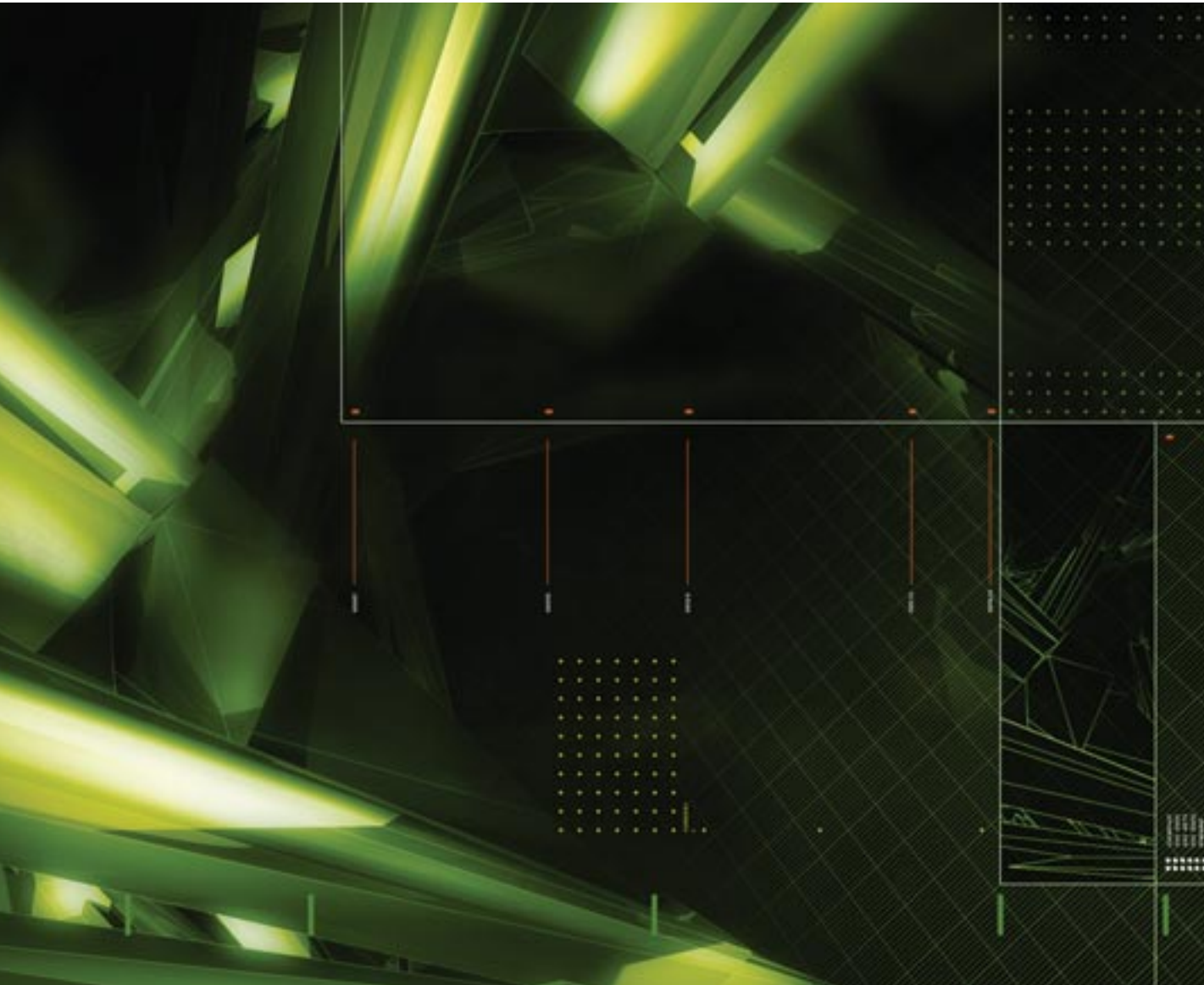


# The Multi Agency Witness Mobility Scheme

## Summary document and protocol





**MAYOR OF LONDON**

**The Multi Agency Witness Mobility Scheme**  
Summary document and protocol

October 2003

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# 1 summary introduction

The aim of this document is to provide a summary of the objectives, methods and key benefits of the Witness Mobility Scheme. It is intended for practitioners, not for members of the public. However, it may form a basis for briefing Crime and Disorder Reduction Partnership agencies.

The Scheme is a systematic, streamlined approach to relocating intimidated witnesses, many of whom are also the victims of crime or anti-social behaviour. It is designed to reduce fear and distress experienced by intimidated witnesses, increase the numbers of successful prosecutions and contribute to creating safer communities. The Scheme assists greater numbers of intimidated witnesses to give their best evidence in court by reducing the stress of relocations and increasing the safety of individuals.

The full Scheme documents are published by the Housing Corporation's Bank of Good Practice website under the Anti-Social Behaviour section at [www.bankofgoodpractice.org](http://www.bankofgoodpractice.org)

## **What does the Witness Mobility Scheme do?**

The Witness Mobility Scheme gives Social Landlords, Local Authorities and Police Services access to fast-track relocations and support services for vulnerable or intimidated witnesses giving evidence for them in criminal or civil cases. A National Co-ordinator will link with Designated Officers who are authorised by their employers to make referrals under the Scheme.

Police Services relocate around 3,000 intimidated witness households each year. Social landlords are not required to gather data on the numbers of intimidated witnesses they relocate, so statistics are unavailable. The numbers are likely to be significant.

All Local Authorities, Housing Associations and Police Services are invited to sign up as key partners to the multi-agency Protocol agreement contained in the Scheme. They are well placed within – or in association with – local Crime and Disorder Reduction Partnerships to deliver joined-up services to intimidated witnesses covering housing, health, education, benefits, social services, victim support and community safety. They should seek agreement to having, and then nominate, Designated Officers authorised to use the Scheme in each service.

The Home Office, the Office of the Deputy Prime Minister, the Housing Corporation and the Greater London Authority are pleased to support and promote this scheme.

Further information about becoming a signatory can be obtained by e-mailing the National Co-ordinator at [witness.mobility@homeoffice.gsi.gov.uk](mailto:witness.mobility@homeoffice.gsi.gov.uk)

### **What can intimidated witnesses expect?**

The Scheme is not about providing better quality housing. It is about providing safer housing. Intimidated witnesses who are tenants of Councils or Housing Associations are offered the opportunity to relocate quickly away from homes where they are unsafe to similar homes elsewhere. Private sector tenants or owner-occupiers have access to the Scheme via police referrals.

The scheme seeks to provide a fast, efficient and reassuring method for witness protection. At the same time it has to recognise some resource constraints in terms of the rehousing opportunities available. In addition, offers of housing must not be any better than the witness' current housing – the principle of 'like for like' - otherwise defence Counsel may argue in court that fast-track relocations are an 'inducement'. This could have the effect of discrediting the witness' evidence.

Relocations may be in a different part of the country. In cases where Council or Housing Association tenants are overcrowded in their current homes, this will be dealt with on relocation. Referring landlords will pay the relocation costs of their tenants at the rate normally due to households moving for reasons of anti-social behaviour or, where there is no such policy, at the rate due to households decanted for major repairs.

