



Victims' views of SCRA's Victim Information Service



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Acknowledgements

SCRA would like to thank all those who were interviewed as part of this evaluation. Also thanks to colleagues Corrinne Carson, Sue Jenner, Shirley MacDonald and Victoria Smith for carrying out interviews. Finally, thanks to the SCRA Data Team for providing information from RAD.

EXECUTIVE SUMMARY

Background

SCRA's Victim Information Service (VIS) was rolled out nationally between September 2009 and March 2010. The aim of the VIS is to provide victims with information on the outcome of the referral of the offence to the Children's Reporter, and to provide information on the Children's Hearings System.

This evaluation assessed how well the VIS is operating from the perspectives of victims of youth offending. It was carried out between 1 November 2009 and 31 May 2010.

Interviews were conducted with 21 adults (13 men and eight women) who were victims of youth offending; six worked in residential units. Eight members of SCRA's staff, directly involved in the operation of the VIS, participated in an online survey.

Findings

Satisfaction with the VIS

Victims valued the information they received from VIS, however, they had no expectations of receiving any information. They appreciated being kept informed of what was happening with the child(ren) and felt the VIS to be a useful service albeit one which requires further development.

"It is basically a good starting service, it is good there is something there. It just needs a kinda bit of working, more resources put into it to be improved...But it is a good starting place, especially for victims who have been victims of more serious crime..."

VIS communications were not considered user-friendly and the limited information that is provided could be confusing. There were sometimes delays from when the offence happened to receipt of VIS communications, reducing their effectiveness in keeping victims informed.

For those who worked in residential care, the VIS validated their experiences as victims and emphasised that being assaulted by the young people in their care should not just be considered *'part of the job'*:

"I think acknowledgement that, you know, a crime has been committed against yourself and I think a lot of times in this...we just take it for granted that it will happen every now and again, you know?"

Victims' needs

VIS communications need to contain information that is more meaningful to victims of youth offending:

"They read to me as very obviously having been written by lawyers who didn't want to say anything that anybody could possibly read anything into... it tends to make them very formal, very officious...it's not the most user friendly document I've seen in my life..."

The use of professional jargon and terminology could be difficult to understand; for example, the information in the VIS letters on registration numbers, grounds codes and decisions:

"I am clueless as to what these grounds mean... the grounds need not identify, eh, the child but I would know then if these grounds had been properly reported by the police to the Children's Reporter...I couldn't have picked up any mistake and nor could I have tracked it, I can't link it to the registration number and I can't link it to the Reporter's ultimate decision..."

Letters are the best method of initial contact. However, there is no 'one size fits all' approach and there should be a range of alternative means of communication depending on the needs of individuals (e.g. face to face, telephone, e-mail). This would make the VIS more 'personal' and less standardised.

Participation in decision-making

Victims felt strongly that their views and the impact of the offence(s) on them had not been taken into account in decision-making (by the Reporter and/or the Hearing), and this was something they would like changed:

"I feel it definitely wasn't taken into consideration and I feel really strongly about that...I'm a Panel Member myself and I know how it works, em, and obviously what the whole service is set up for is the welfare and needs of the young person. But not, having been a victim of crime, I've seen it from the other side...I think somehow the Reporter should be interviewing victims of crime...the Children's Panel are supposed to also be protecting the interests of the community too..."

There was understanding that the victims' views may be in conflict with what is best for child(ren) and there was trust in the decisions of the professionals involved. But victims wanted to understand why these decisions had been made and how they would help prevent further offence(s). This would make it easier to accept decisions that were contrary to their own opinions:

"...knowing, you know, the other side of things a little bit, you kinda say, 'well, you know, there's reasons for...for this and there's...there's a lot of other things have to be taken into account'...the impact on me of course has to be one of them but it's...it's only actually one of them and that's why we've got a system and it's not just kind of a free for all..."

Recommendations for improvement of the VIS

Operation of the VIS

- An opt-in approach should be considered by SCRA and the Scottish Government, where the initial letter is sent to all victims with the option of them opting-in to further communications. This would alleviate some of the issues about the volume of information that victims receive.
- SCRA and the Scottish Government should consider extending the VIS to the provision of information to child victims.
- SCRA needs to improve the accuracy of its records on victims of youth offending, by examining its own processes for recording information on RAD and in working with the police to ensure that correct contact details are

provided. The records of just under two thirds of victims in RAD were incomplete.

- SCRA should consider developing a resource for victims of youth crime in residential units introducing the VIS, the Hearings System and the supports available (for workers and young people). This would reduce the amount of duplicate information sent to residential unit staff and provide transparency for child victims who are already involved in the Hearings System.
- To extend the role of the Victim Information Co-ordinator (VIC) to provide advice and support for victims face to face (or have a link to an organisation that can do this).

