



Commissioner Designate for Victims of Crime for Northern Ireland

Annual Report 2023/2024

August 2024

Foreword



2023/24 saw my first full year in the post of Commissioner Designate for Victims of Crime. This report reflects on challenges and progress made by the office in highlighting the issues faced by victims of crime across Northern Ireland.

First and foremost, I must acknowledge the impact of the absence of a functioning government on our ability to lobby for change. The return of power-sharing at Stormont is a welcome development, and I am grateful for the opportunity it presents to advance our agenda more effectively. This restoration of governance is crucial for implementing the reforms and improvements that victims so desperately need.

The ongoing court backlogs continue to be a source of deep concern and is highlighted by every victim engaging with our office. Latest reports indicate that we are likely to return to pre-Covid levels by March 2026 which in and of itself a concern. However coupled with pre-existing issues regarding avoidable delay dating back decades it is hardly surprising that victim withdrawal is a key issue across many crime types. These delays not only prolong trauma but also risk eroding confidence in our justice system. We must redouble our efforts to address this backlog urgently and effectively.

The prevalence and impact of domestic and sexual violence remains a critical issue demanding our utmost attention. While we've seen increased awareness and improved legislation, the prevalence of these crimes underscores the need for continued focus and action at all levels of society and government. The introduction of the Domestic Abuse and Civil Proceedings (NI) Act 2021 marked a significant milestone through the criminalisation of coercive and controlling behaviour. However, its effectiveness depends on robust implementation and a genuine cultural shift in how victims are perceived and supported.

Throughout this year, my meetings with victims have highlighted a sobering reality: despite progress and the introduction of new initiatives and laws, we are still failing to get the basics right. We struggle to fully embed new initiatives and deliver on our commitments. This gap between intention and implementation must be addressed

urgently. It's not enough to create new policies, we must ensure they translate into real, tangible improvements in victims' experiences.

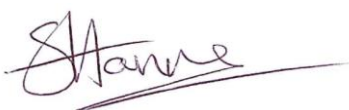
Moreover, our engagement with victims and stakeholders has brought to light gaps and weaknesses in some current legislative provisions. We are keen to address these issues, recognising that our legal framework must evolve to better protect and support victims throughout their journey in the criminal justice system.

Throughout this report, you will find a summary of our work, including our recommendations to improve the privacy rights of victims by improvements to the disclosure regime and working for a restriction on police sharing victim information with immigration authorities. We have also continued to push for criminal justice agencies to capture quality information about the experience of victims and have commissioned research on the experience of male victims of intimate partner violence as well as beginning a consultation with young people which will be used to inform our planned examining the experience of domestic abuse victims and children in our family courts. This research, alongside our own examination of the Victim Personal Statements and the findings of our first online Victim Survey will aid understanding of the victim experience and help inform future reforms. These achievements, while significant, are just steps on a longer journey towards a truly victim centred justice system.

As we look to the future, our commitment to driving the victims' agenda forward remains unwavering. We face challenges, but there are also grounds for optimism. With continued dedication, collaboration, and a willingness to enact meaningful change, we can build a justice system that truly serves and supports victims of crime.

This report not only reflects on our past year's work but also sets out our priorities for the coming year. It is a call to action for all stakeholders in the criminal justice system to join us in our mission to improve outcomes for victims and ensure their voices are heard and respected at every stage of the justice process.

I remain indebted to all the victims who have engaged with our office throughout this year – their selflessness in sharing their experiences in the hope of change continues to spur us on in our drive to ensure that all victims of crime feel valued and supported.

A handwritten signature in black ink, appearing to read "Geraldine Hanna", with a horizontal line underneath.

Geraldine Hanna
Commissioner Designate for Victims of Crime

Victim Engagement

In 2023/24, the Commissioner Designate met with 64 individual victims of crime. The types of crimes that these individuals were victims of ranged from murder, domestic and sexual abuse, hate crime through to financial crime such as fraud.

