



Ministry of
JUSTICE

Public Bodies Bill: reforming the public bodies of the Ministry of Justice

Victims' Advisory Panel consultation
responses

15 April 2013

Victims' Advisory Panel - 19 responses to consultation

On-line questionnaire responses:

1. Anonymous
2. Anonymous
3. Chris Bell
4. Edward Clarke
5. Stephen Pope
6. Martyn Weller
7. Alex Cosgrove
8. Roland C Powell
9. David White JP
10. Sheila Carmen Charles
11. Anonymous
12. Kevin Burdekin

Other responses:

1. Magistrates' Association
2. Law Society
3. Alick Moore
4. RoadPeace
5. Her Majesty's Crown Prosecution Service Inspectorate
6. Frank Mullane
7. Durham Constabulary and Durham Police Authority

Victims' Advisory Panel (VAP). What are your views on the proposed abolition of the VAP?	Do you believe that there are any functions of the VAP that cannot be adequately addressed by the Commissioner for Victims and Witnesses?	Please state what these are and your reasons.	Do the proposals have any significant direct impact on you?	If so, please explain the impact.	Contact Details	Contact Details	Representative Of Group
Should not be abolished.	Yes		No				
It's a waste of time	No	seems to make sense	Yes	It might improve services go for it	Public		
I have no objection to the abolition of the VAP.	No		No		CHRIS BELL	POLICY ADVISOR	
opposed to abolition	Yes	I believe the VAP functions will not be improved by any alternative means. Expertise in this area will be lost and confidence in the law reduced.	Yes	Expertise in this area will be lost and confidence in the law reduced.	Edward Clarke		
What would be put in its place	Yes	A possible loss of openness and approachability	No		Stephen Pope	Band 6 Team Leader(healthcare)	
At a time when we all agree that the victims role in justice should be increase I think this is a retrograde step.	No	It will lose local focus.	No		Martyn Weller	Trustee	I am an employer, a charity trustee and also a magistrate
	No		Yes		Alex Cosgrove		
	No		No		Roland C Powell	retired YJ manager	

Oppose this move. Another retrograde step that makes a nonsense of government's aim to support the victims of crime.			No		David White JP	JP and firmer Ofsted HMI.	
AFTER ABOLITION OF VAP, OTHER METHODS WILL BE SUBSTITUTED. WHY ABOLISH IT IF IT SERVES A GOOD PURPOSE WITHOUT CRUELTY, DEGRADATION, DEPRIVATION, TORTURE. THE TITLE SOUNDS ALRIGHT. "VICTIMS ADVISORY PANEL". THAT MEAN THEY CAN ADVISE OTHERS WHO FIND THEMSELVES IN THE SAME POSITIONS THAT THEY WERE IN IN ORDER TO PREVENT FURTHER VICTIMS. IN ONE WAY OR ANOTHER, WE ARE ALL VICTIMS OF SOCIETY. (IT IS NOW THE 21ST CENTURY AND SOMALIA/KENYA ARE THE WORST COUNTRIES OF VENGEANCE.)		COMMISSIONER FOR VICTIMS AND WITNESSES IS JUST ANOTHER NEW TITLE. A REPLACEMENT TITLE. LIKE A WOMAN MARRYING AND GAINING A NEW SURNAME. HER PAST FACTS REMAIN THE SAME. HER ORIGINS, BIRTHPLACE, D.O.B., EXPERIENCES, ETC.			SHEILA CARMEN CHARLES	LEGAL EXECUTIV E SECRETARY	I WOULD LIKE TO BELIEVE THAT I REPRESENT: SUN (SUN USER NETWORK), K&C FORUM (MIND), CARERS ASSOCIATION, AND PRISONERS FAMILY AND FRIENDS SOCIETY (SWAN CENTRE).
	No	I consider the purposes are different .					
The VAP should be retained!	No	Unsure	No		Kevin Burdekin	Member of the public	N/A



Date or paper number	11/44 (October 2011)
Committee	Judicial Policy and Youth Courts Committees
Document title	The Public Bodies Bill
Document type	Response to consultation
Link to consultation	www.justice.gov.uk/consultations/reform-public-bodies.htm

The Public Bodies Bill

The public bodies of specific interest to magistrates are Courts Boards; Magistrates' Courts Rule Committee (MCRC); Youth Justice Board (YJB); Her Majesty's Inspectorate of Court Administration (HMICA); and Victims' Advisory Panel (VAP).

Victims' Advisory Panel (VAP) The VAP was originally established in 2003 to enable victims of crime to have their say in the reform of the criminal justice system and in related developments in services and support for victims of crime. The Government is proposing to abolish the VAP because with the appointment of the Commissioner for Victims and Witnesses (currently Louise Casey), its functions are no longer required. There were also concerns about the VAP's ability to represent a broad and diverse range of victims.