VIS communications

- Communications should be sent to victims at their home address wherever possible.
- Letters should be more personal to the victim, especially for serious offence(s).
- Communications need to be tailored to different types of individuals (e.g. residential workers, foster carers, businesses, young victims, general public) as the understanding of the Hearings System and/or the need for information varies.
- SCRA should revise the VIS communications to include:
 - A clear statement that they are from the Victim Information Service.
 - A unique child identifier so victims can track the process and ultimate decision for each child (this need not be identifiable information but they could be referred to simply as child A, B, C, etc.).
 - A description of the offence, instead of the registration number and grounds code, is required to help victims understand what each letter refers to.
 - Each stage (e.g. initial Reporter decision, final Reporter decision, Hearing decision, etc.) to be headed in bold at the top of the letter so that recipients can easily identify decisions during the process.
 - Contact information (for VICs and Victim Support Scotland) and the opt-out option¹ in bold.
 - A font that is easy to read and accessible (including by those with dyslexia and/or sight problems).
 - More information on why the Reporter has made a 'no further action decision'.
 - An indication of expected timescales for decisions in the first VIS letter.
- Victims should be given options on how to receive communications after the first letter (e.g. face to face, telephone, e-mail, letter, etc.).
- Contact should be made with the victim a month after they have been informed of the Reporter's or Hearings' final decision to remind them that support is still available. This could be a role for the VIC.

¹ If the opt-out process is continued.

INTRODUCTION

Victims of crime can be victims of youth offending. Victims of crime can suffer greatly in its aftermath, no matter the age of the perpetrator.

Background

The majority of children and young people who offend are dealt with by the Children's Hearings System. A Victim Strategy was introduced by the Scottish Children's Reporter Administration (SCRA) in 2005 to:

- Recognise the importance of the victim of crime and the need to provide practical and emotional support to assist recovery and the prevention of further crime or secondary victimisation;
- Recognise that victims have a legitimate interest in the cases within which they are involved;
- Give a commitment to provide explanations for victims about the Hearings System and other processes with which they are involved;
- Offer victims information on the outcome of their cases; and
- Recognise that victims should be enabled to have a voice throughout stages of the Hearings System.

A pilot Victim Information Service (VIS) was introduced by SCRA in 2006 as part of the implementation of the Victim Strategy. The VIS was then rolled out nationally between September 2009 and March 2010.

This evaluation assesses how well the national VIS is operating from the perspectives of those who have been victims of youth offending. The evaluation was carried out between 1 November 2009 and 31 May 2010.

SCRA's Victim Information Service

The aims of the VIS are to:

- To provide victims of offences committed by children and young people with information about the Hearings System;
- To provide specific information to victims about the outcome of the referral to the Reporter of the child alleged to be responsible for the offence; and
- To protect the right of the child referred to the Reporter to confidentiality².

Where a victim has been identified, during the Reporter's consideration of an offence referral³, the Reporter writes to them:

- On making the initial and final decisions about the referral;
- When there is a final disposal of the referral by a Children's Hearing or sheriff court.

² Section 53 of the Criminal Justice (Scotland) Act 2003 allows the Reporter to provide certain information to victims and other specified interests about a case in which it appears that an offence has been committed by a child.

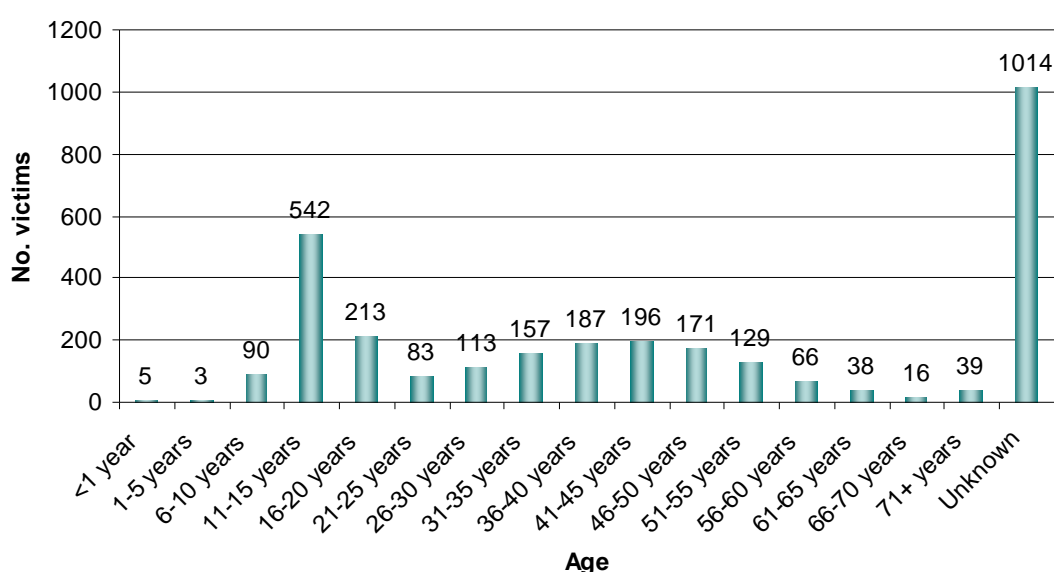
³ Children and young people are referred to the Reporter for committing an offence(s) under section 52(2)(i) of the Children (Scotland) Act 1995.

Unless the Reporter decides that the criteria for not providing information are met, or the victim chooses not to receive the information (i.e. opts out), the letters to victims give information on the outcome of their cases and on the Hearings System in general. Any subsequent contact from victims is dealt with by the Victim Information Coordinators (VICs). In communicating with victims, the personal details of the child referred are not disclosed. Annex A explains the VIS process in more detail.

