

**POLICY DOCUMENT**

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1. **INTRODUCTION**
   1. A witness can be critically important to any legal action regarding anti social behaviour.
   2. The experiences a witness can go through vary from one to another and can range from simply upsetting, to experiences that include threats of and actual violence and foul and abusive language. These types of experience can leave a witness feeling vulnerable, powerless and angry. Witnesses will also often feel isolated within their own neighbourhood or even their family, because they may be seen to be drawing attention to themselves, those around them and the neighbourhood. People who see what is happening to a witness do not wish themselves to become a target by association. In these circumstances witnesses need to have their specific anxieties addressed. They need to have confidence in any service from which they seek help to be effective and to act in their best interests.
2. **SCOPE OF THE POLICY**
   1. This policy applies to witnesses of anti social behaviour in cases where they are a direct victim of anti-social behaviour or have witnessed anti-social behaviour within the community and that Progress Housing Group (PHG) are dealing with.
3. **RESPONSIBILITY**
   1. The Head of Operations is responsible for the monitoring and effectiveness of this policy.
4. **POLICY**
   1. Aims & Objectives
      1. PHG aims to deliver good quality services to its tenants, residents, and other service users in those areas in which it operates by working with the community and within the remit of the Community Safety Partnerships to ensure the long-term success and stability of these areas.
      2. PHG aims to ensure that all staff are given appropriate procedural training on how to deliver the witness support framework and to increase the awareness of the subject.
      3. PHG recognises that anti-social behaviour has a significant negative effect on the stability and security of communities in which it operates. We will seek legal remedies against those perpetrators of anti social behaviour that will not work with them to enable them to stop their poor behaviour.
   2. **General policy statement on the approach to witness support**
      1. Progress Housing Group will:
         1. Encourage complainants to approach alleged perpetrators in an effort to resolve the matter without the organisation becoming involved unless this places the complainant at risk. This will be at the PHG’s discretion on an assessment of the complaint received.
         2. Do all they reasonably can to support vulnerable and intimidated victims and witnesses in anti social behaviour cases by providing for 24 hours 7 days a week witness support service.
         3. Allocate a witness support officer to case manage individual cases and be a single point of contact to support the witness/victim.
         4. Publicise the support available to help victims and witnesses.
         5. Work in partnership with other agencies to provide co-ordinated support within those areas in which it operates.
         6. work in partnership work with the local neighbourhood policing teams and those multi agency partners who work with us on the Working With Families initiatives in the South Ribble and Fylde areas.
         7. Not disclose the names and address of any victim or witness to any other organisation or individual without their informed consent except to the legal advisor dealing with the case.
         8. Ensure that victims and witnesses are kept up to date on a regular and frequent basis about the progress of the action plan. This includes updating people even when nothing has happened.
         9. Provide support and assistance to complete and maintain any records, including diary records, that we feel will support their complaint in the event of legal action being taken.
         10. Discuss potential solutions which may include dispute resolution via a mediation service, restorative justice, civil or criminal court action, and be willing to act immediately to obtain without notice injunctions where there has been actual or a threat of violence.
         11. Give any necessary assistance and support that we can in cases where it is more appropriate for the complainant to take action themselves, rather than for PHG to become involved.
         12. Monitor that the support provided is appropriate and reasonable.
         13. Continue to support a witness after a case has been closed where appropriate and necessary.
   3. **Court Attendance**
      1. PHG will offer witnesses attending court to give evidence in support of the group, transport and an escort. We will refund any transport or parking costs incurred by a witness.
      2. Witnesses attending court who are in paid employment will be reimbursed for loss of earnings due to attending court. Confirmation from the employer will be required regarding the amount lost.
      3. Where a witness requires childcare, PHG will arrange for expenses to be refunded; where the witness is unable to arrange their own childcare PHG will provide for a registered child minder.
      4. The community safety team wiill explain the court process and describe the court layout and will brief any witness attending court.. A visit to the County or Magistrates Court prior to the trial can also be arranged.
      5. Where a witness is concerned about leaving their home empty whilst attending court, the local police will be informed and asked to place a log on their computer system.
      6. Where a witness is concerned about sitting in the court waiting room with the perpetrator, a private room will be made available where possible and when deemed appropriate the services of a chaperone will be provided for.
      7. Where a witness is giving evidence at the Magistrates Court or Crown Court, a request could be made that this evidence be given from behind a screen to protect identity.
   4. **Physical Support**
      1. Personal panic alarms are available from PHG.
      2. Mobile phones are available from the community safety service. These will only be provided to witnesses in extreme cases at the Head of Operations discretion.
      3. A disperse alarm can be installed in a witness’ home which will be installed in cases where there is deemed to be a risk of violence, threat of violence or witness intimidation. The alarm is a pendant type alarm and when activated, PHG’s Control Centre, (Sumner House, King Street, Leyland) will contact a member of the team and the local police.
      4. Covert cameras may be installed in a witness’ home for the purpose of obtaining evidence and positive identifications of perpetrators. These will only be installed at the discretion of the Head of Operations or at the Operational Director’s discretion.
      5. In homes (including owner occupiers and leaseholders) where they are not already fitted as standard, the Property Services Repairs Team will install the following security measures at the Head of Operations, Community Safety Manager or Operational Director’s discretion and request:

* Fireproof letterboxes
* Security lights
* Sensor lights
* Door chain and press/rack/tower bolt
* Door dead lock
* Window snap/clamp lock
* New locks
* Fencing
  1. **Moving to Another Home**
     1. Tenants who are the victims of violence, threats of violence or other anti social behaviour are able to apply for a transfer to another property and will be supported through this process by the PHG.
     2. In emergency situation, a resident may wish to declare themselves as homeless to the appropriate local authority; or the Association may decant the witness into one of our current void properties and will be supported through this process by the PHG.
     3. NPHA and NFH may be able to assist in a move to a property belonging to another Housing Association via the Select Move or My Home Choice processes.
     4. PCHA will work in partnership with the relevant local authority commissioner, support provider and advocate to support the tenant if they wish to move.
  2. Abbreviations
     1. NPHA New Progress Housing Association
     2. NFH New Fylde Housing
     3. PCHA Progress Care Housing Association
     4. PHG Progress Housing Group
  3. Definitions
     1. For the purposes of this policy, the term “witness” is used to describe someone who has suffered from anti social behaviour, whether or not they are acting as a witness for PHG in any court action against the perpetrator of the anti social behaviour.
  4. References
     1. N/A
  5. Data Protection
     1. It is our aim to preserve the confidentiality of both the alleged victim and the alleged perpetrator wherever possible. We will deal with complaints of anti social behaviour promptly and in doing so will deal sensitively and treat with confidentiality all information collected.
     2. However, complainants will be advised that PHG may share information with the Community Safety Partnership in the local area and that identities may have to be revealed if court action is pursued. Permission will be requested from the complainant before information is disclosed to the perpetrators, their legal representatives and other interested parties.

1. **IMPLEMENTATION**
   1. Training
      1. Staff will be given appropriate procedural training on how to deliver the witness support framework and to increase the awareness of the subject.
   2. Procedure references
      1. NPHA and NFH ASB Procedure
      2. PCHA ASB Procedure
      3. NPHA and NFH Witness Support Procedure
   3. Linked documents
      1. PHG Anti Social Behaviour Policy
      2. NPHA and NFH Anti Social Behaviour Strategy
      3. NPHA and NFH Witness Support Strategy
      4. PHG Partnership Working to Prevent and Tackle ASB Policy
      5. PHG Equality and Diversity Policy
      6. PHG Community Involvement Strategy
2. **CONSULTATION**
   1. Consultation on this policy has taken place with the voluntary and statutory partners together with the Housing Forum.
3. **REVIEW**
   1. This policy will be reviewed every three years unless changes to working practises or legislation necessitate a sooner review.
4. **EQUALITY IMPACT ASSESSMENT**
   1. We welcome feedback on this policy and the way it operates. We are interested to know any possible or actual adverse impact that this policy may have on groups in respect of gender, marital status, race, disability, sexual orientation, religion or belief, age or other characteristic.