Many of these victims had engaged with various stakeholders within the criminal justice system in Northern Ireland including;

- Police Service of Northern Ireland (PSNI);
- Public Prosecution Service (PPS);
- Northern Ireland Courts and Tribunal Service (NICTS);
- Members of the Judiciary;
- Office of the Police Ombudsman for Northern Ireland (OPONI);
- Prisoner Ombudsman Office for Northern Ireland and;
- Probation Service for Northern Ireland (PBNI)

The overarching themes that victims report to the Commissioner Designate include;

- Overall delays in the criminal justice system;
- Lack of adequate resources to allow statutory agencies to properly deliver services for victims and witnesses;
- Lack of communication – PSNI/PPS/Victim and Witness Care Unit (VWCU);
- Failure to Investigate – PSNI;
- Poor practices – NICTS (in relation to child victims not able to access different court entrances to their abusers);
- Poor practices - Legal professionals not adhering to current practice guidance – especially in relation to the disclosure of victims’ personal and sensitive information;
- Remote Evidence Centres (RECs) not being utilised properly – potentially an issue with PPS not advising eligible victims they can utilise – it seems to be a ‘hearts and minds’ issue. Or where children are eligible but if parent/carer who may also be a witness but not being allowed to use the REC – meaning the child wants to be with the parent and refuses to use the REC

Victims also explained difficulties with stakeholders outside of the criminal justice system, including health, education and housing. Whilst the Commissioner Designate has met with the relevant statutory agencies to discuss and highlight these issues, this currently sits outside of the remit of the Commissioner Designate’s office.

Research

CVOCO has undertaken various research projects in 2023/24, with two projects commissioned externally and two projects completed 'in-house'.

The purpose of the research was to provide the Commissioner Designate with a robust evidence base in order to understand victim's needs and provide advice to government on changes required to policy and practice within the criminal justice system.

Victim Survey

CVOCO undertook its first victims' survey in 2023/24. This was an online survey developed to capture the experiences victims of all types of crime have had with the criminal justice system.

This was the first victim survey open to victims of all crime types in Northern Ireland. The survey went live on 1 September 2023 and closed on 31 March 2024.

A total of 166 responses were received in this first year, which represents a small but not insignificant sample size. Responses provided an insight into the real experiences of victims of crime and help to inform the priorities of the Victims of Crime Commissioner in championing victims' rights and perspectives.

Responses are currently being collated and analysed. Findings will be published on our website in early autumn 2024.

Family Courts

CVOCO commissioned the Centre for Children's Rights in Queen's University Belfast to consult with a group of children and young people who have experience of the family court system in Northern Ireland. This project sought to identify the challenges faced by these children and young people and how their rights to participation were considered within the process.

The purpose of the project was to:

- Capture the overarching feelings of children/young people (in cases involving domestic abuse) who have experience of the Northern Ireland family court system and in particular their opinions on how their views were captured and considered within the system;
- Facilitate children and young people to shape the terms of reference for capturing their views as part of the larger research project.

The views captured by the Centre for Children’s Rights have been used to develop terms of reference for participation with children and young people as part of a larger research project exploring the experience of domestic abuse victims and their interaction with the family courts. This project will be commissioned for delivery in 2024/25.

Male Experience of Intimate Partner Violence

In 2022/23, the STARC Centre at Queen’s University Belfast (QUB) was commissioned to produce a ‘rapid review’ of existing research in relation to the experience and impact of intimate partner violence (IPV) among male victims in Northern Ireland. The review highlighted a lack of empirical evidence exploring this issue within the UK. From the 67 studies included within the rapid review, only 8 were UK based and none were conducted within Northern Ireland. This demonstrated a significant gap in understanding about the extent to which males experience IPV or what those experiences look like in a Northern Ireland context.

In 2023/24, CVOCO commissioned STARC to carry out additional research on the experience of male victims of IPV. This report examined the physical and psychological impact of IPV on male victims in Northern Ireland. The research team used a mixed methods approach to identify any perceived barriers to reporting of the crime to friends, family or authorities and examined the responses individual victims received to disclosure and the impact this had on them. The geographical location of individual victims across Northern Ireland was also examined to identify if there were any differences in impact, barriers or response.

The report highlighted that the experience of male victims of IPV in Northern Ireland of being a significant public health issue which warrants immediate attention and that the impacts of IPV on men’s physical health, mental health and wellbeing are profound. This report will be launched in Autumn 2024.