Profile of victims of youth offending

In the first seven months of full operation of the national VIS (1 November 2009 to 31 May 2010), 3,060 victims were recorded in SCRA's Referrals Administration Database (RAD) - 26% (n=791) were children and 41% (n=1,255) were adults⁴. The most common age group of victims of youth offending was 11 to 15 years (Figure 1).

Figure 1 Victim profile by age



The most common offences by children and young people where there was a victim⁵ were:

- Assault - 57% (n=1,734);
- Vandalism/malicious mischief - 17% (n=523); and
- Breach of the peace - 14% (n=418).

Evaluation aims and objectives

To explore the views and experiences of victims of youth offending to:

- Understand their needs for information and support;
- Explore their awareness and understanding of the VIS;
- Find out if they are satisfied with the VIS;
- Hear their suggestions for improvements; and
- Obtain their views on participation in Hearings System.

⁴ 33% (n=1,014) had no date of birth recorded, however, there is no requirement for victims' dates of birth to be recorded.

⁵ Each could have been the victim of multiple offences.

Methods

The evaluation mainly involved qualitative interviews with adult victims of youth offending. A survey of SCRA staff involved in the VIS was also conducted. Detail on the methods used is provided in an accompanying paper.

Victims' views

527⁶ (39%) of the 1,359 individuals registered as victims on RAD between 1 October 2009 and 30 November 2009 were invited to participate in this evaluation.

Interviews were conducted with 21 adults (13 men and eight women); six of whom worked in residential units.

Interviews were recorded and transcribed, and analysed using the National Centre for Social Research's FrameWork for Qualitative Data Analysis software.

SCRA staff views

Eight members of SCRA staff directly involved in the VIS took part in an online survey on their contact with victims, strengths and weaknesses of the VIS, and suggestions for improvement.

⁶ These 527 individuals were selected after removing duplicate entries, those with incomplete details (including names, addresses and dates of birth) and those under 18 years (as they would not have received VIS information).

FINDINGS

Awareness of the VIS

Most were unaware of the VIS before receiving the first letter from the Reporter to inform them that a child had been referred. Only one had heard of the VIS. However, after receiving VIS communications interviewees felt more informed, not only of their case but also about the Hearings System:

"I think it is a very positive message about the way the system works..."

They had not expected to be kept informed and were pleasantly surprised when the first VIS communications arrived:

"Shocked that somebody had actually bothered to tell us what had happened because on previous occasions when crimes had been committed...we'd never received any information previously about any action that's been taken"

"I was very surprised, you know, cos having done this type of work for a long time, I'm not used to getting information..."

Prior to receiving the VIS communications, interviewees felt that the Hearings System only looked after the child(ren) and not them. The provision of some information was a 'move in the right direction':

"...there are people there for you and this isn't just 'somebody's committed a crime' and you're left just to deal with it by yourself...So that is definitely good that that's included in it. It is a positive"

"I think it is a really good thing...because it's a child, it's not treated with any less seriousness, given the impact it's got on you, so I think it is good"

"...that [getting no information] was appalling and this is moderately better, eh, because I do know it got to the Children's Reporter..."

For some, surprise at receiving the VIS communications was because they had been unaware that children were involved in the offence(s).

The VIS was seen a basis for providing information to the victims of youth crime:

"It is basically a good starting service, it is good there is something there. It just needs a kinda bit of working, more resources put into it to be improved...But it is a good starting place, especially for victims who have been victims of more serious crime..."

Understanding of the VIS

Despite having received the VIS communications, there was still confusion about the purpose of the VIS and the service it provides. A common misunderstanding was that it provided 'support':

"I haven't got a...a really...a clear idea. I mean, I'm under the impression that basically it's to help support victims after an incident of some sort...em...you know, that...that was as much as I really know..."

There was also a lack of clarity and confusion between the role of the VIS and that of Victim Support Scotland.

However, there was understanding that the VIS was created to provide information on what was happening to the perpetrators of offence(s) and to keep victims informed throughout the Hearings System process.

Administration of the VIS

Victims considered that SCRA was the best placed organisation to administer the VIS:

“At least you think it’s, you know, somebody that is actually dealing with children a huge amount”

This was because SCRA is in receipt of the police report, has information on other facts and circumstances on the child(ren) and is responsible for making decisions on whether to bring the case to a Hearing.

A small number felt that the police might also be involved, with one giving example of trained Community/Family Liaison Officers who could communicate with victims when needed (particularly for very sensitive issues).

Some victims stressed that the police should keep them better informed of what is happening, particularly during investigations and/or when the case goes to court. This would be in addition to the information received from the VIS.

Information on the offender

All (including SCRA staff) agreed that victims of youth offending *do* need information on what is happening to the perpetrator.

For victims, the VIS bridges the gap between reporting the incident to the police and the outcome(s) for the perpetrator(s), and provides information on services and supports.

Interviewees generally felt appreciative of the VIS:

“...if you have a crime committed against you by an adult, you kind of know what’s gonna happen and you’ll be called to court. I mean, this is a kind of explanation of why that’s not gonna happen in the circumstances and what is gonna happen...”

