Participant or Spectator? Victim-Focused Political Activity since 2010

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Abstract

The public significance of the victim has shifted over successive governments. Each party, when in power, has utilised and politicised the victim to support its policy and legislative agenda. However, on the whole, this attention has been reserved for those who are victims of serious crime (such as murder, sexual violence and domestic abuse) and not volume offences (such as burglary, criminal damage, theft). Recent years have seen the rising popularity of the inquiry, a 'quick political fix' to satisfy victims (and the public) that action on societal ills is being taken. However, in so doing, successive governments have (perhaps inadvertently) tended to replicate the 'hierarchy of victimisation' that is witnessed in frontline criminal justice activities. This has the result of affording victims only a spectator role when policy and legislative changes are being developed in their name. By contrast, the actions taken in developing expert and practitioner-led policy around victim experience have shown to be more 'successful' in generating lasting change. This article suggests that there is no single 'right' approach to involving victims in policy development but that each particular incident or situation needs consideration as how to most 'effectively' involve first hand victim experience.

Keywords: Victim(s), policy-making, participation, public inquiry

Introduction

The criminal justice system is unable to function without the victims of crime that it is seeking to represent. They provide the initial reports, give statements that form both part of the investigation and prosecution and may give evidence as part of the trial (should their case get that far). Evidence of the impact that the offence on their lives forms an important part of sentencing considerations and the consequent punishment handed down to the offender. And yet, victims have traditionally had, at best, a spectator role in this process. This article will argue that this spectator role is replicated in political debate and the policy and legislative activity that is now pursued in their name.

It would be fair to say that the role of personal, first-hand, victim voice in criminal justice debates is varied and fragmentary at best. Despite some policy progress during the New Labour administration, the role of the victim has been becoming increasingly politicised and has developed into a populist policy-making 'tool'. While the issues and problems that have placed victims on the government agenda have varied over time, 'action' has generally taken one of two forms. One approach has been increased policy focus to improve the service standards for victims. The other has been the rising prominence of the high level public inquiry, called for and involving victims, which attempts to find out 'what went wrong'. It is clear that these two approaches play different roles in public-political interactions around victimisation. This article explores some key political responses to victims of crime and the role of victims in this process since 2010, and considers the impact that such 'actions' have had on victim experience. To illustrate these actions, some recent landmarks in victim-focused political and legislative activity are discussed. These include the creation of the Victims' Code, developments in domestic abuse policy and plans to expand restorative justice, as well as the Independent Inquiry into Child Sexual Abuse and the Grenfell Tower inquiry. The examples explore both political achievements (and inaction) in responding to victims' needs, the ongoing conflict between political words and actions, and (particularly in the case of inquiries) the emerging role of victim resistance and anger.

This article focuses on two forms of political interaction – expert led policy development and public inquiries. Within victim policy development, the former tends towards focusing on expert evidence while keeping first-hand victim accounts in a peripheral role but has shown some success in improving the experience for those concerned. However, the latter claims to place victim voice and participation at the centre of its operations and yet has had limited success (so far) in generating any real change in victim experience. Both have been used with mixed success and, similarly, both approaches have been triggered through sufficient political interest in the given 'issue' at the time or public reactions to a situation (usually a tragedy) requiring a government response.

Victims, Crime and Political Response

The utilisation of victim voice in political debate is not a new phenomenon. The philanthropic reforms of the mid to late Victorian period saw tours of slums being given to the newly

emerging middle-class citizens to highlight the 'victims' of poverty in a hope of galvanising enough public support to push the political elite into action. Whilst governments no longer use such direct approaches, the showcasing of victims to push political agendas is a recognised contemporary policy-making tool. The high-profile child murders of James Bulger, Sarah Payne, Jessica Chapman and Holly Wells were highlighted as justification for increasingly punitive law and order reforms under New Labour. Labour paid significant attention to victims and placed them at the centre of debates for change. The creation of the Victims' Champion in 2003, a role held by Sara Payne (mother of Sarah Payne), and the subsequent post of Victims' Commissioner under the Domestic Violence, Crime and Victims Act 2004, showcased the government's legislative commitments to victims' rights. Despite these efforts, issues of poor victim experience and representation continue to dominate political narratives, media coverage and self-reported surveys such as the Crime Survey for England and Wales.