Victim Personal Statements

Research was undertaken during the reporting year examining policy and practice regarding the use of Victim Personal Statements (VPS) in Northern Ireland. A VPS is a formal opportunity for a victim/survivor to state in their own words how a crime has affected or continues to affect them. The research examined how effectively the VPS is being used across our justice system. It sought to understand whether victims are routinely offered the opportunity to make a statement, how these statements are

being used by the criminal justice agencies and, most importantly, whether victims feel the process is meeting their needs.

The research project will conclude in early summer 2024 and it is anticipated that research findings will be published in a report in late summer / early autumn 2024.

Policy Influence

The Commissioner Designate met with a range of stakeholders throughout 2023/24 to highlight the needs of victims of crime and ensure their experiences of the criminal justice system are represented in meetings attended and participation in working groups, reports produced and disseminated and consultation responses drafted.

No File Decision Pilot

A pilot initiative was jointly launched by PPS and PSNI in November 2023, which authorises the PSNI to take decisions on cases where an offence is suspected to have taken place, where there is an identifiable suspect and where there is any evidence to link the suspect to the crime. This includes files where there is a police recommendation for 'no prosecution'; i.e. those cases where, in the view of the investigating officer, the evidential test cannot be met.

Police will no longer be required to submit all files where a no prosecution recommendation is made for each of the suspects in the case. Police will now be authorised to take a 'No File Decision' (NFD) in cases involving certain offences, and where appropriate to take no further action.

While any efforts to speed up justice are welcomed by this office, the Commissioner Designate has flagged some concerns with this pilot initiative with PPS/PSNI. Speeding up the system must not in any way compromise the quality of the process of decision making on cases. Current capacity within PSNI and pressures on policing raises its own concerns, while victims have also raised concerns with us about confidence levels in policing. The Commissioner Designate is keen to ensure that particular care is taken to ensure that victims of domestic abuse impacted by the pilot are properly supported throughout the process.

CVOCO sit on a stakeholder engagement group as part of the pilot and have been providing input on the monitoring and evaluation of the initiative. Further work is required on victim feedback as part of the evaluation, which needs to be taken forward in the new financial year.

Migrant Victims with Insecure Immigration Status

The Commissioner Designate was approached by the Migrant Centre NI in January 2023 to highlight the issue of migrant victims of crime with insecure immigration status in Northern Ireland being fearful of reporting crime to police. This was due to the ongoing practice of information sharing between the PSNI and Home Office Immigration Enforcement (HOIE). The Migrant Centre, alongside the Committee for the Administration of Justice (CAJ) and Women's Resource Development Agency (WRDA) had been engaging with the PSNI on this issue but contacted the Commissioner Designate seeking support for a firewall to be introduced to prevent this sharing of victims' data.

The Commissioner Designate made contact with PSNI and subsequently met with ACC Singleton who advised on progress in this area. It was decided to convene a roundtable with PSNI to expedite the issue with relevant stakeholders. The Commissioner Designate was concerned about the PSNI's initial response to agencies who highlighted this issue but has welcomed the PSNI's revised response and efforts to effectively address concerns.

The Commissioner Designate remains committed to ensuring that all barriers to reporting crime are effectively addressed to ensure that everyone, regardless of immigration status receives the full protection of the law. She has welcomed the collaborative approach adopted by all the agencies involved to working with the PSNI to address this issue.

The following organisations are represented at the roundtable:

- CVOCO;
- PSNI;
- Northern Ireland Policing Board (NIPB);
- Migrant Centre NI;
- Committee for the Administration of Justice (CAJ);
- Women's Resource and Development Agency (WRDA).

Consultations

In 2023/24, CVOCO responded to seven public consultations on a range of issues. The purpose of responding to public consultations from statutory agencies is to ensure the Commissioner Designate can represent the views of victims when government legislation, strategy or policy is being developed and/or amended.