Current role

- Statutory requirement to have a panel. The Secretary of State for Justice is required to consult the VAP at such times and in such a manner as he thinks appropriate on matters appearing to him to relate to victims or witnesses.
- Terms of reference of the last panel were to advise ministers of the views of victims of crime, with particular reference to their interaction with the criminal justice system and its agencies. Additionally they were to offer views and advice on the prevention of crime from a victim's perspective and contribute to informed opinion in order to assist in the development and safeguarding of the rights of victims.
- Since 2010 the Commissioner for Victims and Witnesses (currently Louise Casey) is appointed to, and chairs, any panel.

Justification for abolition

- Only 4 members stayed on once the Commissioner was appointed and no new appointments have been made.

- The VAP's functions are no longer required since the appointment of the Commissioner and there are concerns about the VAP's ability to represent a broad and diverse range of victims.
- The Commissioner has broader statutory functions than the VAP and the government considers that the VAP is no longer the right approach. The department also works directly with groups on behalf of victims.

Magistrates' Association comments and concerns

The role of the VAP has been superseded by the appointment of the Commissioner for Victims and Witnesses who has a wide-ranging remit and is required to promote the interests of victims and witnesses, taking such steps as she considers appropriate with a view to encouraging good practice in the treatment of victims and witnesses. She can consult any person she considers appropriate or make a report to the Secretary of State for Justice.

Public Bodies Bill

10 October 2011



The Law Society

Dear Sirs

Re: Consultation on reforms proposed in the Public Bodies Bill

Victims' Advisory Panel (VAP)

Question 20: What are your views on the proposed abolition of the VAP?

Given that the functions of the Victims' Advisory Panel can be dealt with by the Commissioner for Victims and Witnesses, we do not object to the proposed abolition of the Panel.

Question 21: Do you believe that there are any functions of the VAP that cannot be adequately addressed by the Commissioner for Victims and Witnesses? Please state what these are and your reasons.

No.

Question 22: Do the proposals have any significant direct impact on you (if so, please explain the impact)?

No.



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Consultation on reforms proposed in the Public Bodies Bill

Reforming the public bodies' landscape of the Ministry of Justice.

List of questions for response

We would welcome responses to the following questions set out in this consultation paper. Please feel free to answer only those in which you have a specific interest. Please email your completed form to: PBB.Consultation@justice.gsi.gov.uk, or fax to: 020 3334 6452.

Victims' Advisory Panel (VAP)

Question 1. What are your views on the proposed abolition of the VAP?

Comments: I am not aware of the terms of reference of the VAP, but my experience of the CJS is that the concerns and feelings of the victims of crime are not considered to be important. The HoC Select Committee which looked into the performance of the CPS in 2009, concluded that "the prosecutor is not able to be an advocate for the victim in the same way that the defence council is for the defendant, yet government proclamations that the prosecutor is the champion of victim's rights may falsely give this impression". This may be the case but there is no reason why bereaved victims of crimes should not be given much more information than at present and be allowed to have their views and concerns heard and addressed by the prosecuting services. They should also be protected in court from degrading and hostile questioning by defence councils. Defendants have rights and privileges; victims do not.

It should also be noted that in general bereaved victims rarely seek revenge, as a principal objective. They are commonly more interested to learn in detail how their loss occurred and how it can be prevented from happening to others.

Question 2. **Do you believe that there are any functions of the VAP that cannot be adequately addressed by the Commissioner for Victims and Witnesses? Please state what these are and your reasons.**

Comments:

Question 3. **Do the proposals have any significant direct impact on you (if so, please explain the impact)?**

Comments:

About you

Please use this section to tell us about yourself

Full name	Alick Moore
Job title or capacity in which you are responding (e.g. member of the public etc.)	Stakeholder – bereaved father
Date	10 Oct 2011
Company name/organisation (if applicable):	
Address	
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box) yes



Consultation on reforms proposed in the Public Bodies Bill

RoadPeace response

Victims' Advisory Panel (VAP)

Question 1. **What are your views on the proposed abolition of the VAP?**

Comments: We do not object to this.

