



Department of Justice

Victim & Witness Strategy 2025-2030

Call for Views

**Response from the Commissioner Designate
for Victims of Crime for Northern Ireland**

November 2024

1. About the Office of the Commissioner Designate for Victims of Crime

- 1.1 The Commissioner for Victims of Crime's Office (CVOCO) is an independent body which represents the interests of victims of crime in Northern Ireland. The Commissioner Designate was appointed by the Minister of Justice in March 2022 to be an independent voice for victims of crime. The overarching purpose of the Commissioner Designate is to represent the needs and interests of all victims of crime and help drive systemic improvements across the criminal justice system.
- 1.2 This will include helping to identify any areas where victims are not consistently being provided with their entitlements set out within the Victim Charter and ensuring that their issues and experiences are raised in the public arena, with Government, with criminal justice organisations and organisations that support and represent victims, in order to bring forward effective change.

2. General Comments

- 2.1 The Commissioner Designate welcomes the opportunity to provide input into the new Victim & Witness Strategy through this Call for Views.
- 2.2 It is important that the Victims & Witness Strategy 2025-2030 is ambitious though we are also aware of the resourcing and funding pressures facing all parts of the system. It is vital therefore that this strategy identifies key priorities and does not try to achieve everything. Delivering on key strategic wins will be essential and give confidence to the sector as well as to victims and witnesses.
- 2.3 The Commissioner Designate recognises that we are all operating within severe financial and human resource constraints which have been contributed to by years of underfunding our justice system. We must however reframe the necessity for increased funding as an investment rather than a cost – an investment which prioritises long-term benefits which will create a more resilient and effective justice system. The Commissioner Designate supports the intention to target resources where they can have maximum impact.
- 2.4 Whilst there are of course transformation/system/legislative changes required that are more resource intensive and time consuming, we must not lose sight of what can be achieved through a focus on the basics, on a humanity in

approach built into the culture. Our direct engagement with victims has highlighted significant inconsistency in the responses received and support available to victims across all agencies. We hear about positive engagements and experiences with each part of the system, but in a very inconsistent way. This demonstrates that many parts of the system can and do work well, but only in certain circumstances or when certain individuals are involved. This needs to be more widespread and become the default rather than the exception. A victim's assessment of their system will be informed by their overall journey as opposed to the actions of one criminal justice agency which reinforces the need for agencies to work collaboratively to meet the needs of victims of crime.

2.5 The Strategic Vision refers to supporting all victims and witnesses as well as improving confidence in the criminal justice system (CJS). As you will be aware, in the inaugural Victim Survey carried out by CVOCO¹, a key finding was that only 7% of respondents were fairly confident that the criminal justice system could deliver for victims of crime, and not a single respondent was very confident that the criminal justice system could deliver for them. Confidence in the justice system is vital to its efficacy and ability to deliver justice, and these findings demonstrate the scale of the challenge ahead. This survey provides something of a baseline against which progress can be gauged on an annual basis.

2.6 The Commissioner Designate supports the mission statement: 'working to ensure that victims and witnesses are central to a fair and effective CJS' and would like to see this realised across each element of the system. As the Commissioner Designate noted in her CVOC Strategy 2022-25:

*"The system is failing to deliver what is promised to victims and what they, as the individual most greatly impacted by the crime, should rightly expect. Far too often, the needs of victims are an afterthought, and rather than being seen as an obligation enshrined in law, often fall to the bottom of the list of priorities which may or may not happen."*²

2.7 Regarding the question on framing the strategy around the 'victim journey' as referred to in paragraph 24 of the Call for Views paper, this could be a very

¹ The survey was carried out online between September 2023 and March 2024 and can be accessed here: [2023-24 Victim Survey Results.pdf](#)

² CVOC [Strategy 2022-2025](#)

useful guiding structure and helpful from a monitoring perspective. It would enable the Department to assess the system from the victims' vantage point, identifying what needs to be improved and amended at what stage. It may also then be beneficial in determining priorities and identifying where to target resources. Whether this approach is adopted or not, ultimately it is about ensuring that the key priorities for victims are being addressed and improved with the ultimate goal of having a more victim-centred criminal justice system.

- 2.8 It is also essential that the next strategy compliments and supports the links with other strategies and priorities. The Commissioner Designate recommends that the Adult Restorative Strategy is also considered alongside the other streams of work outlined at point 16 of the consultation. Restorative justice provides an important mechanism for victims of crime to have specific needs met in a way that the criminal justice system cannot. Our Victim Survey indicated that 30% of victims would have been interested in taking part in restorative justice. Whilst work in youth conferencing is well established in Northern Ireland there is still considerable work that is needed within adult restorative justice. It is essential that the Victim and Witness Strategy supports and compliments that particular strategy where appropriate.

3. Delay

- 3.1 Tackling delay in the justice process is one of three key priority areas for the Commissioner Designate for Victims of Crime over her mandate, and the Speeding Up Justice programme is a vital means of addressing this pressing issue. Victims continue to report to the Commissioner Designate that their cases are adjourned multiple times, often with little or no notice given to them and scant explanation of why, adding to their anguish and stress as they engage with a justice process that regards them procedurally as merely a witness. Time and again victims tell us of the impact of these delays on their lives and their ability to recover from their trauma. Yet successive efforts to date to reduce delay, improve case management, and create a more efficient and streamlined justice process have ostensibly failed.