Moving home is always stressful, even more so for intimidated witnesses. They may need extra help to find new doctors, schools or colleges, care support and other vital information about their new localities. Crime and Disorder Reduction Partnerships have a key role to play in ensuring this help is available.

### **How can I find out if my service can use the Scheme?**

All referrals to the National Co-ordinator must go through authorised Designated Officers. These Officers will be of sufficient seniority to have appropriate decision-making powers.

Each Crime and Disorder Reduction Partnership should have a Designated Housing Officer (DHO) who is authorised and trained to make rehousing referrals to the National Co-ordinator. They should also have a Designated Police Officer (DPO) who carries out risk assessments on each case. The Designated Police Officer will have access to a full list of Designated Officers in each partner agency within their local Crime and Disorder Reduction Partnership. The National Co-ordinator will hold the complete list.

**Can any witness case be referred?**

No. The Scheme is used to protect intimidated witnesses who:

- Have agreed to give evidence in court;
- Are suffering, or are likely to suffer, intimidation or harassment from an offender, their family or associates;
- Cannot stay in their homes;
- Must be relocated quickly; and
- May need to move to a different area or part of the country.

Examples of cases where intimidated witnesses may need relocation include (but are not restricted to):

- Domestic violence
- child abuse
- sexual offences
- racially motivated hate crimes
- homophobic hate crimes
- anti-social behaviour
- murder
- robbery
- gun crime
- human trafficking
- prostitution
- drug dealing.

**When should social landlords make a referral under the Scheme?**

All social landlords who sign up to the protocol may seek fast-track rehousing for intimidated witnesses who are their tenants, and who are giving evidence for them when the landlord is taking legal action to evict perpetrators of anti-social behaviour or other crimes.

Before making referrals, social landlords should satisfy themselves that usual safety measures, such as fireproof letter boxes or community alarms, are unlikely to offer sufficient protection in the home or locality to prevent witness intimidation.

**When should social landlord caseworkers make referrals?**

A caseworker who is concerned about the safety of an intimidated witness should refer the case within 1 working day to the Chair of the landlord's Rehousing Panel, or its equivalent, for a decision on using Scheme. They should refer the case if they are:

- Concerned that a witness household may be in danger as a result of their decision to give evidence for the landlord; or
- The household may be too intimidated to give evidence as a result of threatened or actual reprisals; and
- Normal safety measures are unlikely to prevent intimidation.

**When should social workers make referrals?**

Social workers should make referrals if they are concerned about the safety of intimidated witnesses, for instance in cases of domestic violence, child abuse and sexual offences.

Referrals should be made through Designated Police Officers in local police services.

**When should police officers make referrals?**

Police officers should make referrals when they are concerned that intimidated witnesses may need to be relocated. All referrals must be made to Designated Police Officers who are authorised to use the protocol. They will carry out risk assessments on each case to decide if the referred witnesses:

- Fall within intimidated witness criteria, and
- require urgent moves to ensure their safety.

Designated Police Officers should usually be Inspectors or higher-ranking police officers. They may, for instance, have managerial responsibility for Witness Protection Units or Community Safety Units.

**How is information on witness relocations shared between agencies?**

The Scheme contains clear guidance on information sharing and data protection. Information will be shared on a 'need-to-know' basis between Designated Officers in police, landlord or other services so that support services can communicate, for instance where there are child protection or domestic violence issues.

Where the identity of the witness must be protected to a high degree, for instance in high profile or serious risk criminal cases or where the offender is motivated to locate the witness as in domestic violence cases, shared information will be strictly limited.

Where rent arrears are an issue, the police and the National Co-ordinator may forward post to prevent disclosure of new addresses. They will consult on appropriate arrangements for each case.

### **What happens when a referral is made?**

When a social landlord decides to refer an intimidated witness for fast-track rehousing, the decision should be made known immediately to the Designated Housing Officer who is authorised to make rehousing referrals to the National Co-ordinator.

This is a fast-track service designed to meet the needs of intimidated witnesses. As such, every effort should be made to ensure speedy referrals through each stage of the process. The referral process to the National Co-ordinator should take no more than 2 working days.

If the National Co-ordinator cannot find a suitable property within 3 weeks, then Chief Executives of social landlords in the areas requested will be contacted to request their intervention.

When the Designated Housing Officer is satisfied that all criteria comply with the protocol, he or she will sign off the Nomination and Risk Assessment Form, taking both of the following urgent actions concurrently by e-mail or fax under secure conditions:

- Send a completed Nomination and Risk Assessment Form to the National Co-ordinator to begin the process of identifying a suitable property.
- Send the same form to their Designated Police Officer to request a risk assessment on the witness household.

Where there are concerns about e-mail or fax security, a Designated Officer should send an e-mail request to the National Co-ordinator asking them to contact the Designated Police Officer by telephone.

When the National Co-ordinator identifies a suitable property, the Designated Police Officer will contact a Witness Protection or Community Safety Officer in the local police service to request a community impact risk assessment. This will establish if there are any known risks that would

make the area unsuitable for the witness household. If this is the case, then further property searches will be made until a suitable location is found.

Designated Officers in housing and police services should ensure that the cultural and religious needs of witness households are considered when proposing relocations.

Once the risk assessments are completed, the receiving landlord's Designated Officer will arrange for the tenant to complete a routine housing application or transfer form. This will enable a routine house file to be created. Where witness details may compromise their security, an agreed form of words should be used to protect their identity or location. Information no longer required should be destroyed as soon as the house file is created.

The wall chart that accompanies this document illustrates the fast-track rehousing and support process.

### **What about transferring other services, like schools and doctors?**

Some intimidated witnesses, and other people moving with them, will have support needs other than housing. To help minimise the problems of relocating, partners who sign up to the protocol agree to provide fast-track support services where possible to the witness household.

Children and young people will need places in new schools or colleges. Entitlements to social welfare benefits may need to be assessed or existing benefits transferred. Care support packages may need to be transferred. Social Services assessments may need to be done. Communication needs must be met.

The Nomination and Risk Assessment Form asks some trigger questions to help Designated Officers identify people with support needs. Support needs should be discussed by Designated Officers during initial contact. Fast-track arrangements should be made to meet support needs where possible.

## 2 case studies

Many intimidated witnesses choose not to move. Some refuse to move even when their lives are in serious danger. Police and social landlords have policies to advise intimidated witnesses about the risks they face. Ultimately, it must be the choice of the witness whether to take up an offer of relocation.

The Witness Mobility Scheme supports intimidated witnesses to make relocation decisions since they will be offered permanent, not temporary, accommodation. The case studies here illustrate the kinds of intimidated witness cases that should be referred by partners who are signed up to the Scheme protocol. They illustrate how police and social landlord services may use the Scheme once they are signatories to the protocol.

In each case, the criteria for fast-track relocations of intimidated witnesses apply:

- Witnesses have agreed to give evidence in court;
- They are suffering, or are likely to suffer, intimidation or harassment from an offender, their family or associates;
- They cannot stay in their homes;
- They must be relocated quickly; and
- They may need to move to a different area or part of the country

The case studies are totally fictitious and do not seek to replicate the circumstances of any live cases.

### **Racist hate crime case**

The Housing Services department investigated a case of serious racial harassment experienced by Council tenants, Mr. and Mrs. Y, and their four children over a number of years. The perpetrators were also Council tenants.