Question 2. **Do you believe that there are any functions of the VAP that cannot be adequately addressed by the Commissioner for Victims and Witnesses? Please state what these are and your reasons.**

Comments: No

Question 3. **Do the proposals have any significant direct impact on you (if so, please explain the impact)?**

Comments: Whilst road crash victims were never allowed to be represented on the VAP (neither by RoadPeace or any other organisations), our Chair Zoe Stow was appointed to it as a community representative (in addition to being bereaved by a road crash, she had been a victim of a burglary. We do not think the VAP represented victims of crime properly and we appreciate the Commissioner's awareness that road victims are victims of crime when the crash is caused by law breaking. But we also think that as in the policy of ACPO/NPIA's Road Death Investigation Manual, victims of crashes should be treated as victims of crime, until the contrary is proven. This principle should also apply to missing

Please complete the section overleaf to tell us more about you.

About you

Please use this section to tell us about yourself

Full name	Amy Aeron-Thomas
Job title or capacity in which you are responding (e.g. member of the public etc.)	Executive Director
Date	11/10/2011
Company name/organisation (if applicable):	RoadPeace
Address	F6 Shakespeare Business Centre 245a Coldharbour Lane
	London
Postcode	SW9 8RR
If you would like us to acknowledge receipt of your response, please tick this box	X <input type="checkbox"/> (please tick box)

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

RoadPeace is the national charity for road crash victims. Our members include the bereaved and injured, their carers and those campaigning for road danger reduction.



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Victims' Advisory Panel (VAP)

Question 1. **What are your views on the proposed abolition of the VAP?**

Comments: The work of the VAP has no direct impact on the core function of HMCPSI.

Question 2. **Do you believe that there are any functions of the VAP that cannot be adequately addressed by the Commissioner for Victims and Witnesses? Please state what these are and your reasons.**

Comments: We are satisfied that the remit of the Commissioner for Victims and Witnesses is wide enough to encompass most of the functions performed by the VAP.

Question 3. **Do the proposals have any significant direct impact on you (if so, please explain the impact)?**

Comments: -

About you

Please use this section to tell us about yourself

Full name	Michael Fuller
Job title or capacity in which you are responding (e.g. member of the public etc.)	HM Chief Inspector
Date	11-10-2011
Company name/organisation (if applicable):	Her Majesty's Crown Prosecution Service Inspectorate (HMCPPI)
Address	4 th Floor
	One Kemble Street
	London
Postcode	WC2B 4TS
If you would like us to acknowledge receipt of your response, please tick this box	<input checked="" type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	



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List of questions for response

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Victims' Advisory Panel (VAP)

Question 1. **What are your views on the proposed abolition of the VAP?**

Comments: It should not be abolished. The Commissioner for Victims And Witnesses resigned 12-10-11 so it would be helpful to ensure continuity of representation of victims' interests.

Question 2. **Do you believe that there are any functions of the VAP that cannot be adequately addressed by the Commissioner for Victims and Witnesses? Please state what these are and your reasons.**

Comments: If the Commissioner for Victims And Witnesses role continues and it is not held by an individual who has suffered significant crime, the VAP will bring another voice worth listening to.

Question 3. **Do the proposals have any significant direct impact on you (if so, please explain the impact)?**

Comments:

Please complete the section overleaf to tell us more about you.

About you

Please use this section to tell us about yourself

Full name	Frank Mullane
Job title or capacity in which you are responding (e.g. member of the public etc.)	Member of the public and former member of the VAP
Date	12-10-11
Company name/organisation (if applicable):	
Address	Not disclosed in agreement with local authority (I run a charity which may attract unwanted attention).
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	√ (please tick box)
Address to which the acknowledgement should be sent, if different from above	fmullane@hotmail.com

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

I am the co-ordinator of AAFDA (www.aafda.org.uk) which helps families after fatal domestic abuse but this submission is made in my personal capacity.



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Victims' Advisory Panel (VAP)

Question 1. **What are your views on the proposed abolition of the VAP?**

Comments: In theory the proposed abolition of the VAP should not present any direct implications as Louise Casey has been put into place to voice victims concerns however would there be an opportunity for the remaining four volunteers of the VAP to be incorporated as volunteers into Louise's team so that their skills and perspectives can continue to be used to develop services etc.

Question 2. **Do you believe that there are any functions of the VAP that cannot be adequately addressed by the Commissioner for Victims and Witnesses? Please state what these are and your reasons.**

Comments: No

Question 3. **Do the proposals have any significant direct impact on you (if so, please explain the impact)?**

Comments: N/A

About you

Please use this section to tell us about yourself

	L. Green
Full name	L Davies
Job title or capacity in which you are responding (e.g. member of the public etc.)	T/Chief Inspector Crime and Justice Chief Executive
Date	11/10/11
Company name/organisation (if applicable):	Durham Constabulary Durham Police Authority
Address	Aykley Heads, Durham, DH1 5TT Co Hall, Durham,
Postcode	DH1 5TT DH1 5UL
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	