



**North East Lincolnshire  
Youth Offending Service**

**Victim Policy  
April 2021**



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## MISSION STATEMENT

Traditionally a crime has been seen as a crime against the state and the criminal justice system has been organised to reflect this. Restorative Justice highlights a shift in perspective and seeks to redress the balance by involving individual victims of crime in the process of the criminal justice system.

Where this document refers to Youth Offending Service (YOS) this refers to the whole youth justice system in North East Lincolnshire, from Community Resolution to Custody

## AIMS

The aims of this victim policy are: -

- To help ensure that the needs and wishes of victims are a key focus of all the Youth Offending Service's (YOS's) restorative work with young offenders.
- To provide a framework which promotes best practice in working with victims of crime and avoids secondary victimisation?
- To encourage a recognition of victims of crime as key stakeholders in the new youth justice system.
- To ensure that local organisations that are concerned with victims' interests are able to play a key role in the development of the YOS's approach.
- To assist in the development of consistent good practice within local areas and nationally.

The North East Lincolnshire Youth Offending Service (NE Lincs YOS) is committed to these aims.

The NE Lincs YOS is committed to a policy of equal opportunities and will treat

everyone equally and with respect, regardless of race, religion, gender, sexual orientation or abilities. It is recognized that particular groups in society are more likely to be victimised. Whilst the overall aims of the policy are applicable to all victims this document relates in the main to individuals who are victims of youth crime.

The NE Lincs YOS feels that in adopting a victim statement we are more able to balance the needs of victims and offenders. Empowerment of victims necessitates giving them choices; we will endeavour to do this by offering them the option of whether to be involved or not in the process. Integral to Restorative Justice is the belief that enabling the offender to face up to the real and personal effects of their actions and the opportunity to make amends where appropriate will promote a reduction in youth crime.

## CONTACT

The NE Lincs YOS acknowledges that victims of crime often experience such trauma and/or serious loss, which can contribute toward them experiencing high levels of fear and further victimisation. We acknowledge that in providing information about a young offender's progress through the justice system, and subsequent liaison with victims to seek their views, plays an important part in reducing that level of fear.

The process for victim inclusion will be as follows;

- The Youth Justice Co-ordinator will request victim details from the police officers based within the YOS in compliance with the Data Protection Act 1998.
- The police will access the details and the Youth Justice Co-ordinator will contact the victim on behalf of the police. The purpose of this contact is to check that the victim is happy for a designated representative of the Youth Offending Service to contact them.

A minimum expectation of any victim contact is a telephone call or letter to ascertain their initial thoughts and if they wish to be involved in the restorative process. The pace and form of any contact shall be led by the victim and if they wish to meet face to face this can be conducted by a member of staff at the victims earliest convenience. However if the victim wishes to be contacted or kept informed by another means, such as letter, text etc. then the victim officer must be respectful of their wishes and use their preferred methods of contact.

In all cases where the victim and offender are to meet to exchange of information and views, victims and their supporters and offenders and their supporters will meet separately with a worker on at least one occasion prior to the meeting. The purpose of this meeting will be to prepare everyone in order that they feel comfortable and have realistic expectations of the process and to assess the suitability of all parties in order to ensure, as far as possible the safety of everyone involved.

The NE Lincs YOS is committed to the aims of speedy justice but recognises that victims may need time to consider their position and consult with family and friends.

Victims should not feel pressurised into making a decision in accordance with the timescales of the criminal justice system and therefore wherever possible they will be given the option of later involvement by offering mediation or by a referral to a supporting agency. As per the new YJB Guidelines (link below) less emphasis will be placed on facilitating face to face meetings as it has been recognised that this is not suitable or desirable for the majority of victims. Instead emphasis will be placed on encouraging any victim involvement in order to increase their sense of control and empowerment.

<https://www.gov.uk/guidance/work-with-victims-and-restorative-justice-youth-offending-teams>

In order to ensure the rights of the victim and offender are balanced it is recognised that all victims need to be given full, realistic and unbiased information on which to make informed choices. Practitioners will listen to the wishes of victims and strive to accommodate them within the bounds of the law, resources, appropriateness and proportionality.

NE Lincs YOS is committed to contacting all victims of youth crime, including pre and post court orders, even if the offender is unsuitable for any form of reparation. In doing so it recognises that victims have the right to be listened to and kept informed. Where the young person has committed offences against more than one victim, the youth offending service will attempt to contact each victim individually. In the case of the referral order where victims may attend the initial panel meeting, consideration needs to be given to the rights of the offender, where the attendance of more than one victim may accord an imbalance.

Issues raised by cases where the victim and offender are members of the same family, or are otherwise known to each other can be complex and will vary according to the individual circumstances. Practitioners will treat each case according to its merits, and with sensitivity.

It is the aim of the youth offending service to contact the victims of youth crime as soon as practicable. Where contact is for the purpose of inclusion of victim's views for the pre-sentence report, contact will take place within seven days of the courts adjournment.