The Council sought possession against the perpetrator household for breaches of the Harassment clauses of their tenancy agreement.

Mr. and Mrs. Y agreed to give evidence against the perpetrators on behalf of their landlord. They both speak and read Turkish and neither speaks English as a first language. Mr. Y uses a wheelchair.

At the time of the investigation, the Y's sons were aged three and ten years and their daughters were aged six and sixteen. Meryem, the sixteen-year-old daughter, also agreed to give evidence for the landlord. She usually acts as an interpreter for her parents.

The family lived next door to the perpetrators, whose ethnicity is white English. One of the perpetrators attended the same college as Meryem and another attended the same school as her ten year old sister, Ayesha. The perpetrators were members of a well-known local criminal family with an extensive network of family and friends in the area.

As a result of the pending possession proceedings, Ayesha and Meryem experienced serious bullying from the perpetrators and their associates in their school, college and on the journey to and from home. Ayesha refused to go to school for three months. Meryem was unable to revise for her GCSE exams.

There was police involvement and an Information-Sharing Protocol has been completed.

The Y's car was burned out on the same day that the perpetrators were notified of the court hearing date. During the night, a note containing a death threat was pushed through the Y's letterbox.

The local authority and the police, both recent signatories to the protocol, decided to use it to relocate the intimidated witness household. A referral was made and, within three days, a housing association partner offered a similar accessible property in a different part of the city. The new area had a Mosque and local shops selling halal meat and Turkish food. Education Services were alerted to the circumstances of the case. They appointed a Designated Officer to assist with finding school and college places for the Y children. Mrs. Y found a new job with the help of local Turkish community representatives.

Mr. and Mrs. Y gave evidence in court with the help of interpreters. Court documents were translated into Turkish, so Mrs. Y was able to attest to them.

The civil action was successful and the judge awarded possession of the perpetrator's tenancy with immediate effect. The police were successful in gathering evidence of witness intimidation against one perpetrator, who received a sentence of two years' imprisonment.

**Gun crime case**

Miss J has witnessed a gun crime and has agreed to give evidence for the police. She is a British national of Caribbean parentage. Miss J lives with her parents and has no children. She is in part-time education, doing the first year of a three-year NVQ course.

Miss J is five months pregnant and her boyfriend Mark is the father. As a hairdresser in the black community, Miss J has many professional and social contacts. She met Mark through these contacts.

In the early stages of their relationship, Miss J knew nothing about her boyfriend's criminal activities. However, after a murder in a London borough, she witnessed him disposing of clothing and a firearm. She contacted the police and they recovered the items. She also gave information that led the police to search a deposit box where a large quantity of crack cocaine was recovered, together with further firearms.

Miss J is placed under police protection in a hotel whilst she provides a full written statement. She is very anxious about her parents and finds it hard to cope without their support.

Mark is a very dangerous criminal and he has not yet been arrested. He is currently wanted in Jamaica for two other gang-related murders. Police intelligence has established that he knows Miss J has provided information to the police and he wishes to ensure that she is unable to testify against him.

Associates of Mark have approached Miss J's parents asking her whereabouts. Police have installed alarm equipment and have taken other measures to provide some protection for Miss J's parents. They are in considerable distress, worrying about their safety and fearing for their daughter's life. They are too frightened to leave their home.

Having become a recent signatory to the fast-track rehousing protocol, the social landlord decided to make a referral under the protocol agreement. The Designated Police Officer agrees that the household fits the protocol criteria for fast-track relocation outside the area and refers them for fast-track rehousing to the National Co-ordinator.

Information sharing between Designated Officers is strictly limited in this case. The police will protect Miss J and her parents by giving them identity changes. The National Co-ordinator – who will not know the true identity of the Js - will work with the police to locate a suitable home that meets their cultural needs. Once located, security equipment will be

installed which includes an alarm system, video entry system and fire precautions. Some structural work may be necessary depending on the type of property offered.

When their identities are changed and the relocation has happened, the police will work with local Designated Officers to consider ways of meeting their needs quickly, including finding new jobs, medical care and a new college place.

### **Burglary case**

Ms. M is a lone parent with long-standing mental health needs who lived on a large housing estate with Mandy, her teenage daughter. Ms. M and Mandy were burgled. The break-in was witnessed by Mandy's school friend Julie, from her home in an adjacent block. The police were called and Julie made a full statement to them about what and who she had seen.

Julie identified a number of teenage boys as being responsible for the break-in. Ricky is amongst them. He is one of a group of youths who are infamous locally for a variety of crimes and anti-social behaviour. Ricky's family has been evicted by the local authority for anti-social behaviour. The family still lives in private rented accommodation in the same area. Ricky, who attended the same school as Mandy and Julie, is already excluded from school. The school was also granted an injunction to stop him approaching the school.

During the police investigation into the burglary and despite the injunction, Ricky and his brother exerted considerable influence inside the school by intimidating other pupils.

As the trial date approached, sustained intimidation began against Mandy and Julie to prevent Julie from giving evidence against Ricky. Threats were made by other pupils at the school. The situation culminated in an incident where both girls were forced into a car, driven some distance, intimidated and punched and left to make their own way home.

Julie's parents were also subjected to an arson attack on their car amongst other criminal damage.

Having become a recent signatory to the fast-track rehousing protocol, the social landlord decided to make a referral under the protocol agreement. Within 2 days, a housing association partner offered a suitable property in a borough some distance away. As a result, the trial proceeded and Julie's evidence helped to achieve criminal convictions against Ricky and others. The Education Service helped to find a new school for Julie.

Ms. M and Mandy were also recommended for fast-track relocation by the Designated Officer. The Education Service found a new school place for Mandy and she was also referred to the Education Welfare Officer for extra support. The Designated Officer in Social Services made contact with his counterpart in the new locality to ensure the Primary Care Trust was alerted to Ms. M's mental health needs.

### **Domestic violence case**

A nurse has alerted the police to the case of Mrs. G, a woman who has again been admitted to hospital following an assault by her husband. Mrs. G is the mother of two children. Her youngest child, Margaret, is aged 27 and left home eighteen months ago.

Mrs. G, who is 57 years old, has experienced domestic violence from her husband since they married thirty years ago. She has been hospitalised on a number of occasions for injuries that include broken bones and cigarette burns. She has fled to refuges several times, including with her children when they were young. She has always returned to her husband, refusing to give evidence against him.

Mrs. G is afraid her husband will murder her. On this occasion, he kicked her with such force that a broken rib punctured her lung. The police are considering charging her husband with attempted murder. She is willing to give evidence against him if she feels sure that he will not find her. She does not want to go into another refuge.

Mrs. G's housing association is a signatory to the fast-track rehousing protocol. Having consulted with colleagues specialising in domestic violence cases, the Designated Police Officer and the housing association decide to use the protocol to refer Mrs. G for rehousing to a different part of the country. A suitable home is found for her in sheltered accommodation provided by a housing association. Key agencies are alerted to Mrs. G's circumstances, including social services and her new general practitioner. In the circumstances, she is allocated a social worker. The Chief Executive of the housing association works with the responsible Warden to ensure all necessary protection measures are installed.