“...my family definitely needed to know that what happened wasn’t just ignored because a lot of the behaviours had been ignored and it had escalated...and we needed to know that somewhere this young person got the message that that was not acceptable behaviour...”

“...the very fact that someone’s taken the time to...to write to you and tell you anything, you know...and try to make the process clear to you as far as they can and make it clear that, you know...because it’s a children’s system...you’re not gonna know if this child went to the Hearing on this day and this thing happened to them...I think the very fact somebody’s kind of explaining that to you...that’s useful...”

For those who worked in residential establishments or as foster carers, the VIS provided acknowledgement that they had been victims of an offence by the child(ren) they care for, as often they felt 'forgotten' about or their experience minimised:

"I think acknowledgement that, you know, a crime has been committed against yourself and I think a lot of times in this...we just take it for granted that it will happen every now and again, you know?"

"I think that what...well, what we needed to know was that somebody appreciated that we had been victims of crime..."

"I actually valued them because it made me feel as if somebody realised that I had been a victim of crime...em...in my circumstances as a foster carer, it actually felt more like I had messed up somehow in not dealing with it..."

This shows that the VIS helps support those who work in these fields by validating their experience as a victim and that it is not 'just part of the job'.

Reporter decisions

Some interviewees expressed dissatisfaction with 'no further action' decisions by the Reporter:

"...no formal legal proceedings will be taken...as if they've suddenly backed off...there's no reason given...I thought 'oh dear, it's all been watered down'. Decided to work with the child voluntarily, not even under compulsory measures and as a victim of crime, I feel very dissatisfied..."

They felt this showed that victims' views and the impact the offence(s) had on them had not been considered by the Reporter.

Those who were left frustrated or angry about the outcome of the referral to the Reporter felt 'let down' by the Hearings System and that justice had not been done – the Hearings System was 'unfair' and that the 'kids were getting away with it':

"It feels as though I'm the bad un here and the person that's doing the...the damage is in the right cos nothing gets done..."

"...they have to take care of the perpetrator. The victims don't count..."

"Children's rights? Well, there's a little problem here. Children may have rights and they're granted to them but I have rights, we all have rights..."

However, there was acknowledgement that this was mainly due to a lack of understanding of how the Reporter came to make the decision:

"...we don't have enough information to be able to understand why you've actually made that decision..."

"...there's nothing in there that tells me 'is there something in place to prevent them doing this again?'"

“I felt very strongly that all this was really bending over backwards to keep us completely in the dark about what had...who and what had actually happened to them”

“...as a victim of crime, we’re all frustrated, em, at not knowing that anybody was remotely named and shamed or we don’t know what, em, sanctions or measures have ever been taken...”

Most understood that there were other issues in the child(ren’s) lives, and they trusted the Reporter’s decisions, but they wanted to know what measures had been taken to prevent a recurrence:

“...when you’re not actually on the receiving end and you’re looking at it as an academic or as a policy maker, and very detached from the emotion of it...it’s...all this is perfectly rational and...and very well reasoned that...the emphasis should be on the...on the perpetrators and working with them...The victims, the best victims can get out of it is that there is no more repetition of the...of the bad behaviour and that’s really all we can expect”

“...it’s supposedly for the victim of a crime bit it’s really going into some detail explaining how the system looks after the perpetrators...”

The VICs supported these views, as much of contact they have with victims concerns ‘no further action’ decisions. However, although victims could still be unhappy with the Reporter’s decision, after speaking to the VIC, they better understood the process and why that decision had been made.

One interviewee liked that the VIS letters acknowledge that the decision may be disappointing and provide a contact number if they want to discuss further. SCRA staff also considered the single point of contact helpful as it allows SCRA to provide a consistent service.

Victims’ need for information

Keeping victims informed

Interviewees stressed the importance of getting VIS information promptly – as soon as possible after the offence(s) and then at regular intervals (even if just to advise of any delay).

The first letter was considered the most important in notifying victims. It is important this letter is issued within a couple of weeks of the offence(s) to be meaningful.

Interviewees also wanted an indication of when to expect further information:

“I think some proper indication of what we can be told and when we can be told it and some sort of clue as to timescales...I appreciate that there are pressures on all points of systems and target times are not necessarily going to be able to be adhered to but some sort of clue would be nice...”

Interviewees did not always feel that the VIS communications were sent early enough to meet their needs. Where there had been delays (due to delays in receiving referrals and/or delays in decision-making), they were left wondering why they received letters such a long time after the offence(s). SCRA staff contradicted this view, as they felt that a success of the VIS was early communication with victims.

One common complaint was that where the victim knew that a Hearing had taken place, they had not received a letter on its outcome. This may be due to ongoing proceedings at the time of the evaluation but it emphasises the importance of keeping victims informed and doing so in a timely manner.

Recommendation

Contact should be made with the victim a month after they have been informed of the Reporter's or Hearing's final decision to remind them that support is still available. This could be a role for the VIC.

Opting out of the VIS

Interviewees were not aware they could opt-out of receiving VIS communications.

Not everyone would consider themselves a 'victim' and will want to know what is happening, particularly for very minor offence(s). Some were uncomfortable at being called a 'victim' when there are those who had been victims of much more serious offences.

