

GWENT POLICE

REPEAT VICTIMISATION POLICY



SUMMARY

'STAFF ARE REMINDED THAT THIS SUMMARY IS STRICTLY AN OVERVIEW OF THE KEY ELEMENTS OF THE DOCUMENT AND FOR A MORE COMPREHENSIVE EXPLANATION THE WHOLE OF THE DOCUMENT SHOULD BE READ'

Gwent Police recognises the devastating effect on members of our community who become victims of crime. This is compounded should they become a repeat victim. Repeat victimisation occurs in circumstances where the same person or place suffers more than one crime within a 12 month period. The force is committed to providing a quality service to all victims of crime and will reduce repeat victimisation and minimise the impact of crime on repeat victims.

The force will do this by;

- Identifying Repeat Victims
- Providing a graded response to victims according to the number of prior victimisations (level 1, level 2, level 3)
- Selecting the appropriate response to re-victimisation, dependant on the crime involved
- Ensuring that the full range of services offered by partners and other agencies are utilised to reduce and minimise the impact of repeat victimisation.

Please see Repeat Victimisation Procedure for full details

PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON THE INTRANET POLICIES SITE.

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1.0 Policy Identification Page

Policy Title: Repeat Victimisation Policy

Reference: 235/1 a issue 2

Underlying Document: Repeat Victimisation Policy Statement

Policy Ownership: Det Supt Intelligence

Portfolio/Business Area Owner: ACPO Operations Support

Policy Written By: Police Sergeant CCFP

Department Responsible: CID

Policy Lead: DCI Intelligence

Links to other Policies/Procedures: Information Security, Data Protection, Domestic Violence Policy/Procedure, Hate Crime Policy and Procedure, Osman Warning Procedure, NIM, Crime Recording, Road Death Investigation, Firearms, CHIS, Surveillance, Cannabis, TIC, Sudden Deaths, Management of Victim Interview Suites, Victim Support Referral, Domestic Violence, PNC, Impact Nominal Index, Child Protection, Serious Sexual Offences, Hate Crime, Stops, Interpreters, Witness Care, Pocket Books.

Policy Implementation Date: 29th Jan 08 OPG

Policy Review Date: Jan 2010

2.0 Policy Statement & Intentions

1.1 Principle & Scope of Policy:

Gwent Police recognises the devastating effect on members of our community who become victims of crime. This is compounded should they become a repeat victim. The force is committed to providing a quality service to all victims of crime and will reduce repeat victimisation and minimise the impact of crime on repeat victims.

Gwent Police will seek to reduce repeat victimisation and minimise its impact by identifying repeat victims, offering enhanced service and response, and concentrating such efforts on key crime areas.

1.2 Aims of Policy

The aim of this policy is to reduce the opportunity for, and incidences of, repeat victimisation and to enhance victim support, taking care not to increase the “fear of crime”. It is essential that a quality service is delivered.

3.0 Introduction

3.1 Origins/Background Information

Seeking to prevent repeat victimisation is an integral part of the Gwent Police Annual Policing Plan and is a national key objective. Gwent Police has operated a Repeat Victimisation Policy since 1998.

3.2 Motivators/Driving Forces

The following assertions can be made regarding repeat victimisation with reasonable confidence;

- Crime victimisation is a good predictor of future crime victimisation
- The more victimisation there has been in the past, the higher the likelihood of future victimisation
- Certain areas have a high crime rate, not because more people are victimised, but because there is more victimisation of the same people
- If victimisation recurs, it tends to recur quickly

- The same perpetrators seem to be responsible for the bulk of repeated offences against the victim
- Factors, such as police information systems may mask the true contribution of repeat victims to the crime problem
- Protecting those subjected to victimisation has the potential to reduce overall crime levels.

3.3 The Legal Basis and Legitimate Aims

The prevention and detection of crime:-

- Criminal Procedure and Investigations Act 1996
- Data Protection Act 1998
- Crime and Disorder Act 1998
- Domestic Violence Crime and Victims Act 2004
- Serious and Organised Crime and Police Act 2005

3.4 Definitions

Repeat victimisation occurs in circumstances where the same person or place suffers more than one crime within a 12 month period.

4.0 Implications of the Policy

4.1 Financial Implications

Although “enhanced services” arise from following the stepped level response, the services are, in many cases, already in existence and are available to the public. This policy, and the Repeat Victimisation Procedure, seeks to ensure that “repeat victims” receive these services. Furthermore savings will be made by reducing levels of re victimisation.

4.2 Human Resources/Training

This policy and the Repeat Victimisation Procedure will be brought to the attention of staff via General Orders. Copies of both the policy and procedure will be readily available on the Force intranet
Awareness training will be provide

4.3 Strategic Plan Links

This policy links to the Annual Policing Plan and Force Control Strategy by providing repeat victims with the level of service they require.