The police continue to gather evidence against Mrs. G's husband. As she regains her strength and confidence, her determination to see her husband convicted increases. Mrs. G's evidence, together with the evidence of police, social and health services' witnesses, as well as that of her children, results in her husband being sentenced to five years' imprisonment.

**Rape case**

Ms. B was due to give evidence in relation to past incidents against a man who was charged with multiple rapes. Ms. B and the rapist grew up on the same housing estate.

The rapist was part of a large family who were systematically intimidating witnesses on his behalf. The rapist's brother and his girlfriend had already attacked one of the rape victims as she was due to give evidence.

Following serious intimidation against Ms. B, an urgent risk assessment was carried out by the police. The Designated Police Officer made a referral for fast-track relocation under the protocol. Within two weeks, a suitable property was offered by a housing association partner.

Ms. B's evidence helped to convict the rapist. He was sentenced to ten years' imprisonment for three incidents of rape and attempted rape.

**Post-trial witness intimidation case**

The police investigated the incidents of witness intimidation experienced by a number of people during the rape investigations in the above rape case involving Ms. B. They gathered sufficient evidence for a case to go ahead against a relative of the rapist.

As soon as the rape case was over, the intimidated witness began to experience further intimidation from the rapist's family. This increased as the trial date approached for the assault she suffered.

The witness in this case was terrified and the Designated Police Officer again recommended fast-track relocation since the trial was in jeopardy. The witness and her household were relocated to another city and the trial for witness intimidation went ahead. The offender was sentenced to two years' imprisonment.

**Unsuitable offer problems in hate crime case**

A family of five people, two adults and three children, approached the Council for rehousing. They had been evicted by their private sector landlord following the end of their 6-month assured short hold tenancy.

The private landlord's report did not suggest any problems. The Homeless Persons' Unit agreed that the family was homeless and they were nominated to a housing association, which re-housed them in a street property. It rapidly became clear that the tenants and their children were violent, racist and capable of perpetrating major anti-social behaviour.

When the family moved in to their new home, they immediately began to terrorise their neighbours. The police brought charges following a racist attack perpetrated by the family outside their home. The housing association also began eviction proceedings against the tenants for breaching their tenancy agreement.

A neighbouring tenant of another housing association agreed to give evidence for both the police and the social landlord.

Since routine safety measures, such as fireproof letterboxes and security alarms were very unlikely to offer any protection to the witness, the Designated Police Officer decided to refer the household for fast-track relocation under the protocol.

A property was offered 6 days later by a housing association in a pleasant town some distance away. The witness household was keen to accept until they went to view the property. As they approached the property along the pleasant road, they could see a number of abandoned cars ahead. They arrived outside a terrace of six houses that were surrounded by debris. The house on offer to them had been externally vandalised. After the viewing, they spoke to a neighbour who said that she was desperate to get out. She told them that three of the other houses in the terrace were occupied by one extended family, which broke up old cars on the street and generally caused serious nuisance.

Later checks revealed that the house had been offered on eight previous occasions. Not surprisingly, the intimidated witness household turned down the offer of this unsuitable property. The process of locating a suitable property had to start again and another partner local authority made an offer, which was accepted.

The Scheme is a valuable tool for all participants when they need to move someone quickly so that a case can progress. It is not the means to resolve an allocation problem in the hope that a family is so desperate that they will accept any property. If this happens, the value of the Scheme is diminished for all agencies, and especially for intimidated witnesses who need to relocate quickly and safely.

### 3 multi- agency witness mobility scheme the protocol

#### **Social Landlord Partners: Service Agreement**

- 1 Social housing landlords who are signatories to the Multi-Agency Witness Mobility Scheme Protocol (hereafter referred to as 'the protocol'), agree to provide each other and the police with fast track housing and rehousing for intimidated witness households giving evidence against alleged perpetrators of crime and anti-social behaviour.
- 2 The protocol is based on reciprocal arrangements between all partner social housing providers. All providers will make the full range of their stock available in all locations.
- 3 Social landlord or local authority officers, or their agreed partners, can nominate intimidated witnesses giving evidence in civil cases for housing associations or local authorities. This will include giving evidence against perpetrators of racist and homophobic hate crimes and domestic violence. The cases may also be linked to criminal proceedings.
- 4 The officers will refer their nominations to designated social landlord officers authorised and trained to use this protocol.
- 5 The need for fast-track access to multi-agency benefits and support packages will be identified on the Nomination and Risk Assessment Referral Form.
- 6 Arrangements for access to fast-track multi-agency support packages will be made by appropriate Designated Officers.
- 7 All social landlord Nomination and Risk Assessment Referral Forms will be sent to Designated Police Officers for formal risk assessments to be conducted. This is to assist a safe rehousing process.
- 8 Vulnerability and risk of intimidation will often be identified by social landlord caseworkers during the lifetime of a case. Some witnesses may have hidden vulnerabilities associated with learning or physical disabilities. Other witnesses will have different vulnerabilities. For instance, some will be unable to read in English. LGBT witnesses may be vulnerable because they are not out to family, friends or employers. Witness intimidation may involve threats to out them. Other witnesses will be vulnerable due to their relationship with the alleged offender.
- 9 It is important to identify vulnerable witnesses in good time and make appropriate support available since defence lawyers will make every effort to discredit evidence in court. To assist the process, social landlords may use the form called 'Assessment Form: Identifying and Tracking Vulnerable

and Intimidated Witness Support Needs'. This form is part of the full Scheme documents published by the Housing Corporation's Bank of Good Practice website. Look under the Anti-Social Behaviour section at [www.bankofgoodpractice.org](http://www.bankofgoodpractice.org)

### **Making Decisions to Rehouse**

- 10 Decisions to rehouse can be agreed through emergency Rehousing Panels or their equivalent or by executive action when urgent action is needed.
- 11 Decisions to rehouse will be made with due regard to risk factors in each case. The households will include a witness who is identified as intimidated and is giving evidence for a partner landlord in civil and/or criminal actions against defendants.
- 12 The Rehousing Panel should decide:
  - a If the safety of a witness household would be seriously compromised if they are not offered alternative accommodation, and
  - b If usual security measures, such as fireproof letterboxes and community alarms or panic alarms, afford insufficient protection in the case considered.
- 13 The Rehousing Panel should keep a written record of their decision, and the reasons for making it. The record should be made at the time of the decision, and should be signed and dated. The record may be required as court evidence.
- 14 Rehousing Panel members not directly associated with the case will not be present to hear the case. This is to preserve confidential details that should only be shared on a 'need-to-know' basis.
- 15 A Designated Officer who is authorised to sign off the Nomination and Risk Assessment Referral Form should immediately refer the case to both:
  - a The National Co-ordinator for fast-track rehousing, and
  - b The Designated Police Officer for risk assessment

### **Paying Relocation Costs**

- 16 Removal and other associated disturbance costs of intimidated witnesses will be met by referring landlords when the witnesses are tenants giving evidence in cases prosecuted by their landlord.

- 17 Removal costs will be paid on a basis that is no less than that paid to a household relocated for anti-social behaviour or, in the absence of such policy, where a household is decanted for major repairs.

