is assigned to a volunteer. Feedback is given to the police when a file is closed in some cases (there are no agreed rules on this).

One of the regions has a different approach, as Victim Support there is officially a police responsibility and a number of Victim Support staff have access to the records system. They screen the daily police reports and thus have access to the particulars of all victims (including those who have stated they do not want victim support).

**Analysis of process** Analysis of policy decisions and work processes shows that there are risks which could result in some victims, contrary to their wishes, not receiving victim support. These can be subdivided into two types:

1. Risk situations due to policy decisions.
2. Risk situations in referral practice.

**Risks due to policy** There are victims whose particulars the police pass on to Victim Support with their consent but who are not actively contacted by Victim Support. This problem can occur in regions where the police applies the Public Prosecution Service policy, which means that as a general rule all victims are eligible for active referral. The result is that some victims assume that they will be

contacted whereas this does not in fact happen. The problem does not occur in those forces which only refer victims of designated incident codes (laid down in the Victim Support Registration Guide).

Apart from the above mentioned problem there is a notable lack of a nationally standardised approach for all forces.

<b>Risks in referral practice</b>	<p>Victims who are in the target group that is supposed to be actively referred are not guaranteed to be referred, as there are situations in referral practice that involve the risk of victims, contrary to their wishes, not receiving support. There are four possible causes of this:</p> <ol style="list-style-type: none"> <li>a. Victims are not told about victim support (owing to hectic conditions or pressure of work on police officers).</li> <li>b. Victims are not given proper information or are unaware of the available help offer.</li> <li>c. Victims are told about victim support at an unsuitable moment (because they realise only later that they would like support).</li> <li>d. The victim cannot be contacted (e.g. owing to incorrect contact data).</li> </ol> <p>Passive referral is a safety net for shortcomings in the active referral process and for victims who are deliberately not actively referred. This safety net is supposed to take the shape of a 'crime report pack' which is handed out, including a leaflet giving information on victim support. This does not happen if the pack is not available or the police forget to hand it out.</p>
<b>Referral figures</b>	<p>The survey investigated whether the proportion of victims actively referred was related to aspects of force policy and environmental factors (urbanisation and geographical distribution). In general the differences in referral rates were not clearly attributable to differences in force policy; there seems to be a slight correlation between 'urbanisation' and referral rate and between the indicator 'being driven by referral rates' and referral rate. Also, forces with a high referral rate had few risks or weaknesses in their referral practice: in those forces this was explained mainly by the fact that officers are well aware of victim support and implement it.</p>
<b>Possible solutions</b>	<p>There are two conceivable ways of reducing the risks of shortcomings in the referral system:</p> <ol style="list-style-type: none"> <li>a. Investing in officers' and victims' knowledge</li> <li>b. Automatically passing on particulars of all victims to Victim Support</li> </ol> <p>The conduct of individual police officers seems to have more effect on the active referral of victims to Victim Support than differences in force policy, and this is the key to preventing problems. Everyone we spoke to considered that investing in police officers' knowledge of the services provided by Victim Support and of the value of victim support was important. This can be done during training but also at briefings and staff meetings. There is also an important job here for Victim Support, which can inform the public indirectly about its services by means of publicity campaigns etc.</p>

Another, more radical, way of reducing risks in the referral system would be to send particulars on all victims to Victim Support automatically. This would reduce the risk of a victim, contrary to his or her wishes, not receiving support. Those concerned were not entirely in favour of this solution, however: one of the objections they raised had to do with protecting victims' privacy. On top of this, both police officers and Victim Support staff were afraid that passing on personal particulars automatically would go at the expense of individual reporting officers' involvement with victims. Victim Support staff too favoured initial selection by the police, provided it was done with sufficient knowledge. According to the police and Victim Support the police should therefore retain their gate-keeping role.

**Conclusions and recommendations** The survey clearly showed that there are a number of weaknesses or risks in the design and implementation of referral, with the result that victims wanting support do not receive it. This does not detract from the fact that the referral of victims by the police is generally adequately ensured, organised and implemented.

To reduce the main risks we make three recommendations.

#### *National policy and its regional implementation*

As some forces base their approach on the Public Prosecution Service rules whereas others apply the Victim Support policy, victims of other than the 41 designated offences can get the idea that they will be contacted by Victim Support even though this does not happen in certain regions. In other words, the referral system leads victims to have expectations that are not fulfilled, with the result that they feel they are not being taken seriously. This also affects the image of the police and Victim Support. It needs to be decided as a matter of policy which approach (PPS or Victim Support) is to be adopted. The modus operandi of the police and Victim Support need to be coordinated.

#### *Active referral*

As regards active referral, the information is not always supplied (or not in full), the question is not always asked, it is not always put in the same way (which can be a problem), and the time when it is put is not always suitable. In the actual practice, there is not much that can be done about the last-mentioned problem, as the time is determined by when the crime is reported. The other problems, however, can be tackled. Investing in reporting officers' knowledge of the services provided by Victim Support and internalising victim support are important here.

*Passive referral*

For victims who, for whatever reason, fall between two stools, passive referral in the form of information provides a safety net. The police have implemented this in the form of crime report packs containing information on the services provided by Victim Support ('passive referral'). This fallback measure is not always there in practice because there are no packs, they are out of stock or the police forget to hand them out. We would therefore recommend investing in better and more widespread use of crime report packs.

