



Geraldine Hanna
Commissioner Designate for
Victims of Crime
Block 4, Knockview Building
Stormont Estate
Belfast
BT4 3SJ

Richard Pengelly
Permanent Secretary
Department of Justice
Castle Buildings
Stormont Estate
Belfast
BT4 3SJ

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Dear Richard,

Commissioner Designate for Victims of Crime - Strategic Plan for 2022-25

I am writing to you as interim Chair of the Criminal Justice Board to advise the Board of the publication of my Strategic Plan for 2022-25. As you will be aware, my tenure in the role is set for a three year period with a possible one year extension and as such I have delivered a three year plan as agreed with the Department of Justice as our sponsoring department.

As Commissioner Designate for Victims of Crime, my role is to champion the interests of victims of crime, promote best practice, review the adequacy of the law and monitor the delivery of the Victim Charter and responses to victims' complaints. My new strategy outlines the direction of travel of our office over the next three years as we work towards our vision of ***a society where victims of all crime feel valued and have rights to protection, participation, support and redress.***

Whilst I no doubt will be engaged in a broad range of issues during my tenure, I have identified three key areas of where I would like to see progress in the years ahead and hope to engage with the Board as appropriate.

DELAY

Delay is an issue which was already of deep concern for victims prior to the pandemic. However, it is now at a level where I have genuine concern about the willingness of victims to report crime given their likely wait for a justice outcome. I appreciate that this issue has been an area of focus for the Board over the last decade but I am disappointed that efforts to date have been slow in achieving results. I appreciate that in 2019/20, prior to the pandemic, the average time taken to complete cases had started to show a downward trend however progress at that



point indicated that the average days to complete a case was still higher than the baseline set in 2014-15. This issue, as you know, has been further compounded by the pandemic with latest forecasting shared with my office indicating that it may take to 2028 to address the current backlog.

As Commissioner Designate, I will certainly lend my weight to the calls for increased funding for the justice system to help address the damaging effects that these delays are having on all parties in the system. Alongside additional resourcing, I also believe that we need to radically reform our criminal justice system, through a systems lens that will identify bottlenecks and interconnectors between respective processes. For too long victims of some of our most serious crimes have reported feeling undervalued and underserved by our Criminal Justice System. If we are genuine in our stated aim to place victims at the centre of criminal justice system¹, we must design that system with their needs and interests in mind.

DATA

One of the key tasks of my office during my first few months in term has been to map the level of victim data we can readily access from our respective agencies to help benchmark our performance and monitor improvements. It is of great frustration to me, that we have over ten case management systems in operation across the system yet we are unable to track a victim through their criminal justice journey from report to disposal. I'm sure you will appreciate that without robust data on victim's experience we are unable to quantify the issues that victims report having with the system and are likewise unable to measure any improvement in performance.

I hope over the course of the next few months, to work with your respective agencies to see how best to fill these data gaps in the short term. I hope to develop a victims' dashboard which will help us track performance on victims' issues and identify areas where progress is being made and further work is required. I would welcome your support for this work and any necessary changes that may be needed to existing systems and practice in order to succeed with this.

In order to help inform the picture we have about victims' experiences, I intend to carry out annual victim surveys via our website. This survey will be based on a similar survey undertaken by the Victims Commissioner in England and Wales and will I hope help to capture current experiences of victims in Northern Ireland, benchmark these experiences against victims in the other jurisdictions and monitor any identifiable trends over the years.

There is also a broader, more strategic piece of work in this area which I would urge the Board to consider. I believe that there is a strong business need for the agencies to consider longer term investment in a new case management system which meets the performance management needs of the system as a whole. Any solution would of course have appropriate safeguards built in from the outset to ensure the integrity

¹ DoJ Victim and Witness Strategy - [victim and witness strategy 2021-2024_0.pdf \(justice-ni.gov.uk\)](#)



and confidentiality of independent agencies data. This piece of work may take five to seven years to complete and will require capital investment. However, if successful has the potential to dramatically transform our data landscape, reducing the staffing resource required to collate data, improving the quality and consistency of that data and enabling the system's ability to monitor and efficiently report on performance and the impact of new change initiatives. A unified system would not only fill the gap in victim data and outcome measurement role which I highlight, but should also help address the recurring theme in many Criminal Justice Inspectorate for Northern Ireland (CJINI) reports regarding the accessibility and quality of data.