#### **Reciprocal Arrangements between Social Landlords**

- 18 Nominating landlords should reciprocate with a similar size and quality of property to that let to the incoming tenant by the receiving landlord. This may not always be possible, for instance due to managing overcrowding or where stock is very limited. In such cases, the principle to be applied is that no landlord should incur unreasonable stock loss in relation to property type.
- 19 The National Co-ordinator will produce monitoring reports every six months that analyse landlord activity. The reports will be available to the Home Office, ODPM, the Housing Corporation and the Local Government Association.

#### **Managing Void Rates and Rental Income**

- 20 All social landlord signatories should ensure that receiving providers do not incur loss of rental income.
- 21 A Designated Officer in the referring social landlord should liaise closely with the household and the receiving landlord at all times. This is to ensure there are no unreasonable delays that will impact on void rates or lost rental income. The incoming household will be subject to the appeals procedure of the receiving provider.
- 22 An appeal against an unreasonable offer should be completed as soon as possible and within a maximum of two working days.

#### **Police Referrals: Service Agreement**

- 23 Operational Command Units (OCUs) will have Designated Police Officers who are authorised and trained to use the Scheme and conduct or supervise risk assessments. Nominations from within police services will be referred to these officers. They will decide if nominated witnesses fit the Scheme criteria.
- 24 Designated Police Officers will maintain a list of all partner signatories to this protocol in their OCU area.
- 25 Police services agree to work in partnership with social landlord signatories to provide risk assessments that will facilitate fast-track housing, re-housing and provision of support to intimidated witnesses. The majority of such witnesses will be current tenants of social landlords.

- 26 Police officers should nominate intimidated witnesses who are giving evidence in criminal cases to the Designated Police Officer. Before making a nomination, they should complete a Nomination and Risk Assessment Referral Form.
- 27 Nominations of intimidated witnesses who require high levels of protection involving a change of identity will need to be made through Designated Officers of the Criminal Justice Protection Unit, Metropolitan Police Service.
- 28 Police officers from Witness Support Units or their equivalent can nominate other intimidated witnesses through their own Designated Police Officer.

### **Police Risk Assessments**

- 29 Designated Police Officers in localities from which referrals are made will liaise with their counterparts in receiving localities to ensure that formal risk assessments for the intimidated witness household and community impact risk assessments for the receiving locality are completed in due time.
- 30 The risk assessments will include confirmation that witnesses are experiencing intimidation and that usual protection measures are unlikely to afford reasonable security. The community impact risk assessment will confirm that the proposed locality is suitable.
- 31 Risk assessments will be done for all intimidated witnesses referred under the Scheme. The results will be shared with the National Co-ordinator to assist in appropriate offers of accommodation.
- 32 Intimidated witness risk assessments and community impact risk assessments will be completed within timescales appropriate to this fast-track protocol.

### **Managing Social Landlord Costs**

- 33 The principle to be applied when making police referrals is that no housing provider should incur unreasonable expense or government sanctions because they assist police services under this scheme.
- 34 When making nominations, police officers should consider in advance how referrals of intimidated witnesses living in the private sector can be managed financially and within the legal constraints faced by social landlords.

- 35 Due consideration should be given to replicating the guarantee given to social landlords by the Metropolitan Police Service when relocating witnesses through the Criminal Justice Protection Unit.
- 36 The guarantee is as follows:
- 37 When high risk witnesses are referred by the Metropolitan Police Service Criminal Justice Protection Unit, the Service guarantees that housing providers will not incur financial loss associated with provision under this protocol. Losses to be covered under the guarantee are as follows:
- Rental income associated with void property: Once a property is identified, the Metropolitan Police Service is responsible for paying the rent from point of offer until the recommended household is in occupation and becomes responsible.
  - Repairs to property on vacation by recommended household if used as temporary accommodation.
  - Removal costs associated with moving a recommended household, including removal expenses and energy services disconnection and reconnection fees.
  - Costs of adaptations to a property to make it suitable for a disabled nominated tenant. For instance, the installation of a wheelchair ramp and/or bath rails.
  - Any works required to the property over and above the void standard works carried out by the Social Landlord will be the responsibility of the Police Service and, where necessary, written permission must be obtained from the landlord.
- 38 This is not an exhaustive list. Other elements are negotiable.

### **Monitoring and Reporting Data**

- 39 The National Co-ordinator will collect and collate de-personalised data on the Scheme to monitor effectiveness.

### **Other Multi-Agency Partners: Service Agreement**

- 40 This service agreement applies to key service providers, other than police and social landlords.
- 41 The aim of this service agreement is to ensure that each partner agency supplies support normally provided by their service. Services

and support should be provided within timescales appropriate to this fast-track protocol.

- 42 Crime and Disorder Reduction Partnerships have a key role to play in promoting joined-up services to intimidated witnesses from key service providers. They should be instrumental in seeking agreement to having authorised Designated Officers in a range of key services provided in their areas.
- 43 Multi-agency partners should engage in service agreements that are appropriate to this fast-track protocol. Basic service agreements are outlined below for Social Services, Education Services and Council Finance Departments.
- 44 Other service providers should also become signatories. These include Victim Support, Primary Care Trusts, the Benefits Agency, Job Centre Plus and specialist survivors' support services. Each signatory agency would need Designated Officers with appropriate decision-making powers. These officers should be authorised to use the protocol and trained in the Scheme.
- 45 Each household will have different support needs. The Designated Officer in the referring police or landlord service is responsible for identifying support needs, usually by completing the appropriate sections of the Nomination and Risk Assessment Referral Form.
- 46 Referrals for support services should be made by the Designated Officer of the referring police or landlord service.

#### **Social Services Service Agreement**

- 47 Under this service agreement, Social Services in signatory authorities should do the following:
  - a Provide appropriate fast-track support: Assessment will be on a case-by-case basis.
  - b Co-ordinate the provision of Supporting People Grant where necessary.

#### **Education Services Service Agreement**

- 48 Education Services should provide the following minimum level of service to households moving under the Scheme:
  - a Designated Officers who will ensure that school records and statements of special education needs are transferred quickly and confidentially.

- b Fast-track moves into local nurseries, schools and colleges.
- c Learning, social and other support in nurseries, schools and colleges where such need is identified.
- d Accompanied journeys to and from nurseries, schools and colleges where such need is identified.

### **Council Finance Departments Service Agreement**

- 49 Council Finance Departments should provide the following minimum level of service to households moving under this scheme:
- a Fast-track assessment service.
  - b Fast-track housing benefit and Council Tax benefit payments.

### **Advisers to Households in the Private Sector**

- 50 Advisers to households living in the private sector can use this protocol as guidance where intimidated witnesses are housed in the private sector.
- 51 It is not intended that witnesses living in the private sector should have any priority over and above that already enjoyed under the waiting list provisions of each partner social landlord.
- 52 The only exception to this rule is when nominations are agreed by Designated Police Officers.

### **Role of the referring Housing Designated Officer**

- 53 Social landlords who are signatories to the protocol should nominate one Designated Officer in each Crime and Disorder Reduction Partnership area who is authorised to the following level:
- a To refer agreed cases to the National Co-ordinator for fast-track rehousing
  - b To refer agreed cases to the Designated Police Officer for risk assessment.
- 54 This Designated Officer will:
- a Liaise with the Designated Police Officer on the nomination and risk assessment process.

- b Liaise with the National Co-ordinator to identify and offer suitable rehousing where possible.
- c Liaise with Designated Officer in the receiving locality to request provision of fast-track services, for instance with Education Services to assess availability of local school places.

