**Scoping document: Witness care communications in the SFO**

**Introduction**

Effective and prompt communication with victims of and witnesses to crime is essential to build public confidence in the organisations which are responsible for keeping them informed of the progression of cases, as well as in the wider criminal justice system.

The Serious Fraud Office (SFO) is responsible for investigating those cases which, depending on the outcome of the investigation it will go on to prosecute. It is

responsible under the code of practice for victims of crime and the witness charter (copies of both documents are below) for ensuring that victims and witnesses in those cases are updated regularly of the cases’ progress

[Code of Practice for Victims of Crime in England & and Wales (2020)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/974376/victims-code-2020.pdf)

[The Witness Charter (published 2008, updated 2013)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/264627/witness-charter-nov13.pdf)

In October 2019, HMCPSI published a report which looked at case progression in the SFO. In that report, we recognised that there had been a cultural change in the organisation; whereas previously victims and witnesses may have been treated as an afterthought, new strategies, policies and products had been introduced to provide with a greater focus on improving the experience for victims and witnesses. A new witness care team was also established to help deliver a more consistent approach to witness communications.

HMCPSI set out in the report that there had been measurable improvements in communications with victims and witnesses. The file sample analysed during the inspection showed that on older cases, there was no clear focus on victims and witnesses. In the more recent cases analysed, it was clear that victims and witnesses were included in the core investigation strategy, with named individuals nominated as leads for victims and witnesses.

HMCPSI also recognised the increased level and training, guidance and support provided to SFO staff in understanding their responsibilities to victims and witnesses. However, despite training and guidance available, we noted some staff lacked confidence in their ability to deal with victims and witnesses at the early stage of a case. It was also highlighted throughout the report that the degree to which staff turned to guidance, specifically, the SFO operational handbook, varied.

**Inspection Question**

Does the SFO have effective policies and procedures in place to ensure that it can meet its obligations as set out in the code of practice for victims and the witness charter, to deliver the expected support to victims and witnesses at the correct stage?

**Aims**

The aims of the inspection will include:

* To assess the overall awareness of SFO staff with the policies and procedures relating to witness care communications and how they are used to support the organisation’s obligations as set out in the code of practice for victims and witness charter
* To establish if the SFO have efficient internal systems to identify vulnerable victims and witnesses at an early or appropriate stage of the case
* To determine if witness care or relevant other staff are provided with sufficient, timely information by the relevant teams to inform victims and witnesses of key developments or progress in cases
* Whether SFO have provided staff with effective guidance and training to assist them in providing timely and high-quality communication with victims and witnesses.

**Framework**

* **The SFO has effective systems and processes in place to ensure it can deliver the required support to victims and witness.**
  + An efficient process is in place to identify vulnerable victims and witnesses at an appropriate stage of a case
  + Staff are aware of when a victim should be offered the opportunity to provide a victim personal statement (VPS)
  + Systems are in place to ensure that victim and witness information, including needs assessments, is recorded accurately and additional support is offered where relevant
  + Effective processes are in place to provide the witness care unit with up to date information, ensuring that victims and witnesses are effectively updated at the relevant stage of a case
  + Accurate information is provided to witness care staff by the relevant team regarding the outcome of a case, including any appeals, allowing them to provide updates to victims and witnesses within the relevant time scales.
* **SFO staff are provided with guidance and training on policies relating to victim and witness care communications.** 
  + All staff are provided with clear guidance in effectively managing, recording, and prioritising information relating to victim and witness care

**Methodology**

* There will be an assessment of awareness of staff with internal policies, including the relevant sections in the operational handbook used by the SFO to support its obligations under the code of practices for victims and witnesses by:
  + Conducting focus group interviews with staff from casework divisions and investigation unit.
  + Interviews with the witness care team and the witness care coordinator; and

* + Senior leaders who are responsible for the overall delivery of strategies relating to communications with victims and witnesses.

* There will a document analysis of:
  + Guidance and support documents relating to communications with victims and witnesses
  + All policy documents relating to communications with victims and witnesses
  + The relevant sections relating to victim and witness care in the SFO operational handbook.

**Timetable**

* Onsite inspection activity is proposed to commence in early August 2021.
* The report will be published around October or November 2021

**Annex A: Requested documents for review.**

* + Guidance and support documents relating to communications with victims and witnesses
  + Copies of any policy documents relating to communications with victims and witnesses
  + The relevant sections relating to victim and witness care in the SFO operational handbook
  + Examples of any templates used for communications (if relevant)