DISCLOSURE

The final 'D' in my strategic priorities relates to the disclosure of victim's personal information. The balancing of the accused Article 6 rights alongside the complainants Article 8 rights has been the subject of many recent reports including the Gillen Review of Sexual Offences², and the Information Commissioner's Office (ICO) reports on mobile phone extraction³ and the disclosure of medical records in sexual violence cases⁴. In taking up post, this issue was one of the first highlighted to me by a victim of crime and supported by victim sector representatives.

In examining this issue, I have identified two areas which I hope to progress in the coming months. One relates to conflicting views amongst our criminal justice agencies and the ICO as to the use of victim consent in sexual violence cases, and one pertains to the reluctance of some sexual violence victims to undergo therapy or remain supportive of a criminal prosecution for fear of their personal records being disclosed. My ultimate aim in both regards is to ensure clarity and consistency for victims in how these issues are addressed and do all that is possible to ensure that victims are not having to make a choice between healthcare and justice.

Victim Charter/Needs Assessment

A key function of my role is to monitor compliance with the Victim Charter. Discussions with agencies to date have highlighted that no agency is consistently capturing performance in this area. The old adage, '*what gets measured, gets managed*' springs to mind and I think it is no coincidence that our last CJINI report on victims and witnesses in 2019 highlighted a sense '*of apathy and disconnect*⁵' amongst criminal justice practitioners and their knowledge of the Charter and its relevance to their role.

² Gillen Review - [gillen-report-may-2019.pdf \(justice-ni.gov.uk\)](#)

³ ICO Mobile Phone Extraction Report - [Mobile phone data extraction by police forces in England and Wales \(ico.org.uk\)](#)

⁴ ICO Who's Under Investigation Report - [commissioners-opinion-whos-under-investigation-20220531.pdf \(ico.org.uk\)](#)

⁵ CJINI Victims and Witnesses Report - [Victims and Witnesses – The care and treatment of victims and witnesses by the criminal justice system in Northern Ireland \(cjini.org\)](#)



I appreciate that there are many entitlements captured within the Victim Charter and believe that if being treated with dignity and respect is the foundation of the Charter then the cornerstone is needs assessment. In all of the cases I have engaged with since taking up this post, there has been repeated failure to identify and address the specific needs of the individual thereby leading to further harm and discontent with the system in general.

The importance of needs assessment has been recognised by CJINI in their last inspection⁶ with the Chief Inspector acknowledging that the '*individual needs of victims and witnesses is at the centre of better services*'.

Strategic recommendation 4 of that report led to an options paper and recommendations being presented and approved by the Criminal Justice Board. Whilst I appreciate the significant pressures on government funding, I strongly urge the Department to commit the necessary resources to implement the agreed proposal in the next financial year. Investment in this initiative will help provide a clear demonstration of how the system values victims of crime and has the potential to transform the response they receive thereby increasing confidence in the system.

I hope that this provides a helpful introduction to our first strategy and the particular areas of interest for me as informed by my initial engagement with victims, survivors and voluntary sector partners. I trust that the establishment of a Commissioner's office for victims of crime indicates our government's commitment to the needs and interests of victims. I appreciate that this commitment has also been supported by you as a Board in the Victim and Witness Strategy. The time has come to translate that commitment into meaningful action to improve the experiences of victims of crime. I look forward to working with you all to achieve this.

Kind Regards

Geraldine Hanna
Commissioner Designate for Victims of Crime

⁶ CJINI Victims and Witnesses Report - [Victims and Witnesses – The care and treatment of victims and witnesses by the criminal justice system in Northern Ireland \(cjini.org\)](https://www.cjini.org/victims-and-witnesses-the-care-and-treatment-of-victims-and-witnesses-by-the-criminal-justice-system-in-northern-ireland)