"I didn't really think I was a victim, it was just some kid stuff really, nothing that serious..."

There could also be a feeling of just '*wanting to get on with it*' and forget about the offence(s):

"...not too much of it because people get bored with the whole thing, you know, 'I don't need this, I don't need that, why are you sending me letters when I'm trying to forget it?'"

Recommendation

An opt-in approach should be considered by SCRA and the Scottish Government, where the initial letter is sent to all victims with the option of them opting-in to receive further communications.

Receipt of information

Most had received some communications from the VIS, but some did not recall having received any. Poor recording of victim information in RAD is likely to influence this, particularly incomplete or incorrect names and/or addresses.

Recommendation

SCRA needs to improve the accuracy of its records on victims of youth offending, by examining its own processes for recording information on RAD and in working with the police to ensure that correct contact details are provided. The records of just under two thirds of victims in RAD were incomplete.

Those who had received VIS communications at their work address were unhappy about this. They suggested that it would be more appropriate for the letters to be sent to their home address, regardless of whether the offence took place at work.

Recommendation

Communications should be sent to victims at their home address wherever possible.

Numbers of communications

Opinions differed on the volume of information received.

One suggested that when multiple people in the same household have been victims of the offence(s) there is no need for the VIS materials to be sent individually to all family members.

Those working in residential care tended to report that there was too much, particularly where offences are a regular occurrence:

“...if it'd been one case, you know, of one assault or whatever and then receiving a letter, I'm not sure, you know...at times, em, there's been assaults on a daily basis ...”

“I think, eh, to be honest with you, we have received so many, there's a strong possibility that whenever... 'God, not one of these again', you know?”

However, others who work in residential units had not received any VIS communications. For example, one residential worker said that despite being the victim of a number of assaults by young people in the unit, he had never had any letters or leaflets from the VIS and he did not know of any of his staff receiving anything either.

Recommendation

SCRA should consider developing a resource for victims of youth crime in residential units introducing the VIS, the Children's Hearings System and the supports available (for workers and young people). This would reduce the amount of duplicate information sent to residential unit staff and provide transparency for child victims who are already involved in the Hearings System.

Satisfaction with VIS communications

There was consensus that VIS communications were not as helpful as they could be:

“...they really are inordinately unhelpful...they leave us with more questions than answers...”

The limitations of the communications (particularly the letters) sent to victims was a concern for both those interviewed and SCRA staff. The standard VIS communications were found to be very impersonal and 'blunt':

“...the one where they said that there wasn’t anything else, em...you know, further action being taken and I felt it was, you know, very much a, you know, standard letter, that there was no personal...it’s almost a tick box sort of thing and I felt it was very impersonal...”

“It’s not really personal to you or individual case, I don’t think...it’s a bit general...”

“I think it is a bit vague and it could be more sort of targeted towards the individual person...”

Information in the VIS letters was considered ‘scant’ by their recipients. There was awareness that this was largely because of data protection and confidentiality, but it resulted in lack of meaningful information which did not help understanding of had happened to the child(ren) involved in the offence(s). SCRA staff shared the view that data protection constraints limited the information provided to victims.

Recommendation

Letters should be more personal to the victim, especially for serious offence(s).

Understanding of VIS communications

Most found the VIS letters difficult to understand, mainly due to the terminology used. Some struggled to understand the language of the letters, with one saying it was ‘double Dutch’. It was suggested that the letters would not be easy to understand for people with dyslexia and other learning difficulties.

Difficulties in understanding the letters appear to come from the information in the table on Reporter and Hearing decisions. Interviewees referred to this as ‘scant’ and ‘mumbo jumbo’.

Interviewees preferred the letters to be short and ‘to the point’, as this would help them to identify and understand the important information.

However, those who work in residential units with children and young people tended to better understand the content of the letters. They were used to receiving communications from SCRA and the VIS letters ‘fit’ with other SCRA communications.

Recommendation

Communications need to be tailored to different types of individuals (e.g. residential workers, foster carers, businesses, young victims, general public) as the understanding of the Hearings System and/or the need for information varies.

Strengths of VIS communications

- Formality.
- Layout is easy to follow.
- Clear and straightforward when about one child and one offence.
- Leaflet for victims of youth crime is clear, concise and easy to read.

Limitations of VIS communications

- Terminology is not user-friendly:
“They read to me as very obviously having been written by lawyers who didn’t want to say anything that anybody could possibly read anything into... it tends to make them very formal, very officious...it’s not the most user friendly document I’ve seen in my life...”
- Difficult to follow when about multiple children and/or offences:
“I have no idea however whether the Children’s Hearing was in respect of one child or more than one child...I’ve no reason to suppose that the other three [children] are being dealt with in this letter...”
- No unique identifier for each child involved (particularly an issue for those working in residential units where there were multiple children and offences).
- Registration numbers for offences and grounds codes are ‘meaningless’ to victims:
“I am clueless as to what these grounds mean ...I’ve got no way of knowing what these grounds are and I would like to know...the grounds need not identify, eh, the child but I would know then if these grounds had been properly reported by the police to the Children’s Reporter...I couldn’t have picked up any mistake and nor could I have tracked it, I can’t link it to the registration number and I can’t link it to the Reporter’s ultimate decision...”
- Communications are not suitable for young people/child victims.
- Lack of practical information (e.g. in relation to insurance claims, how get back property retained by the police as evidence, and home security).