### **Making referrals to the National Co-ordinator**

- 55 Police and social landlord Designated Officers who are authorised to make referrals should send the Nomination and Risk Assessment Referral Form to the National Co-ordinator as soon as possible.
- 56 The National Co-ordinator may be contacted by e-mail on [witness.mobility@homeoffice.gsi.gov.uk](mailto:witness.mobility@homeoffice.gsi.gov.uk)
- 57 Confidentiality of e-mailed or telephoned information must be assured at all times. For instance, messages should not be left on an answerphone.
- 58 Where there are concerns about e-mail or fax security, a Designated Officer should send an e-mail request to the National Co-ordinator asking them to contact the Designated Police Officer by telephone. In these cases, details will be given over the telephone and not by e-mail.
- 59 The National Co-ordinator should not disclose unnecessary personal household details to any prospective housing provider until a receiving provider is identified and agreed. The Co-ordinator can release general details only, such as family composition, type of property needed, in order to identify a landlord with suitable available property.
- 60 The Co-ordinator will respond to the referring officer within 2 working days to indicate current availability amongst the partners of suitable property in the areas requested.
- 61 The Co-ordinator will request that all social landlord partners give the highest rehousing priority to nominated witness.
- 62 The Co-ordinator has the authority to approach the Chief Executives of each social landlord partner if suitable property is not available or identified within 3 weeks of the initial rehousing request.

### **Quality of offers and overcrowding**

- 63 The principle of 'like-for-like' offers normally applies where this is not over-ridden by risk assessment criteria. As a general minimum standard, offers of rehousing should be no worse than existing accommodation.

- 64 However, where a household is overcrowded, they should be offered accommodation of the correct size in accordance with the receiving landlord's own policy for the allocation of accommodation to their tenants.
- 65 The receiving landlord will endeavour not to overcrowd the incoming household unless the offer is temporary accommodation.
- 66 Where overcrowding exists, the offer may consist of more than one unit subject to a risk assessment and the approval of both the witnesses and the social landlord.

#### **Number of offers, appeals and refusals**

- 67 Social landlord partners making offers to nominated witness households agree to make one suitable offer only. The definition of a suitable offer will be the current criteria of the housing provider. Risk assessment criteria will also be given due consideration when determining suitable offers. Risk assessment guidance will be given by Designated Police Officers.
- 68 The nominated witness household has the right of appeal against an unsuitable offer in the same manner as any prospective tenant of the social landlord. For instance, family, friends or associates of the perpetrator may live in the vicinity; or an area may not meet the cultural or religious needs of particular groups.
- 69 Appeals against offers will be considered within 48 hours. The property offered will be held for 48 hours. A further offer may be made on consideration of risk assessment criteria.
- 70 When offers of accommodation are refused, a Designated Officer should interview the witness to determine reasons for refusal. It is important to establish intelligence on areas that may be unsuitable for witness relocation.
- 71 The results of this interview should be given to the National Co-ordinator and the Designated Police Officer responsible for risk assessment.

#### **Rehousing Panels Assessment Criteria**

- 72 Witnesses agreed as intimidated will be assessed as being in a high risk category for the purposes of identifying rehousing need. Points awarded by a Re-housing Panel or its equivalent will be at the higher end of the scale. The National Co-ordinator will make every effort to identify a suitable property within three weeks of the Panel decision.

- 73 Each participant in the Rehousing Panel or its equivalent will maintain strict confidentiality. Information about witness households will be shared only on a 'need to know' basis.

#### **Witnesses subject to eviction proceedings**

- 74 Eviction proceedings against a tenant who is giving evidence for a social landlord under the terms of this protocol will be suspended for the duration of the case.

#### **Witnesses with Rent Arrears**

- 75 All partners to this scheme will waive rent arrears criteria that would normally prevent witnesses and their households being considered for rehousing.
- 76 The responsibility for managing and collecting former tenant arrears due to a referring social landlord will remain solely with that landlord.
- 77 However, members of relocated witness households who are responsible for paying rent arrears will be made aware of their continued responsibility to make payment arrangements.
- 78 In cases of relocations resulting from domestic violence, due care will be taken not to pursue relocated witness households for rent arrears when these are the responsibility of the perpetrator.
- 79 The National Co-ordinator and the Designated Police Officer will agree appropriate arrangements for sending post related to rent arrears to the tenant at their new address.

#### **Notification of completed referrals**

- 80 The National Co-ordinator will ensure where necessary that social landlord partners are aware when a referral is completed. Communication will normally be done by e-mail.

#### **Protecting Personal Witness Data**

- 81 Witness protection is a highly sensitive area. The safety and security of witnesses and their households should be paramount at all times.
- 82 These principles of confidentiality and data protection apply to all employees in each partner organisation and to information sharing between partner organisations.

- 83 The need for strict confidentiality applies whether a person receives information about the reason for moving a household either directly (being informed) or indirectly (finding out).
- 84 A breach of confidentiality should be considered a disciplinary offence.
- 85 It is the responsibility of each partner organisation to protect the data held on witnesses and members of their households. The Data Protection Act says that all appropriate security measures must be taken to prevent disclosure of personal data.
- 86 The term 'personal data' means information that relates to a living individual who can be identified either
- From the data, or
  - from the data and any other information which is in the possession of, or is likely to come into the possession of, the data holder.
- 87 All information contained in Nomination and Risk Assessment Referral Form should be used only for the purpose of fast-tracking witness relocation and witness support. No personal data contained in the Form should be disclosed to any third party without express written permission.

#### **Data Security: Using, Storing and Destroying Personal Data**

- 88 The Scheme's Nomination and Risk Assessment Referral Forms must be kept in secure storage approved by the police. Computerised data must be protected by secure password systems. All data related to witness status must be destroyed when it is no longer required for the purpose for which it was supplied. This should be within a very short time and probably no longer than two months.
- 89 The receiving housing provider will ensure personal data related to witness status is protected through the completion by the witness of a Housing Application or Housing Transfer Form. This is to protect the identity of the witness and their household. The reason for moving should not be disclosed on the Form. Another reason should be used.

#### **'Need to Know' Information Sharing**

- 90 The number of people who know about the reason for rehousing must be kept to a minimum. Designated Officers must only disclose sufficient 'need-to-know' personal information to enable the recipient of the information to carry out the relevant purpose.

- 91 Designated Officers making or receiving referrals and the National Co-ordinator together with his/her staff, should know the reason for rehousing need in order to ensure housing offers and support services are fast-tracked.

### **Media Strategy**

- 92 The identity and location of intimidated witnesses should remain confidential at all times. The media should not be given access to the identity or location of any witnesses re-located under the terms of this protocol.
- 93 The media will show interest in this Scheme and will ask for direct access to witnesses. This permission should not be given without a full risk assessment by a Designated Police Officer and the consent of the witness.

### **Accountability**

- 94 Any disclosure of information by an employee of a signatory and partner agency to this protocol, which is done in bad faith or for motives of personal gain, should be the subject of an inquiry and be treated as a serious matter, possibly involving a criminal prosecution. Each signatory and partner agency should be accountable for any misuse of the information supplied to it and the consequences of such misuse by its employees, servants or agents.