There is certainly a level of cross-party consensus on issues relating to victimisation. Concerned politicians often seek to explain the need for improvement from the viewpoint of the victim or the victim's family. Such debates are usually highly emotive, with discussions focusing on fairness, the balance of rights and victims' ignorance of the system. There is an overriding perception that victims are often side-lined in favour of protecting the procedural rights of the defendant/offender and kept 'in the dark' as to what is happening in their case. The increasingly regulated process of decision making around whether to prosecute or not has suppressed the victims experience in favour of a two-stage test – likeliness of conviction shown by sufficient evidence and public interest. Both elements ignore the personal and emotive elements of victims' experience in favour of a fact-based analysis of the probability of success and whether the wider public's needs are satisfied by taking such an action. Victims can often get lost in this process.

Despite their concerns, it seems that the majority of politicians continue to frame their arguments in terms of what the offender *should do, wants* and *requires* rather than what the victim wants or requires. This is relatively unsurprising given that policy and legislation is often written in terms of what an offender should and should not do, and what they should and should not expect. Victims are spectators – even when the policy is being written for their 'benefit' (see, for example, the recent changes in domestic abuse policy and legislation which

are written in the form of new offences with minor mentions of improved service and experience for the victims). The *Code of Practice for Victims of Crime* (referred to as the Code from here on), released 2013, takes a different approach as it is written for *all* victims. For this reason, it was touted as a major development in victims' policy. However, as outlined below, issues occurred in the implementation phrase, with several challenges remaining.

Victims Policy Development through Expert-Led Policy Development

Victim-focused policy changes since 2010 have been aimed at improving the situation for specific vulnerable groups (such as those who have experienced domestic abuse, (cyber)stalking, and non-consensual pornography) as well as attempting to improve the general experience for victims. A number of these successful policy changes have been led by expert involvement through collective responses to large scale consultations and House of Commons Justice Committee inquiries. Benefitting from practitioner and expert input, such developments have involved minimal first-hand victim experience, however. Overall, the output from such processes has been incremental small steps in change but has started to show impact at practise level in the frontline of the criminal justice system.

The Code of Practice for Victims of Crime

When launched in December 2013, the Code outlined a standard experience that victims of crime could expect from the criminal justice system in England and Wales. It was first proposed in the Domestic Violence, Crime and Victims Act 2004 and drew on the Victims' Charters that had been in existence since the late 1990's under New Labour. Political acknowledgement of the issues in the previous versions of such charters came in the form of the *Getting it Right for Victims and Witnesses* consultation in January 2012. The proposed reforms were generally well received with over 350 responses from victims' advocacy groups, accreditation bodies, the voluntary sector and individuals. The Code was a clear attempt to address the systemic issues of victim absence in the criminal justice process. In these proposals, the Coalition government suggested a new era in victim participation and rights. Damien Green (then The Minister for Policing, Criminal Justice and Victims) stated that victims would be given 'a voice at every stage of the criminal justice system'.[i]

A key new innovation, supported by the victims lobby, was the *Victim's Right to Review*. This would allow victims the opportunity to request that police and Crown Prosecution Service decisions on charging should be reconsidered. Between April 2016 and March 2017, 1988 such requests were made for a range of offences including offences against the person, criminal damage and drugs charges. Of those, 137 reviews were upheld with action being taken (equating to 6.9% of all requests). It is important to note, however, that 103,113 incidents could have attracted a *Right to Review* in this period, meaning that the actual percentage of cases that were overturned on appeal through this process was 0.13%.[ii] This could of course mean that the right decisions were made in the first place. However, it also suggests that victims have little power to address their concerns in the charging process with either the police or the Crown Prosecution Service.

Another popular introduction was the *Victim Personal Statement* which also seemed to offer victims a new participatory role within the criminal justice process. The opportunity to speak in court of the emotional, practical and personal impact of crime suggested a development that was not previously available. The proposal that a judge could take this statement into account at the point of sentencing was also a considerable shift. However, a number of sticking points persist. Judges can choose to exclude some or all of the statement from the sentencing hearing. Furthermore, the victim may not even have an opportunity to read the statement. In such cases, their voice is once again replaced by the voice (and interpretation of events) of the state. Given the importance now placed on the Victim Personal Statement (a key part of the Code), it is interesting to uncover the number of victims who have been given the opportunity to participate in this process. According to the Crime Survey for England and Wales, 2,788 adults (16% of incidents recorded) in 2014/15 were offered the opportunity. This dropped slightly to 2,398 (16.5% of incidents recorded) by 2016/17. More telling, however, is that only 123 adults who wrote a statement in 2014/15 actually felt it was taken into account in the criminal justice system, with the number staying more or less the same (143) in 2016/17. Figures show that only 127 out of 2,603 statements were read aloud in court during 2015/16 and 113 in 2016/17.[iii]