4.5 Diversity

In the application of this policy consideration must be given to the possible social impact of this policy on the community. A social impact assessment is a requirement to ensure all issues are considered. This is also a requirement of the Gwent Police Race Equality Scheme. Social impact assessments must be undertaken before and after the application of this policy.

Under the Race Relations (Amendment) Act 2000 Gwent Police is required to undertake proactive work to meet the General Duty of :

- Eliminating unlawful racial discrimination;
- Promoting equality of opportunity;
- Promoting good relations between people of different ethnic groups.

The General Duty is outlined in Section 71 (1) of the Act, and must be met in its entirety.

Monitoring must be undertaken to ensure that there is no adverse impact either positive or negative upon any one particular social group or individual. The results of monitoring must be analysed and be available for publication, and appropriate changes made.

All individuals using this policy must be aware of the potential impact that this policy has on the individuals to whom it is applied. The following strands of diversity and their corresponding pieces of legislation must be considered when answering these questions.

- Welsh Language Act 1993
- Race – Race Relations Act 1976
- Race Relations Amendment Act 2000
- Disability - Disability Discrimination Act 1995
- Gender – Sex Discrimination Act 1975
- Equal Pay Act 1970
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Age) Regulations 2006

4.6 Consultation

Police Authority

ACPO

Divisional and Departmental Heads

Information Security Officer/Data Protection Officer

Superintendents Association

Police Federation

UNISON Trade Union

Force Solicitor

Freedom of Information Officer

Gwent Police Women's Association

Gwent Black Police Association

Gwent Disability Network

Gwent Police Gay Support Network

5.0 Human Rights Consideration Certification

5.1 Auditing for potential interference and discrimination

Q1. What articles of the Human Rights Act 1998 may be engaged?

Articles 2, 3, 4, 5, 6, 8, 9, 10,11, 12,14

Q2. Where individual rights are engaged what is the potential to discriminate against the parties involved?

As well as details of the potential to discriminate, the policy should include a generic statement.

" In the application of this policy the Force will not discriminate against any persons regardless of sex, race, colour, language, religion, political or other opinion, national or social origin, association with national minority, property, birth or other status as defined under article 14 of the European Convention on Human Rights ".

5.2 Key Human Rights Principles

Q1. What is the legal basis for your policy?

See section 3.3

Q2. Does the policy provide details of what could be considered as a legitimate aim for the potential interference with an individual's rights, through the exercising of this policy? Restrictions on the rights protected in articles 8 - 11 in the Human Rights Act will be compatible with the convention only if they are aimed at protecting one of the interests listed in articles 8(2), 9(2), 10(2) and 11(2) respectively. The interest protected are broadly the same and generally include:

1. National Security
2. Public Safety
3. The protection of health or morals
4. The prevention of disorder or crime; and
5. The protection of the rights of others.

This policy aims to provide clear aims and to prevent undue interference to individual rights.

Q3. How are staff made aware of the clearly defined decision making processes?

The procedure accompanying this policy outlines the relevant processes.

Q4. What are the minimum standards of documentation in relation to decision making?

These will be outlined in the procedure.

Q5. How does your policy provide guidance on the justification for actions and assessment as to whether the action is the least intrusive?

The justification for particular decisions taken in relation to the implementation of this policy must be 'relevant and sufficient' and the least intrusive. There must be a fair balance between the restrictions on individual rights and the interests of the community at large. Therefore restrictions on individual rights must be proportionate to the legitimate aim they pursue. It is important that where a right is restricted the authority restricting it does not go beyond what is strictly necessary to achieve that purpose.

5.3 Rights, Publication, Audit and Inspection

Q1 Are there any sections of the document which should not be disclosed to the public on the Force Publication Scheme; because they consist of tactical or operational procedures, that would inhibit the apprehension or prosecution of offenders if publicly known, or would compromise the ability of the force to carry out its duties?

This document can be disclosed to the public.

Q2. What rights to make representation and appeal process are available?

Persons who wish to make representations regarding the operation of this procedure will have recourse to both civil and criminal law. There is also the right to use both formal, informal and organisational complaints procedures in respect to the operation of this procedure.

Q3. What internal review and audit process is in place or is proposed?

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This policy has been drafted in accordance with the principles and rights contained within the Human Rights Act 1998. It will be reviewed and continuously assessed in the light of any relevant changes and developments.

Q4. What external independent scrutiny is recommended?

Independent audit can be through the Force Review regime/HMI/Audit Commission

5.4 Certification of Compliance

Consideration has been given to the compatibility of this policy and related policies and procedures with the Human Rights Act; with particular reference to the legal basis of its precepts: the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making process's and outcomes of actions.

5.5 Legal Vetting

There are no issues in this policy under ECHR which cannot be resolved.

This policy has been vetted.

6.0 Promotion and Distribution

This policy will be promoted by inclusion in General Orders, and will be available on the force intranet and internet

7.0 Monitoring / Review

CID Data Entry Bureau will be responsible for extracting the information required and forwarding this information to Corporate Services.

Corporate Services will be responsible for providing management information to Divisions.