### **Disclosure to Third Parties**

- 95 This protocol defines a third party as anyone other than a Designated Officer or the National Co-ordinator and his/her staff who assist with the allocations and data control processes.
- 96 The informed consent of the witness must be sought in each instance before information about them is passed on to a third party. It is recommended that written consent is obtained. In the case of children and young people, the written consent of a resident parent or guardian should be obtained.
- 97 Disclosure should only be considered, and consent sought, when there are clear operational reasons why this should happen, or where there are legal reasons for full disclosure of information arising from other governing legislation. Disclosure must never be made without seeking legal advice.
- 98 It must be the responsibility of the person passing on information to ensure the recipient understands the need for strict confidentiality. The person passing on information must ensure that disclosure only takes

place on the terms agreed with the relevant agencies and the witness being rehoused.

**Depersonalised Information**

- 99 Depersonalised information is defined as information from a database that is provided to another agency where it is no longer possible to identify an individual. Depersonalised information can be shared between Designated Officers to facilitate the monitoring and evaluation process.

## 4 protocol agreement

By signing below, I confirm that I am authorised by my organisation to agree that it becomes a signatory to the Multi-Agency Witness Mobility Scheme Protocol from today's date. My organisation will remain a signatory to the Protocol unless the decision is cancelled in writing.

My signature

---

Date

---

Printed name

---

My position in the organisation

---



---

Name of my organisation

---



---

Address of my organisation

---



---

Telephone

---

E-mail

---

Witness to above signature

---

Date

---

Printed name

---

My position in the organisation

---

A copy of this Protocol Agreement should be sent by e-mail to the National Co-ordinator at [witness.mobility@homeoffice.gsi.gov.uk](mailto:witness.mobility@homeoffice.gsi.gov.uk)

The full Scheme documents can be downloaded from the Housing Corporation's Bank of Good Practice website. Look under the Anti-Social Behaviour section at [www.bankofgoodpractice.org](http://www.bankofgoodpractice.org)

## 4a witness mobility scheme nomination and risk assessment referral form

### Data Protection Act Declaration

All information contained in this form will be used only for the purpose of fast-track witness relocation and witness support. No personal data will be disclosed to any third party without express written permission. This form will not be included in the house file or other routine documentation of the receiving housing provider.

The receiving housing provider will protect personal data related to witness status by completing their own local Housing Application or Transfer Form. This is to protect the identity of the witness and their household. The reason for relocation should not be disclosed on local housing forms. Another reason should be used.

All data related to witness status must be destroyed when it is no longer required for the purpose for which it was supplied.

### Details of referring agency

Agency Name

Name of Designated Officer

Agency Address

Agency Postcode

Daytime Phone - including area code

Fax

Email

Type of Accommodation Requested	Yes	No
Temporary Accommodation		
Permanent Accommodation		





<b>Garden</b>	<b>Yes</b>	<b>No</b>
Does the property have a private garden?		
<b>Sheltered Accommodation</b>	<b>Yes</b>	<b>No</b>
Is the household eligible for sheltered accommodation? (Must be at least 55 years old)		
<b>Bedrooms</b>		<b>Number</b>
How many bedrooms does the property have? (enter 'B' if bedsit)		
<b>Floor Level</b>		<b>Level Number</b>
If the present home is a Flat or Maisonette, what floor is it on?		
<b>Rent Arrears</b>	<b>Yes</b>	<b>No</b>
Is the household currently in rent arrears?		
<b>Amount of Arrears</b>		<b>Amount outstanding</b>
If yes, how much are the arrears?		
<b>Housing Areas Requested</b>		
Areas that the household wants to move to:		
_____		
_____		

Areas that the household does not want to move to:

**Benefits Income**

**Yes**

**No**

Is any member of the household currently receiving any benefits such as Income Support, Housing Benefit or Disability Living Allowance?

If yes, please give details below:

**Care packages**

**Yes**

**No**

Is anyone in the household currently receiving a care package from Social Services or another agency?

If yes, please give details below:

**Disability needs**

**Yes**

**No**

Does any member of the household have a disability that affects the type of housing they need?

If yes, please give details of disability below:

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**Disability needs supporting documents**

**Yes**

**No**

Is any supporting documentation attached?

To assist assessment, please say below which documents you are providing, e.g. home visit reports, health reports, police report, etc.

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**Approaches to other landlords**

**Yes**

**No**

Is any other landlord currently considering this application?

If yes, please give details below:

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### Ethnic background of witness

Some landlords have property that is available to people from particular ethnic backgrounds. This section will help the National Coordinator to identify accommodation that may be suitable for witnesses from those backgrounds.

Please ask the witness to tell you their ethnic background. Do not make assumptions. Details for partners and other household members should also be included if possible.

The information will also be used for statistical purposes. All statistical data is depersonalised.

<b>White</b>	<b>Self</b>	<b>Partner</b>	<b>Other member of household</b>
British			
Irish			
Any other White background (please describe)			
<b>Mixed Heritage</b>	<b>Self</b>	<b>Partner</b>	<b>Other member of household</b>
White and Black Caribbean			
White and Black African			
White and Asian			
Any other Mixed background (please describe)			

<b>Asian or Asian British</b>	<b>Self</b>	<b>Partner</b>	<b>Other member of household</b>
Indian			
Pakistani			
Bangladeshi			
Any other Asian background (please describe)			
<b>Black or Black British</b>	<b>Self</b>	<b>Partner</b>	<b>Other member of household</b>
Caribbean			
African			
Any other Black background (please describe)			
<b>Chinese or other ethnic group</b>	<b>Self</b>	<b>Partner</b>	<b>Other member of household</b>
Chinese			
Any other ethnic group (please describe)			
<p><b>Confirmation of details</b>                      Please confirm all details on this form by reading it back to the witness, or asking them to read it themselves.</p>			
<b>Signature of Witness (optional)</b>		<b>Date</b>	
<b>Signature of Referring Officer</b>		<b>Date</b>	

**Declaration of Designated Housing Officer in referring agency**

The authorised Designated Housing Officer is required to complete the following declaration:

I hereby confirm the following:

- 1 That this referral is made in accordance with the criteria contained in the Witness Mobility Scheme Protocol.
- 2 That the household referred contains one or more members who are identified as intimidated witnesses.
- 3 That usual protection measures such as fireproof letterboxes or community alarms are not sufficient to afford adequate protection in this case.
- 4 That one or more members of the household have agreed to appear as a witness in criminal and/or civil action against the alleged offender/s.
- 5 That this referral will be sent under secure conditions (a) for risk assessment by a Designated Police Officer and (b) for rehousing to the National Co-ordinator.

**Signature of Designated Signatory**

**Date**

**Next steps:**

- Send one copy by e-mail to the National Co-ordinator at [witness.mobility@homeoffice.gsi.gov.uk](mailto:witness.mobility@homeoffice.gsi.gov.uk)
- Send one copy by e-mail to the local Designated Police Officer in your police service
- Where there are concerns about e-mail or fax security, a Designated Officer should send an e-mail request to the National Co-ordinator asking them to contact the Designated Police Officer by telephone.