The Commissioner Designate responded to the following consultations in 2023/24;

Statutory Agency	Consultation Title
Department of Justice/Department of Health	Draft Domestic and Sexual Abuse Strategy 2023 – 2030
Law Commission of England and Wales	Evidence in Sexual Offences Prosecutions
The Executive Office	Ending Violence Against Women and Girls Strategic Framework
European Commission	Public consultation on Commission adoption of a proposal for a revision of Victims' Rights Directive
Department of Health	Public Consultation on the Independent Review of Children's Social Care Services
Department of Justice/Department for Communities	Consultation on proposals to amend the legislation to help tackle Anti-Social Behaviour
Northern Ireland Housing Executive	Research on investigating future provision for victims of violence and those at risk/under threat of violence including victims of domestic abuse within the Northern Ireland Housing Selection Scheme

All responses have been published on the [CVOCNI website](#).

Disclosure Compliance

In November 2023, the Commissioner Designate published her report “*A Second Assault – the impact of third party disclosure practices on victims of sexual abuse in Northern Ireland*”. This report was informed by the Information Commissioner’s Opinion (ICO) report¹ from 2022 that identified ways the criminal justice system were not complying with existing rules and guidance in relation to the use of personal information.

In her report, the Commissioner Designate called for new legislation to protect the privacy rights of victims by preventing the unnecessary disclosure of private information, such as counselling records and recommended:

1. The PPS, PSNI, Bar of NI, Law Society NI and the Judiciary to address failures to comply with existing rules and guidance on the privacy rights of victims;
2. The PSNI, PPS and the SOLA (Sexual Offences Legal Advisors) service should work together to improve the referral process to refer victims to the SOLA service as soon as possible to assist victims to understand their rights and to make representations around the disclosure of their information;
3. The Judiciary fully implement the Gillen Review recommendation that any applications to access or introduce evidence relating to criminal injury compensation is duly scrutinised before any trial.

To take forward the first recommendation, the Commissioner Designate convened a Task and Finish Working Group with representatives from the PPS, PSNI, Bar of NI, Law Society NI, DoJ, NICTS, LCJO and the ICO. The first meeting took place in March 2024 and continues into 2024/25. Once the work of the working group has completed, a report detailing the outcome will be published.

Public Galleries/Access Arrangements

Restricting access to public galleries was one of the key recommendations from Sir John Gillen’s review into sexual crime in Northern Ireland, in order to reduce the re-traumatisation of victims. This recommendation receives the full support of the Commissioner Designate.

¹ ICO Report “Who’s Under Investigation?” [commissioners-opinion-whos-under-investigation-20220531.pdf](https://www.ico.org.uk/commissioners-opinion-whos-under-investigation-20220531.pdf) ([ico.org.uk](https://www.ico.org.uk))

The operationalisation of the legislative provision adopting this recommendation has however raised cause for concern and the Commissioner Designate has voiced concern regarding the additional stress, confusion and unnecessary trauma that is posed by the draft rules. The Commissioner Designate expressed her grave concern that this was overly bureaucratic, complicated and burdensome to victims of crime during meetings with the Department of Justice, the Lady Chief Justice's Office and NICTS.

This new process means a victim has 28 days post arraignment to nominate a representative to accompany them during the trial by way of a written application. This process also applies to the defendant and both parties will have the right to challenge these applications before the court. The Commissioner Designate also raised concerns regarding the lack of clarity on who would represent the rights of victims if a challenge is made to the nomination of a representative.

At this stage, the Commissioner Designate is still awaiting clarity on this point and has requested that her office is included in any further discussions on the issue.

Remote Evidence Centres (REC)

The new Remote Evidence Centre (REC) was also opened in 2023/2024 and this was very much welcomed by the Commissioner Designate to enable those victims and witnesses who were eligible, to give evidence in a safe space.

The Commissioner Designate was made aware of the low level of referrals to the REC by the PPS and also instances of parents/carers/supporters not being offered the opportunity to give evidence at the REC if they were being called as a witness (and where their child was the victims). This resulting in the child/young person deciding not to use the REC, for fear of being separated from their parent/carer.

The Commissioner Designate has highlighted this issue with the Lady Chief Justice and asked that all child cases in Laganside Court are automatically listed for the REC (unless the victim objects) and that parents/carers/supporters should also be granted permission to the use the REC if they are a witness in the same case. She is still awaiting feedback on if and how this could be implemented.

However, she is also aware that DoJ, in conjunction with other REC partners, has undertaken work to raise awareness and promote the benefits of using remote evidence facilities and looks forward to seeing an increase in usage over the coming months and years.