While issues of take-up cannot be denied, the Code undoubtedly created an opportunity for victims to hold criminal justice agencies accountable for the decisions taken on their behalf. In the meantime the work by experts, on behalf of victims, continues with efforts to ensure that

the Code achieves its policy promises for victims alongside growing pressure to introduce a stand-alone Victims' Law Whereas the Victims' Code is applicable to all victims of crime, policy has also been developed in relation to specific, usually vulnerable, groups of victims.

Domestic Abuse Policy

Developments in domestic abuse policy demonstrate the power of policy communities to change the criminal justice system for those who struggle to access it from the point of reporting. There has been a shift in the political vernacular with regards to those who are victims of the previously unseen crimes of domestic violence, abuse and control. In April 2014, during a House of Commons debate, the Rt. Hon Mary Mcleod summarised the issues concerning the treatment of victims of domestic abuse as inconsistency in case handling, a less than empathetic approach to communication with victims and continued challenges of engagement with the criminal justice system.

An early policy change, made following sustained pressure from those practitioners and experts working with victims, altered the official language of domestic violence to that of domestic abuse. This may have appeared to be a small semantic change but it represented a shift in how the criminal justice system addresses those crimes that are perpetrated behind closed doors and have been difficult to prosecute. Another welcome development was the introduction in 2014 by the Crown Prosecution Service of the ability to prosecute for domestic abuse without the active participation of the victim. This demonstrated a level of understanding of the realities of the victim's situation which was previously unheard of.[iv]

Under the Serious Crimes Act 2015, the use of coercive or controlling behaviours within intimate and personal relationships was finally acknowledged in legislation. The new offence was drawn from a Home Office consultation – *Strengthening the Law on Domestic Abuse* – launched in August 2014 with a response from the government later that year. Responses were received from charities supporting domestic abuse survivors, criminal justice agencies and some victims themselves. On the announcement that there would be the potential for an offender to receive up to five years imprisonment for such behaviours, the Minister for Preventing Abuse and Exploitation, the Rt. Hon Karen Bradley MP, stated that the new offence offered protection to victims and would hopefully deter others from such offending.[v]

The legislation was hailed as a landmark in addressing the issues relating to domestic abuse and was supported by key organisations working with victims. However, it was written in such a way that limits the applicable cases and, in some respects, shows the lack of understanding of being a victim of such an offence. Part of the offence to be proven is that the perpetrator ought to have known that the behaviour they were showing the victim would have a serious effect on them (which implies a level of self-awareness that may not be evident to the perpetrator). In May 2016, six months after the legislation came into effect, the then Home Secretary Theresa May, when addressing the Police Federation, made it very clear that the government strongly believed that police attitudes and culture were stopping victims of domestic abuse receiving the level of help and support that they deserved.[vi]

However, there are indications of positive progress. In the 10th *Violence against Women and Girls Report* published by the Crown Prosecution Service in October 2017, there is a suggestion that positive movement is occurring. Three hundred and nine offences of controlling and coercive behaviour have been charged and have reached the first hearing. While this may not seem like a large figure it represents victims who may have previously received no criminal justice response whatsoever. This suggests that the initial sense of optimism felt around the introduction of this 'new' offence has not yet been misplaced.