## Multi-Agency Witness Mobility Scheme: How it works

### What does the Scheme do?

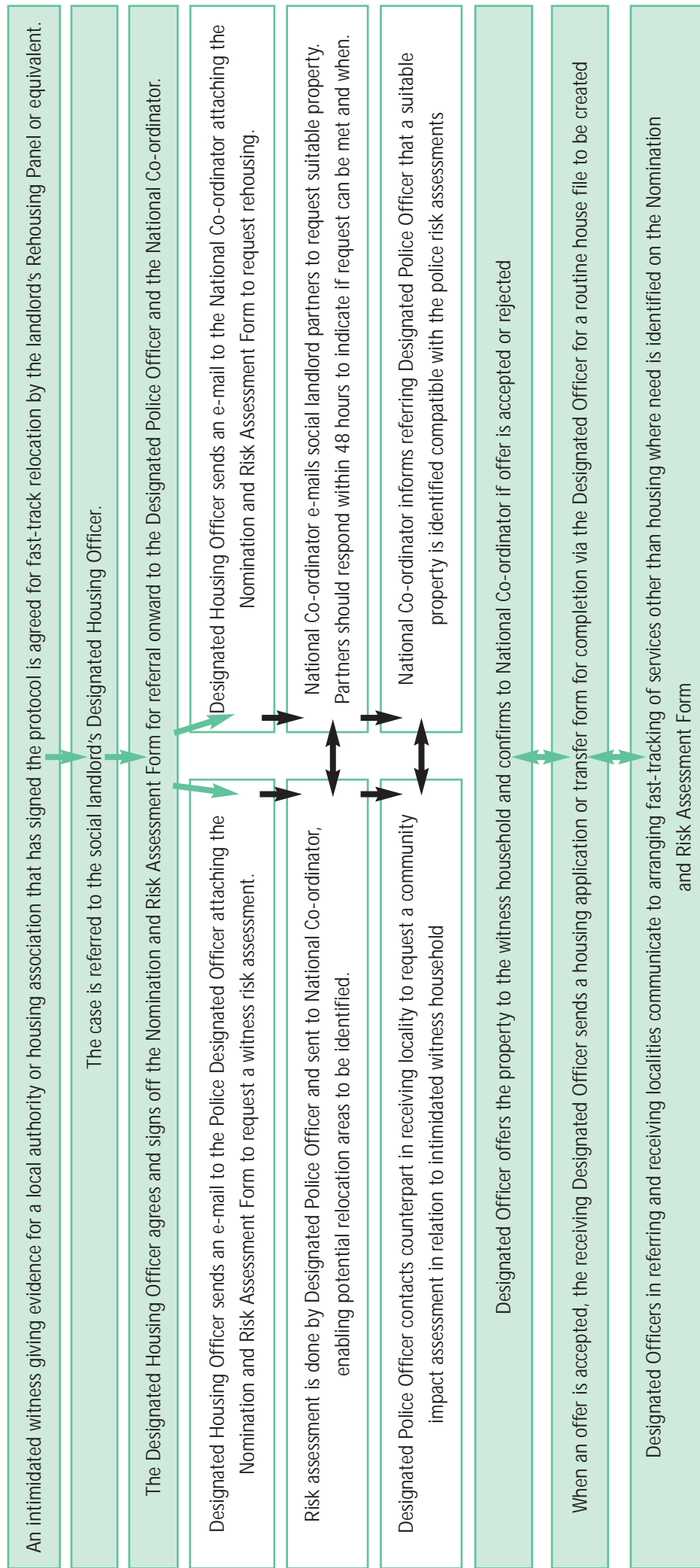
The Scheme provides fast-track relocations for intimidated witnesses who give evidence in civil and criminal cases such as domestic violence, hate crimes, anti-social behaviour, gun crimes, sexual assault, child abuse and other serious crimes. The diagram below shows how the Scheme works (green = housing and black = police).

### Who can use the Scheme?

Organisations that are part of Crime and Disorder Reduction Partnerships can use the Scheme if they are signed up to the Scheme's protocol.

### Which organisations are eligible to sign up?

Organisations eligible to sign up to the Scheme include Police Services, Housing Associations, Local Authority directorates such as Housing, Education and Social Services, Primary Care Trusts, Benefits Services, Victim Support and other services agreed through Crime and Disorder Reduction Partnerships.



## Other formats and languages

For a large print, Braille, disc, sign language video or audio-tape version of this document, please contact us at the address below:

### Public Liaison Unit

Greater London Authority  
City Hall  
The Queen's Walk  
London SE1 2AA

Telephone **020 7983 4100**  
Minicom **020 7983 4458**  
[www.london.gov.uk](http://www.london.gov.uk)

You will need to supply your name, your postal address and state the format and title of the publication you require.

If you would like a summary of this document in your language, please phone the number or contact us at the address above.

### Chinese

中文  
如果需要此文檔的您的母語拷貝，  
請致電以下號碼或和下列地址聯係

### Vietnamese

Tiếng Việt  
Nếu bạn muốn bản sao của tài liệu này bằng  
ngôn ngữ của bạn, hãy gọi điện theo số hoặc  
liên lạc với địa chỉ dưới đây.

### Greek

Αν θα θέλατε ένα αντίγραφο του  
παρόντος εγγράφου στη γλώσσα  
σας, παρακαλώ να τηλεφωνήσετε  
στον αριθμό ή να επικοινωνήσετε  
στην παρακάτω διεύθυνση.

### Turkish

Bu broşürü Türkçe olarak edinmek  
için lütfen aşağıdaki numaraya  
telefon edin ya da adrese başvurun.

### Punjabi

ਜੇ ਤੁਹਾਨੂੰ ਇਸ ਦਸਤਾਵੇਜ਼ ਦੀ ਕਾਪੀ ਤੁਹਾਡੀ ਆਪਣੀ ਭਾਸ਼ਾ  
ਵਿਚ ਚਾਹੀਦੀ ਹੈ, ਤਾਂ ਹੇਠ ਲਿਖੇ ਨੰਬਰ 'ਤੇ ਫੋਨ ਕਰੋ ਜਾਂ ਹੇਠ  
ਲਿਖੇ ਪਤੇ 'ਤੇ ਰਾਬਤਾ ਕਰੋ:

### Hindi

यदि आप इस दस्तावेज़ की प्रति अपनी भाषा में चाहते हैं,  
तो कृपया निम्नलिखित नम्बर पर फोन करें अथवा दिये  
गये पता पर सम्पर्क करें।

### Bengali

আপনি যদি আপনার ভাষায় এই দলিলের প্রতিলিপি  
(কপি) চান, তা হলে নীচের ফোন নম্বরে  
বা ঠিকানায় অনুগ্রহ করে যোগাযোগ করুন।

### Urdu

اگر آپ اس دستاویز کی نقل اپنی زبان میں چاہتے  
ہیں، تو براہ کرم نیچے دیئے گئے نمبر پر فون کریں  
یا دیئے گئے پتہ پر رابطہ قائم کریں۔

### Arabic

إذا أردت نسخة من هذه الوثيقة بلغتك، الرجاء  
الاتصال برقم الهاتف أو الكتابة الى العنوان  
أدناه:

### Gujarati

જો તમને આ દસ્તાવેજની નકલ તમારી ભાષામાં  
જોઈતી હોય તો, કૃપા કરી આપેલ નંબર ઉપર  
ફોન કરો અથવા નીચેના સરનામે સંપર્ક સાધો.

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