Recommendation

VIS communications need revised. They need to be clearer, include a child identifier, use less jargon and terminology (e.g. registration numbers and grounds codes) and be easier to read.

Suitability for child victims

The most common age group of victims of youth offending is 11 to 15 years. At present, VIS communications are not sent to those under 18 years and instead are sent to their parents/relevant persons. Interviewees were asked their views on whether the VIS should be extended to children who are victims.

There was widespread support on extending the VIS to child victims:

“I think that would probably again give confidence to the...to the young people that it’s not just an ignored thing...I think there is a bit of a perception amongst the young people that, you know, if they attack or assault or...or whatever, an adult, it’s treated seriously but if they’re attacked by another young person, it’s in their eyes less serious....a victim’s a victim I think no matter, despite their age...”

However, there were concerns on if it is appropriate to write directly to a child victim if they are very young and/or the offence(s) very serious. Interviewees felt that the

parent(s) of child(ren) victims should be written to as a matter of course and that, depending upon the offence(s), child(ren) should also be written to.

A majority stressed that any communications sent to child victims should remain formal and not detract from the importance of what had happened:

“I think they’d appreciate being treated the same as everyone else with this format...”

Interviewees were clear that the current VIS letters and leaflet are not suitable for child victims. Letters require a different font and terminology and the VIS leaflet could be made more child-friendly (e.g. cartoons, colours, etc.); both should be short, clear and concise.

Those who worked in residential units explained that young people who are victims may also be involved in the Hearings System. It is therefore important that VIS letters are distinct from other SCRA letters as otherwise the young person may just assume that it is a communication from SCRA about them:

“...the words at the top, ‘Children’s Reporter’, I mean, they’d be saying ‘well, what...what’s this all about, is that...what’s is that about, I haven’t done anything’. That’s the first reaction I would get...”

One interviewee noted that letters may not be the best way to ‘reach’ young people already involved in the Hearings System:

“...young children in the care system and a lot of them would be victims of crime, they have been lettered to death and have completed surveys till it’s coming out their ears and they would just not even read them...I think, for them, you have to get with technology and something online would be more appropriate...”

Recommendation

SCRA and the Scottish Government should consider extending the VIS to the provision of information to child victims.

Contact with the Victim Information Co-ordinator

The VICs reported relatively limited contact with victims. Similarly just four interviewees had contacted a VIC, but they had found the VICs helpful, supportive and knowledgeable. However, they felt that the VIC was not able to tell them anything more than they already knew:

“...I didn’t necessarily feel as if I’d actually achieved anything but I don’t think that was her fault... the impression I got was that she had a script that she had to stick to...it was very much, I felt, ‘the lawyers have said we’re not allowed to say X, Y and Z, em, we’re only allowed to say this...she could call up the incident number but there was nothing on there that told her what the incident was...I could be wrong, but that’s the impression I got...I could fully see somebody being incredibly upset that the impression had become that it was just an incident number and that was it”

Recommendation

To extend the role of the VIC to provide advice and support for victims face to face (or have a link to an organisation that can do this).

Methods of communicating with victims of youth offending

The preferred method of initial contact was by letter. This was because the VIS was felt to be a formal process and letter the most appropriate method of conveying such information. They also felt that having information in a formal written format is useful for reference.

Whilst it was felt that the first contact should be made by letter, there was suggestion that this letter could offer options for other methods of future contact if the victim wanted (e.g. face to face, telephone, e-mail, etc.). There should be a variety of methods of engaging with and notifying victims to suit as there is no 'one size fits all' approach.

Most (with the exception of those working in residential units who preferred written communications) suggested an initial letter and a follow-up phone call as an ideal scenario for keeping them informed:

"...a letter is a good initial thing to send out but then to follow it up with a phone call just so you can actually talk with someone about it and explain what you're thinking about it is... would be a good thing as well"

"... a wee phone call a couple of months down the line to make sure everything's okay...cos I think it's a bit like grief... You've gone through all these emotions and where you are at that minute it might not be the perfect time for taking the help that you actually do need"

Recommendation

Victims should be given the option of how to receive communications after the initial letter (e.g. face to face, telephone, e-mail, letter, etc.).

Considering victims' views in decision-making

Most did not think that their views and feelings as victims were taken into consideration in decision-making, either by the Reporter or by Panel Members. They strongly believed that they should be able to contribute to the decision-making process:

"...if there's already an order in place and another crime has been committed, then obviously it's not sufficient and why is there no way we can say 'actually, we're not happy with this, we don't think this is adequate'?"

"...it would make the victims actually feel as if they had some sort of position in this. At the present moment, the impression is you're the victim 'oh right, fine, oh dear, how sad, we'll go off and deal with it, we'll go off and deal with the...the perpetrator but we'll actually ignore the victim'"

"I don't think in the dispassionate terms that, eh, the police write a report that it, that it in any way conveys the emotional effect on particularly elderly people...Us, us victims of crime feel that, you know, the emotional impact is not nearly well enough conveyed to the person whose desk it finally lands on...I think it's all filtered out and made very sort of anodyne..."