Victim Commissioner's Advisory Panels

Ensuring the lived experience of victims is reflected in all work the Commissioner Designate undertakes is vital and to help her to do this, she convenes four discrete advisory panels that recognises the specific needs of vulnerable victims and give specific attention to victims of domestic and sexual abuse and victims of hate crime:

- All Crime Advisory Panel;
- Domestic Abuse Advisory Panel;
- Sexual Abuse Advisory Panel;
- Hate Crime Advisory Panel.

These advisory panels have continued to meet throughout 2023/24 and provide advice to inform her strategic priorities and themes of work. Membership is derived from academia and voluntary and community sector organisations with expertise on victims' issues and knowledge of the criminal justice system and/or as a representative of an organisation that delivers support on a regional basis to victims and witnesses of crime across Northern Ireland.

Informing the development of the statutory role of the Commissioner for Victims of Crime

When the Commissioner Designate was appointed, she was tasked with developing a scoping paper that would assist DoJ in developing the statutory Commissioner role. This scoping paper was based on experience of being in office for a year and the victims she engaged with during that time.

Within the paper, the Commissioner Designate has laid out how she believes the underpinning legislation should be shaped in order to engender public confidence that the role can effectively ensure that the rights of victims are protected and that the statutory role must have the appropriate scrutiny and legal powers to ensure compliance for criminal justice agencies.

The scoping paper also outlined a potential staffing structure for the standalone Arm's Length Body once it has been placed on a statutory footing.

Awareness Raising

Raising awareness of the role of the Commissioner for Victims of Crime, the Victims Charter and the issues important to victims of crime has been a key ambition of this office since it was founded in 2022.

One of the key strategic objectives of CVOCO is;

“That our politicians, government departments and the wider public have greater awareness of the needs and concerns of victims and use this to effect positive change:

- a. Represent the voice of victims and victims groups in the public arena;*
- b. Advise and make recommendations to Ministers and government on systemic issues impacting on victims of crime.”*

Over the course of 2023/24, CVOCO has achieved this objective through traditional media, social media and through directly engaging with elected representatives and other key stakeholders to advocate on key issues.

Traditional Media

In 2023/24, the Commissioner Designate regularly appeared across various media platforms commenting on a range of issues across TV, radio, print and online publications.

The office has both proactively engaged with media, for example in publicising the publication of the key report *“A Second Assault: The Impact of Third Party Disclosure Practices on Victims of Sexual Abuse in Northern Ireland.”*



The Commissioner Designate is a trusted voice, regularly asked to comment on important issues e.g. the impact of delay in our criminal justice system on victims of sexual violence and the use of virtual technology to allow victims and witnesses to see a courtroom virtually as part of their court familiarisation. CVOCO has also used the media to promote the office’s inaugural survey launched in 2023.

Social Media

CVOCO has used social media to regularly comment on issues key to victims and victims groups throughout 2023/24. The office also used Facebook advertising to promote the inaugural victims survey.

Direct/Stakeholder Engagement

There has also been regular engagement with decision makers including elected representatives across all levels of government, to make recommendations on the systemic issues impacting on victims of crime. Before the reformation of the Northern Ireland Assembly, this included meeting with the then Shadow Secretary of State Hilary Benn.



The Commissioner Designate presented on key issues to the Justice Committee in the Northern Ireland Assembly not long after the Assembly was reformed in early 2024.

Since the return of the Assembly, engagement with local elected representatives has been a crucial

part of CVOCO's remit and there has already been positive commitments from the Justice Minister and MLA's to support legislative changes on the process of disclosing third party information that has identified by the office as crucial to improve the experience of victims of crime in Northern Ireland.

Victim Charter Compliance

Compliance monitoring with the victim charter is a key priority for the Commissioner Designate. Work has progressed in this area in partnership with the Victims & Witness Branch within DoJ in the final quarter of the year. CVOCO has been working closely with DoJ in establishing a dedicated working group of criminal justice stakeholders to progress this.

The main purpose of the working group is to work towards developing a dataset that can measure organisations' compliance with the key entitlements in the Victim Charter. The group is also asked to develop a comparable victim dataset that can effectively capture victims' experiences throughout the criminal justice process.