## **CHOICES**

The NE Lincs YOS seeks to empower victims by giving them the opportunity to participate in the restorative justice process, which is now recognised nationally as a healing and empowering process.

In order to enhance the choices available to victims the YOS will promote, develop and support multi-agency initiatives. Systems for regular contact with Victim Support, North East Lincolnshire Community Reparation Scheme, Probation Service, Police and Crown Prosecution Service are in place. Initiatives to foster multi-agency working in response to victim needs, will continue to be pursued. In addition the YOS is committed to further developing work to be undertaken with victims and recognises that this is integral to a repositioning of the public perception of the youth

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justice system.

The NE Lincs YOS recognises that the effects on the victims of serious crimes are likely to be profound and long-term, and may necessitate ongoing support. It is not the role of the YOS to offer that support but, when such cases are identified, the choice of a referral to another agency will be offered.

At the initial point of contact with any victim it will be emphasised that any involvement in the process is entirely voluntary. The victim contact representative will ensure that all victims are given accurate and realistic information which will allow them to make informed decisions about whether to be involved, and if so in what form.

It is recognised that victims of youth crime are entitled to choose at any stage in the process to be accompanied by a personal supporter. This may be a friend, relative or member of a victim support agency. The involvement of lawyers in such a role is not acceptable. Should a supporter be involved, any contact with the victim should wherever possible include the supporter, in order to ensure that they are appropriately informed and engaged. If a supporter is to be present at any mediation or conference involving the presence of the offender, the designated representative will ensure that the supporter fully understands and accepts their role at such a meeting and does not seek to become a party to the proceedings.

To ensure that victims have choices in restorative processes, NE Lincs YOS has the following interventions available.

- Direct Reparation to the victim
- Generalised reparation to the community arranged by the YOS.
- Indirect mediation – such as shuttle mediation
- Direct mediation
- Victim impact statement
- Restorative conferencing
- Youth Offender Panels
- Letters of explanation / apology
- Victim empathy work to be carried out with the young person

Should the victim wish to nominate a particular agency or charity for reparation, the YOS will make every effort to facilitate that request, if after assessment it is deemed appropriate.

In situations where the victim initially indicates that they do not wish any involvement in the justice process but later changes their mind, every effort will be made to accommodate some form of restorative intervention. This may be towards the end of any order or, indeed, after an order has finished. Participation in any such intervention would, of course, be completely voluntary on the part of the offender.

Victims will be able to choose whether they require any further information about the progress of an order, in the form of written or telephone contact. In addition and

where appropriate they will be offered the option of receiving a letter of apology from the offender.

If at any time a victim of youth crime is unhappy or dissatisfied with their treatment by representatives of the NE Lincs YOS they may choose to make a complaint via North East Lincolnshire Council complaints procedure.

In the event of the young offender turning 18 and being moved to Probation Services, NE Lincs YOS will discuss with the victim the options available to them within the adult services and gain their permission to share their details with the probation service victim manager if they wish to access ongoing support. NE Lincs YOS will liaise directly with the Probation Offender Manager and Victim Manager to determine how this support will be offered.

## **CONFIDENTIALITY**

In the NE Lincs YOS confidentiality for both the victim and the offender will be a priority. Any information about the victim will only be given to the offender with that victim's specific consent. Information regarding the offender will also only be given to the victim with the offenders specific permission with the exception of details regarding the type of sentence received and where appropriate the month of release from custody.

In the case of information being gathered from a victim with a view to the preparation of a report for the court, the victim will be fully informed that this information will be available to the defendant. This information will only be included with the express consent of the victim.

Report writers and case managers will, routinely, be given information as to whether the victim would like involvement in the restorative process and, if so in what form. They will not be given more detailed information unless it is identified that it would greatly assist the work being done with the offender, and then only with the consent of the victim. This will assist in ensuring that any information that may lead to an increase in the imbalance of power created by the offence or re-victimisation is protected. The exceptions to this would be any issues of a child protection nature and the prevention of grave crimes or serious harm.

Within any mediation process or meeting involving the victim and the offender, both parties should be asked to accept confidentiality within that forum, with the exceptions as mentioned above. If this cannot be agreed, then the meeting should not proceed.

Any written records or files containing information about the offender or victim will be stored separately. All victim information is stored electronically, securely and separately to any offenders details. It cannot be accessed by the young person's case manager and is password protected to a small number of staff.

## MONITORING AND REVIEWING

This policy is intended to be a working document and as such will be regularly reviewed and updated to reflect developments in theory and practice.

A key aspect of this monitoring will be the feedback received from victims contacted by the YOS. Every victim of youth crime will be sent an evaluation form at the conclusion of his or her involvement with the team. In addition partner agencies will pass on victim comments about their experiences of restorative justice processes provided by the YOS. This relates to both praise and criticism and this will assist in facilitating the process of challenging poor practice.



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...*Nick Hamilton Rudd*..... *Print Name.*



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