Two of those interviewed had experience as Panel Members, and both felt that the impact on the victim should be taken into account:

"I used to do the Children's Panel myself and you were so engrossed in trying to get the best outcome for that child, that actually, to be honest, you do forget the victim...now that I've been on the other side, then I think...I think somebody has to take seriously that there was actual crime being committed to real people"

"I feel it definitely wasn't taken into consideration and I feel really strongly about that...I'm a Panel Member myself and I know how it works, em, and obviously what the whole service is set up for is the welfare and needs of the young person. But not, having been a victim of crime, I've seen it from the other side...I think somehow the Reporter should be interviewing victims of crime...the Children's Panel are supposed to also be protecting the interests of the community too..."

Victims would feel more confident that their experiences had been accurately taken into consideration if they were able to contribute:

"At least if we were invited to give a victims impact statement...we would know it was in the process, it was amongst the papers...for that to go forward not paraphrased but in its entirety...but people should at least be able to let off steam..."

"I didn't get to say what my side, how devastated I was, you know? The kinda effect it had...I would prefer if the Reporter had kinda got more information off me before obviously the kids had went to the Children's Panel...rather than just obviously getting it one sided rather than the two sides..."

This view was shared by SCRA staff who felt that some of victims' concerns about decision-making (particularly Reporter 'no further action' decisions) could be alleviated if they understood that their views had been considered.

Attending a Hearing(s) was also suggested as a method of ensuring the impact on the victim is taken into account – by those making the decisions and the child(ren) themselves. It would also give victims insight into the System and help them to understand the process and why decisions are made:

"...knowing, you know, the other side of things a little bit, you kinda say, 'well, you know, there's reasons for...for this and there's...there's a lot of other things have to be taken into account'...the impact on me of course has to be one of them but it's...it's only actually one of them and that's why we've got a system and it's not just kind of a free for all..."

Interviewees felt that information on the impact of the offence(s) needs to come from the victim directly as they do not believe the police report sufficiently conveys the emotional impact of offence(s). One explained that care needs to be taken in obtaining this as views and feelings change over time. Victims' views should not be

obtained immediately after the offence(s) to allow the individual time to calm down and reflect.

There is no '*one size fits all*' approach in soliciting the views of victims. Some expressed a preference for face to face contact. This was mainly because they felt that it was too difficult to convey in writing the emotional impact of some offence(s). Others would find it useful to provide a report to both the Reporter and the Hearing to ensure their views are considered when decisions are made.

Although victims felt their views should be taken into account, they were also aware that theirs' were just one of many considerations. They fully understood that sometimes the decisions would be at odds with their opinions.

CONCLUSIONS and RECOMMENDATIONS

Conclusions

Victims liked being kept informed of what was happening with the child(ren) who had committed offences against them and felt the VIS, in principle, to be valuable and useful. However, for the information provided by the VIS to be meaningful it needs to be communicated in an accessible way - the current letters are more confusing than they are helpful.

There were concerns that victims' views and the impacts of the offence(s) on them (emotionally, physically and financially) had not been taken into account in decision-making (by the Reporter or the Hearing) and victims would want this changed. They understood that their views may be in conflict with what is best for the child(ren) and trusted the decisions of the professionals involved. But there was a need to understand why decisions had been made and how they would help prevent the child offending again.

On the whole, victims were appreciative of the VIS. They felt that it is a good 'starting point' for the inclusion and involvement of victims and that it is 'better than nothing at all' - a view shared by SCRA staff. However, some significant improvements are required to make the VIS fit for purpose, particularly in ensuring information reaches its intended recipients and that it is understandable, issued promptly and is user-friendly.

Recommendations

Victims valued the information they received from VIS but this should be balanced against the expectation that they would not receive any information. Many improvements were identified in this research. If SCRA and the Scottish Government wish to continue with the VIS, these recommendations for improvement should be considered to help ensure that the VIS offers an effective and helpful service to victims of youth offending.

Operation of the VIS

- Contact should be made with victim a month after the final decision (by Reporter or Hearing) has been communicated to remind them that support is still available. This could be a role for the VICs.
- An opt-in approach should be considered by SCRA and the Scottish Government, where the initial letter is sent to all victims with the option of them opting-in to further communications. This would alleviate some of the issues about the volume of information that victims receive.
- SCRA needs to improve the accuracy of its records on victims of youth offending, by examining its own processes for recording information on RAD and in working with the police to ensure that correct contact details are provided. The records of just under a two third of victims in RAD were incomplete.
- SCRA and the Scottish Government should consider extending the VIS to the provision of information to child victims.