Restorative Justice

The last example in this section, restorative justice, concerns genuine participation on the part of the victim – the potential for a face to face meeting between a victim and offender to discuss what happened during an offence and the impact of the aftermath. In discussions of victims as spectators or participants, this is one of the very few chances for victims to freely have their say Restorative justice is considered to be the voluntary meeting of victims and offenders in dialogue, preferably face to face, to discuss an offence committed and offering the victim a chance to outline the impact that it has had on them. The concept extends to reparative activities in the community (completed by offenders) that will benefit the wider population such as conservation work and tidying neighbourhoods. Legislative activity has, in theory, made restorative justice available to all offenders and victims, from first contact through to prison and beyond. Restorative justice was initially implemented through practitioners who sought a different way in which to address the impact of offending on the individuals concerned. In a

period of increasingly punitive law and order policies under the a Conservative government, restorative justice offered a 'What Works' approach in a period of lamenting 'Nothing Works'. Due to these enthusiastic front runners, in part through the trials conducted in the Thames Valley Police area, restorative justice started to receive more focused government attention in the late 1990's as part of New Labour's law and order reforms. Through various policy and legislative changes, it took hold within the youth justice system by the early 2000's. However, political attention waned until the formation of the Conservative-Liberal Democrat Coalition in 2010. The language of restoration was initially discussed in relation to the (re)introduction of the Victims' Code. Restorative Justice Week was introduced by the government in 2012 along with annual action plans to demonstrate how government departments were embedding restorative approaches at a local level. Funding, of £29m, was announced by Damien Green in November 2012 to support the actions needed to move the agenda forward. Subsequent action plans made it clear that more needed to be done to ensure that as many victims and offenders as possible had access to restorative processes. Indeed, under the Victims' Code, victims are *entitled* to information about restorative justice where the offender is an adult. Although an important entitlement, the policy started to be oversold, however. The concept of a victim's right to restorative justice is only possible where offenders agree to take part and suitable provision exists.[vii] The challenge of policy design moving into the implementation stage once again surfaces.

The House of Commons Justice Committee launched its own inquiry into the use of restorative justice across the English and Welsh criminal justice system in November 2015 – the new Conservative government's first action on restorative justice. The inquiry received 52 pieces of written evidence and three sessions of oral evidence from well-known expert names within the restorative justice field. The conclusion of that inquiry, released in September 2016, and the subsequent government response demonstrated little appetite for the increased use of restorative justice, however. The overall outcome suggested that restorative justice had slipped down the political agenda as there was little to no suggestion of any change to the status quo which currently shows that retroactive justice has political support but challenges (financial and practice) at the point of implementation. That being said, the national campaigning organisation, the Criminal Justice Alliance is currently advocating for a 'right' to restorative

justice to be in place within five years for all victims. If they are successful, there might be renewed hope for the process.

The above examples demonstrate that the interaction between experts and practitioners with political bodies has the ability to produce policy and legislation that could make a genuine difference to the experiences of victims in the form of new offences and changes in practice guidance. While this approach allows little opportunity for victims to participate, key players in the victim support community (including practitioners) work to ensure that they represent the 'victim voice' as authentically as possible.

Victims Policy Development through Public Inquiries

An alternative approach is to allow those directly affected by victimisation to engage in the process of policy reform. The public inquiry is one model of this 'consultation' and will now be discussed in reference to two contemporary case studies – the Independent Inquiry into Child Sexual Abuse (IICSA) and the Grenfell Tower Inquiry. Political, public facing, inquiries have long been utilised by governments to show that 'something is being done' in the aftermath of a high profile tragic incident. The drawing together of large groups of individuals affected by a shared experience (such as a single tragedy) to understand how to improve practice in the future or attempt to answer questions of 'what went wrong' The public inquiry potentially allows a greater level of participation in the policy process, as anyone who falls within the terms of reference can make representations. However, while certainly a positive approach to participatory democracy, the competing nature of different groups needs alongside the temporary nature of such bodies makes the public inquiry a challenging climate in which to achieve long lasting change.

Whilst not a new approach (early examples including the Scarman Report and the MacPherson Report) the Coalition Government and the succeeding Conservative government have both used the public inquiry model to respond to significant public outcry relating to different forms of victimisation. Two such examples are considered here – the Independent Inquiry into Child Sexual Abuse (IICSA) and the Grenfell Tower fire inquiry. These inquiries have not yet been completed but there are indications of the path that these processes will follow. Through failure of frameworks such as safeguarding and building regulations as potentially seen in the IICSA

and at Grenfell Tower, there is now a need to ensure both victims and the wider public that something is done to address this. This apparent public forum allows for participation on the part of those who have been directly affected such events in a way that the more traditional, expert led, policy communities do not allow in such open processes.