Membership includes CVOCO, all relevant criminal justice agencies plus Victim Support NI and NSPCC.

To date, CVOCO have developed and shared key performance metrics aligned to the entitlements in the Victim Charter against which each criminal justice agency should be measured. Each agency has been tasked with exploring available data as well as identifying any gaps where data may not currently exist and that would require a mechanism to be developed to collect this data.

Finance

CVOCO remains within the accounting boundary of DoJ and reports on monthly spend to the Victim and Witness sponsorship branch.

For 2023/24, CVOCO was allocated **£437,277**, broken down by:

Baseline Budget	£354,000
Victim of Crime Fund (VCF)	
VCF Salaries	£69,277
VCF Budget Supplement	£14,000
Total VCF	£83,277

Priorities for the year ahead

As we enter our third year, the Commissioner for Victims of Crime's Office remains committed to advancing the rights and well-being of all victims of crime. Informed by our engagement with victims and other key stakeholders, we have identified several key priorities that will guide our work and ensure that the needs of victims helps to shape government and policy development.

Our priorities include research, engagement, advocacy, capacity enhancement, collaboration and the promotion of victims' rights, which collectively establish a robust strategy to meet victims' needs and foster meaningful change.

- **Research into the experience of domestic abuse victims at family courts:** One of our top priorities is to conduct thorough research into the experience of domestic abuse victims within family courts. The rights of the child will underpin our approach to this research and we will explore child participation and engagement in the process to ensure their voices are heard and their rights protected. By understanding their challenges and concerns of victims and children, we can advocate for necessary reform and improvements in policies and procedures.
- **Increasing the privacy rights of victims of crime:** Delivering against the recommendations outlined in the 'A Second Assault' report, we will continue to engage with stakeholders to ensure compliance with existing guidance on victim privacy rights. Moreover, we will campaign for increased legislative safeguards to strengthen these rights further. By working closely with relevant parties, we aim to create a safer environment for victims and empower them to seek justice whilst also ensuring their healthcare needs are met.
- **Promoting statutory footing for the Commissioner's Office:** To enhance our role in advancing victims' rights, we will actively engage with the Justice Minister, Justice Committee, and wider executive to advocate for placing the Commissioner's office onto a statutory footing. This will grant us the relevant powers and resources needed to make a lasting impact on victims' lives.
- **Publishing our review of Victim Personal Statements:** We will publish a comprehensive review of victims' experiences with Victim Personal Statements, along with recommendations for change. This review aims to ensure that victims' voices are heard and their statements have a meaningful impact on the criminal

justice process. By advocating for improvements, we can help victims feel empowered and validated.

- **Exploring Non-Molestation Orders and Occupation Orders:** The Commissioner Designate is concerned about the reduction in the numbers of NMOs applied for and granted over the last eight years. To help inform our understanding of the context and specific issues we hope to undertake a thorough exploration of the use of Non Molestation Orders and Occupation Orders across Northern Ireland. By understanding victims' views on how these orders are working for them, we can identify areas for improvement and advocate for necessary changes to provide better protection and support.
- **Engaging with victims and representatives to identify key issues:** Continuing our commitment to victim-centred work, we will actively engage with victims and their representatives to identify key issues facing victims of all crimes. As part of this work we aim to publish the findings of our Victim Survey which ran in the second half of last year. These insights will inform our work priorities and ensure that our efforts address the most pressing concerns of those we serve.
- **Collaborating with stakeholders and Commissioners:** We recognize the importance of collaboration in achieving meaningful change for victims. We will continue to collaborate with key stakeholders and work in partnership with other Commissioners on cross-cutting issues affecting victims of crime. By joining forces, we can amplify our impact and drive systemic improvements.
- **Promoting the Victim Charter and the need for compliance monitoring:** Lastly, we will continue to promote the Victim Charter, emphasizing the need for agencies to develop metrics that enable effective monitoring of compliance. By holding agencies accountable, we can ensure that victims receive the support and services they deserve according to legislative requirements.

Through research, engagement, collaboration and the promotion of victims' rights, we aim to make a lasting impact on those affected by crime.