

A Voice for the Voiceless:

The Victims' Commissioner's Review into the Provision of Registered Intermediaries for Children and Vulnerable Victims and Witnesses.

Intermediaries for Justice and City University
Professional Development Conference
City University
9th May 2018

Baroness Newlove: Victims' Commissioner for England and Wales
Dr Elaine Wedlock: Head of Reviews and Analysis, Office of the Victims' Commissioner



Aim of the review

A holistic examination of the Witness Intermediary Scheme:

- Are vulnerable victims and witnesses provided with registered intermediaries when they need them?
- How is the Witness Intermediary Scheme managed, and how could this be improved to provide a better service to vulnerable victims and witnesses?
- What do service users know about the role of registered intermediaries and how to work with them?
- How are the communication needs of the vulnerable victims and witnesses assessed?

Methodology

- On-line survey completed by 122 registered intermediaries (92% response rate)
- Six regional groups in London, the North West, Cambridgeshire, the South West, Yorkshire and the North East (42 registered intermediaries)
- Quantitative interviews with officials:
 - National Crime Agency Witness Intermediary Team;
 - Ministry of Justice;
 - Registered Intermediary Registration Board;
 - Registered Intermediary Quality Assurance Board;
 - The National Vulnerable Witness Advisor;
 - The College of Policing;
 - Her Majesties Courts and Tribunals Service (HMCTS) Section 28 roll out team;
 - Crown Prosecution Service
- Written submission from
 - Citizens Advice Witness Service
- Quantitative interviews with 20 service users: 9 CPS, 11 Police

Findings

- The impact of Registered Intermediaries on communication for vulnerable victims and witnesses in the criminal justice system.
- Are all vulnerable victims and witnesses offered a Registered Intermediary?
- Awareness of the role of Registered Intermediaries
- Training on the role of RIs
- Demand for Registered Intermediaries
- Availability of Registered Intermediaries
- The impact of court listings

Findings

- The matching process
 - Assessing vulnerability
 - Work of the Witness Intermediary Team
 - Delays in matching
 - Meeting demand for Registered Intermediaries
- Governance of the Witness Intermediary Scheme
 - Recruitment of Registered Intermediaries
 - Training of Registered Intermediaries
 - Continuing Professional Development (CPD)
 - Mentoring
 - Supervision
 - Quality assurance and complaints
 - Pay and conditions

Conclusions

- Registered Intermediaries (RIs) are invaluable in giving vulnerable victims and witnesses a voice in the criminal justice system (CJS) and in turn, providing them with equality of access to justice
- Not all vulnerable victims that need a RI get one.
- Systemic failure in the WIS which does not effectively manage the provision of RIs for vulnerable victims and witnesses.
- Insufficient overall management, governance and support of the scheme to provide a fully effective professional service.
- Insufficient quality assurance
- Detrimental impact of court listings
- Delays in matching
- Inequality in local areas
- Differences in the assessment of vulnerability
- Lack of awareness about the role of RIs

Recommendations

- Provision of RIs to vulnerable victims and witnesses in England and Wales should be undertaken by a centralised national service with national lead Registered Intermediary:

Targeted recruitment by specialism and police force area

Provision and monitoring of continuous professional development

Recruitment in-line with regular demand forecasts

Provision of clinical supervision provision

Professional managerial support of RIs;

Matching requests from service users with appropriately skilled local RIs

Training of newly qualified RIs by experienced RIs

Payment for RIs services and invoicing agencies who use the service

Mentoring of new and returning RIs

Collating and monitoring service user feedback

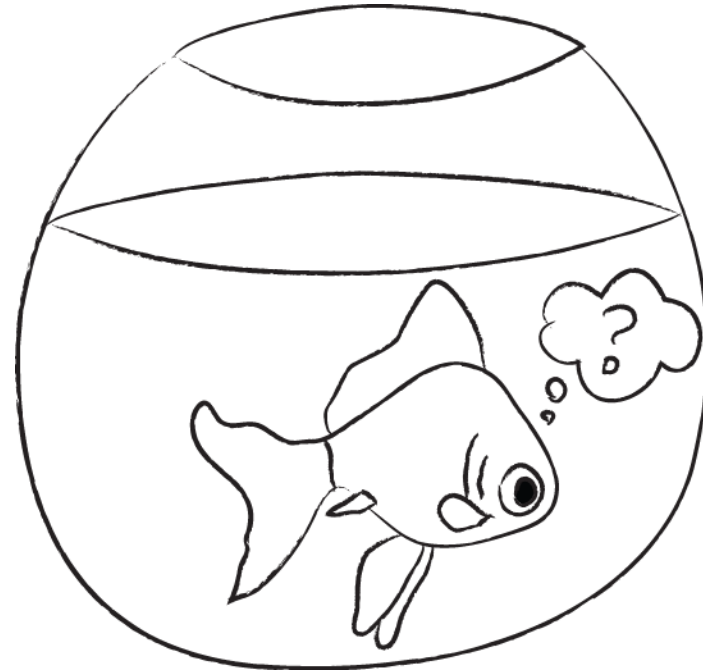
Consistent quality assurance of all RIs' work

Administrative support for regional and national meetings

Further Recommendations

- Her Majesty's Inspectorate of Constabulary & Fire and Rescue Services should include provision of RIs in its inspections of police forces.
- Her Majesty's Courts and Tribunals Service (HMCTS) should review its listings practices with a view to ensuring that trials involving a RI are fixed where possible, vulnerable victims and witnesses are informed more precisely of the date and time when they will give their evidence. HMCTS should give priority to cases with a vulnerable witness.
- The role of RIs should be promoted and explained to judges, magistrates, CPS and police, and training on their role and how to work with them should be a mandatory part of training on special measures.

Questions, thoughts, insights, reflections?



Contact us

 www.victimscommissioner.org.uk

 Victims.commissioner@victimscommissioner.gsi.gov.uk

 07957 693 147

 **@VictimsComm**