IICSA

Created in 2014, the IICSA was the political response to rising public outcry at the emergence of endemic and widespread sexual abuse allegations in local authority, government, education and social care settings in the aftermath of the revelations of abuse perpetrated by entertainer Jimmy Savile. Previous in-house solutions had not succeeded in addressing victims' allegations and concerns that nothing was being done. The inquiry investigates the failures of safeguarding in institutions which had a responsibility to protect the welfare of the children in their care. The police, the BBC, educational institutions, the NHS and the courts, amongst others, were implicated in systematic denial of any voice or justice for the victims of child sexual abuse.

The inquiry has an explicit purpose of demonstrating that action on such systemic failings is finally being taken. However, what proceeded is an example of the use of political gesture being undermined by angry victim voice. The inquiry had three different Chairs within the first two years – Baroness Butler-Sloss (July 2014), Fiona Woolf (September –October 2014) and Dame Lowell Goddard (February 2015 – August 2016). The resignation of the first two Chairs highlights the political challenges faced by the inquiry; that those in powerful positions are intrinsically linked to one another and have acted together to cover up allegations of widespread sexual abuse. Pointedly, the two resignations were influenced by strong victim protest. It appeared that the victims, and those representing them, were afforded a voice in the process and could legitimately hope for a constructive outcome. By the time the third Chair, Dame Lowell Goddard, had resigned, the disproportionate focus on power struggles (with very little actual movement forward with the task at hand) had been widely exposed. The inquiry is at risk of becoming an expensive mistake, but closing it would have undoubtedly lead to challenges that the government is doing nothing to address the very serious allegations.

Alongside the changes of Chair, victims' groups started to voice concerns that the process would fail to achieve its remit and that they were being ignored by those investigating.

Accusations relating to the scope of the inquiry (being too wide or too narrow) also started to emerge. The inquiry was undoubtedly invigorated following the appointment of Professor Alexis Jay (the fourth Chair of the inquiry) in August 2016. However, in June 2017, the Survivors of Organised and Institutional Abuse announced they were no longer engaging with the inquiry on the grounds that they had been 'totally marginalised' and that it had become 'a very costly academic report writing and literature review exercise'.[viii] The Shirley Oaks Survivors Association, one of the largest victim groups involved, also withdrew from the process for similar reasons.

It is clear that the IICSA was a gesture on the part of the government that it was cleaning house. It has caused, however, considerable embarrassment for the political elite. There is a real risk that, by attempting to achieve too much, it may fail to achieve its aims. By their very nature, public inquiries – can be unstable and have the – potential to result in conflict among affected groups. This has been evidenced by the withdrawal of large victims' representation groups from cooperating with the inquiry. In this instance, there was a sense that those who were meant to be the focus of inquiry activities were being marginalised and side-lined in a way that replicated the lack of initial engagement from the criminal justice system when they potentially first raised allegations of sexual abuse. This gave rise to the notion that the inquiry in unable to offer them any sense of justice. An additional challenge is that while this approach is touted as one that is more participatory than traditional policy-making channels, only selected victims will have the ability to voice their experience. This process may work to yet again marginalise representative organisations rather than allowing them the voice that they were originally promised. The IICSA is yet to complete its activities and will not for many years. Before judgement can be made of its success, it needs to have the opportunity to complete its work – something it has been slow to start so far.

Grenfell Tower Inquiry

News emerged during the night of 14 June 2017 of an extensive fire in the Grenfell Tower block in North Kensington, London. As images and media reports fed into the morning news cycle, it became clear that the loss of life and displacement of residents would be extensive.

Public outpouring of support in the form of donations of goods and money kicked into action immediately and a Blitz-like spirit was the main focus of the reporting. Media coverage was soon replaced with a more accusatory tone, however, as the need to find fault took hold. The sense that the tragedy could have been avoided, along with the loss of life, quickly became the dominant media narrative. There were growing calls for 'something to be done'. Prime Minister Theresa May was accused of being slow to react to the situation. Media photographs revealed that May spent her first visit to Grenfell speaking to the emergency services. It took until Saturday 17 June 2017 for her to meet the victims face to face, however. Angry scenes were pictured at Kensington Town Hall where – on the same day – the council were meeting to discuss the situation. Residents argued that the lack of emotion in the government's response reflected the reticence to help. May first addressed the House of Commons on the situation on 22 June 2017, a week after the fire. Her speech adopted a defensive tone and made it clear that the government was not prepared to play for the cameras but was instead focused on more fundamental issues. While this approach echoed May's preferred mode of operating behind the scenes (as she had previously done as Home Secretary), it was clear that she needed to adopt a different approach as Prime Minister.