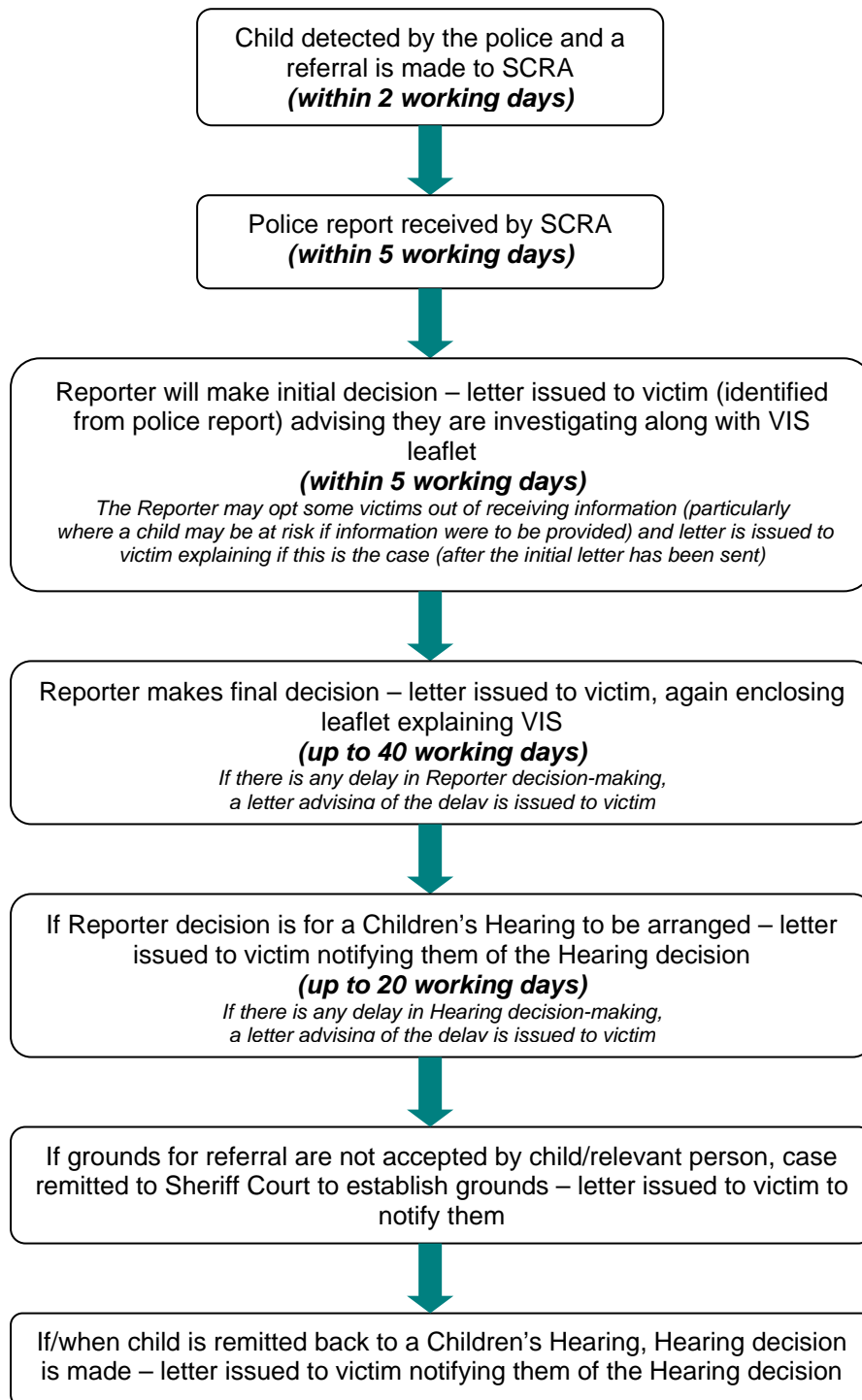
- To extend the role of the VIC to provide advice and support for victims face to face (or have a link to an organisation that can do this).

VIS communications

- Communications should be sent to victims at their home address wherever possible.
- Letters should be more personal to the victim and especially for serious offence(s).
- Communications need to be tailored to different types of individuals (e.g. residential workers, foster carers, businesses, young victims, general public) as the understanding of the Hearings System and/or the need for information varies.
- SCRA should revise the VIS communications to include:
 - A clear statement that they are from the Victim Information Service.
 - A unique child identifier so victims can track the process and ultimate decision for each child (this need not be identifiable information but they could be referred to simply as child A, B, C and so on).
 - A description of the offence instead of the registration number and grounds code is required to help victims understand what each letter refers to.
 - Each stage (e.g. initial Reporter decision, final Reporter decision, Hearing decision, etc.) to be headed in bold at the top of the letter so that recipients can easily identify decisions during the process.
 - Contact information (for VICs and Victim Support Scotland) and the opt-out option⁷ in bold.
 - A font that is easy to read and accessible (including by those with dyslexia and/or sight problems).
 - More information on why the Reporter has made a 'no further action decision'.
 - An indication of expected timescales for decisions in the first VIS letter.
- Victims should be given options on how to receive communications after the first letter (e.g. face to face, telephone, e-mail, letter, etc.).
- SCRA should consider developing a resource for victims of youth crime in residential units introducing the VIS, the Hearings System and the supports available (for workers and young people). This would reduce the amount of duplicate information sent to residential unit staff and provide transparency for child victims who are already involved in the Hearings System.

⁷ If the opt-out process is continued.

ANNEX A THE VICTIM INFORMATION SERVICE PROCESS



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*July 2010
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