Victim/resident outrage dominated the media narrative and loud calls for action were made. Angry articles on how people were not being rehoused quickly enough were published alongside allegations of inappropriate use of the £5m fund that May had announced to help with the immediate aftermath. The swift coming together of the local authority, victims, residents, charitable organisations and private businesses undoubtedly helped to spur the government into action. A public inquiry was announced by May on 29 June 2017. Sir Martin Moore-Bick, a former High Court Judge, was appointed to Chair, a decision swiftly met by anger. Accusations of his cold nature and lack of compassion were matched with calls of a cover up. Moore-Bick has refused to bow to negative press and is starting to proceed with the task at hand. The inquiry had its first hearing on the 14th September 2017 and will explore the issues leading up to the fire, including why resident's concerns over safety were not addressed and the response of the emergency services and government in the immediate aftermath of the fire. At this stage, it is not possible to be certain as to what the outcomes of the inquiry may be.

It is noteworthy that the public inquiries discussed above, while used to demonstrate that 'something is being done', seem to have the unsatisfactory effect of generating anger at their creation and their outcomes. Both the IICSA and the Grenfell Tower Inquiry have generated backlash from those affected before any real progress has been made or any outcomes suggested reflecting the nature of potentially conflicted and fragmented nature of public inquiry based policy development. Although an important part of state apparatus, it is unlikely that a public, wide scale, inquiry will lead to outcomes that will satisfy all involved. Concerns notwithstanding, 'the inquiry' undoubtedly allows governments to demonstrate (in a high-profile, public manner) that 'action' is being taken.

Spectator or participant?

Neither expert led policy development nor the public inquiry is a 'perfect' approach. The first offers breadth of experience but has the potential to leave those most directly affected on the margins of the policies made in their name. The second offers 'participation' but alongside the risk of no tangible outcomes due to the fragmentary, multi perspective, sometimes conflicting wants and needs of victims. Whilst the inquiries discussed in this article have yet to produce a final outcome, they have sought to include the 'victim voice' as much as possible. Further investigation reveals, however, that that there will continue to be 'victim engagement' challenges ahead.

Moving forward, there will be more instances where both of these approaches will be needed to help improve victim experience. Genuine participation from victims undoubtedly adds depth to any government consultation while expert and practitioner input in public inquiries allows for breadth of experience to be included. Offering victims a chance to move from spectator to participant in this process will improve the potential for impactful policy to be created in their name.

[i] House of Commons Debates, Volume 570 at col. 789

[ii] Crown Prosecution Service, *Victims Right to Review April 2016 to March 2017 Principle Offences*, 2017. Available at

http://www.cps.gov.uk/victims_witnesses/victims_right_to_review/vrr_data/vrr_data_2016_2017.pdf [accessed 6 October 2017]

[iii] Office of National Statistics, Victim personal statements, by demographics and offence type, year ending March 2014 to year ending March 2017, Crime Survey for England and Wales (CSEW), 2017. Available at https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/adhocs/007299victimpersonalstatementsbydemographicsandoffencetypeyearendingmarch2014toyearendingmarch2017crimesurveyforenglandandwalescsew [accessed 6 October 2017]

[iv] For full guidance, see Crown Prosecution Service, Domestic Abuse Guidelines for Prosecutors, no date. Available at http://www.cps.gov.uk/legal/d_to_g/domestic_abuse_guidelines_for_prosecutors/ [accessed 6 October 2017]

[v] For the full text of the speech, see https://www.gov.uk/government/speeches/home-secretarys-police-federation-2016-speech [accessed 6 October 2017]

[vi] For the full text of the speech, see https://www.gov.uk/government/speeches/home-secretarys-police-federation-2016-speech [accessed 6 October 2017]

[vii] Meadows, L, Kinsella, R, Ellingworth, D, Wong, K and Senior, P, Mapping Restorative Provision in England & Wales: National Report, 2014, available at https://www.restorativejustice.org.uk/sites/default/files/resources/files/Mapping%20restorative%20provision%20in%20England%20and%20Wales%20-%20National%20report.pdf, [accessed at 6 October 2017]

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