4. Victim Charter Compliance Data

- 4.1 One simple means of demonstrating to victims that they are valued within the justice system and by government would be to make a commitment to more robust Victim Charter compliance across agencies. The Victim Charter, which

guarantees victims of crime the right to be treated with dignity and respect, to be kept informed about available support, provided with information they need and given an opportunity for concerns to be addressed, has been on a statutory footing for almost ten years now. Yet, despite being enshrined in law since 2015, we still do not have processes to monitor individual agencies' compliance with and performance against this charter.

- 4.2 We have an opportunity and an obligation to do more to promote and enforce those rights. We welcome the commitment by the Department to address this issue and acknowledge the work underway in collaboration with this office and other criminal justice agencies through the data working group, but placing a legal requirement on criminal justice agencies to collect and analyse data on Victim Charter compliance will demonstrate the importance of victim rights and the commitment to put victims at the centre of the system.
- 4.3 Monitoring population level data on compliance with the Victim Charter will provide valuable insight on where the issues are for victims and what areas each CJ agency needs to address and improve upon. This ties in well with the desire for a refreshed focus, which places the victim experience in a central position as outlined at point 19 of the Call for Views document: *'actions which will have the greatest impact on victims, and will also impact on the greatest number of victims, through the use of targeted action plans and performance tracking to measure delivery'*.
- 4.4 Compliance data is how we will determine how well the Victim Charter is being implemented and this data must include victims' views.

5. Victim Care / Communication

- 5.1 Enhanced communications both between criminal justice agencies and with victims and witnesses, including through digitisation is an important part of victim care. Victims frequently tell us that better communication from statutory justice agencies during the often-lengthy justice process would make an immense difference to their experience of seeking justice, and mitigate the further trauma inflicted on them by the justice process. That said, digitisation is not a magic bullet that will solve the perennial problem of inadequate communication with victims and witnesses – again, success in delivery of this aim will depend upon systemic and cultural transformation of justice, including a shift in perspective to recognise victims as a key actor in the justice process.

Work should focus on examining the system through the eyes of victims, and identifying appropriate touch points where they need information, updates, meaningful participation and opportunity to influence where appropriate. Any reform should be made in consultation with victims and organisations supporting them. Enhanced funding and remit of the structures that are tasked with communicating with victims, such as the Victim and Witness Care Unit, is a crucial component in all of this.

- 5.2 In particular, the development of an adequately resourced needs assessment service within the Victim and Witness Care Unit, as recommended by CJINI in successive reports on care of victims and witnesses in the justice system, would be a pragmatic, effective step towards achieving this goal.
- 5.3 The Commissioner Designate would also stress that communication is not a one-way system, and that enhancing communications between agencies and victims will necessitate finding ways to give victims a voice in courtrooms and throughout the justice process. One means would be via reform of how Victim Personal Statements are taken, used and reflected in court at sentencing stage. As the Commissioner Designate stated in her recently-published report on Victim Personal Statements:³ *“Ultimately, the VPS is about giving victims a voice. It is incumbent on us all to ensure that their voice is heard, respected and given due weight at every stage of the justice process.”*

Better guidance, training and processes to ensure victims are informed about and supported through making and submitting a VPS, as well as legal change to give victims the option to read out their VPS in court, will help give victims a voice in a process which often fails to allow them to be heard.

- 5.4 The Commissioner Designate was disappointed to note that the follow up review undertaken by CJINI in 2023 into the care and treatment of victims and witnesses found the ongoing prevalence of a silo mentality where agencies had moved forward alone in respect of certain recommendations.⁴
- 5.5 In particular, the Commissioner Designate would draw attention to the significant role of mental health service provision to adequately support victims of abuse. Victims of domestic and sexual abuse regularly tell us about the

³ See [Victim Personal Statement NI Policy v Practice October 2024.pdf](#)

⁴ [Victims and Witnesses: The care and treatment of victims and witnesses by the criminal justice system in Northern Ireland. A Follow-Up Review of recommendation implementation.](#)

serious impact abuse has had on their mental health, and how insufficient service provision has stymied their ability to fully recover and flourish as individuals and active members of their communities. This would also serve to benefit male victims of domestic and sexual abuse who are often hidden victims. In research commissioned by CVOCO, findings include that intimate partner violence against men constitutes a significant public health concern, necessitating action to formulate better law and policy in this area at NI governmental level.

5.6 In the Commissioner Designate's recently launched research report⁵, Male victims of IPV highlighted benefits of support services, including formal therapy and informal groups which offered group discussions of experiences and/or just socialising without fear of stigma. Many stated that a lack of a clear care pathway or signposting of resources left them feeling unsupported and in psychological distress.

5.7 The above report found a high number of perceived barriers to care in this population, higher than levels found in NI Armed Forces veterans. These barriers were logistic (no clear care pathway, poor signposting of services/remit, long waiting times, etc.), stigmatic (significant stigmatic beliefs perpetuated by NI society, individuals, and institutions), and trust-based (fear of not being believed, not trusting care providers, fear of consequences for disclosing). This is an area that needs due consideration.

5.8 Mental ill-health is also often a factor in the commission of crime, with 45% of offenders assessed by Probation Board of Northern Ireland (PBNI) between 2017-21 as having had some level of mental health issues which contributed to their offending.⁶ In its report on mental health services in NI, the PAC found that gaps in mental health support provision here have resulted in police involvement as first responders in cases where mental health professionals would be better placed to intervene. As concluded in their report:

"This doesn't result in savings for the public sector and is unlikely to produce the best outcomes for those in need."

5.9 More clearly needs to be done to address our crisis in mental health care, for the benefit of those suffering ill-health and for society as a whole. It is clear that failings to date in grappling with this thorny issue have resulted in preventable victimisation, suffering and deaths. Opportunities are clearly

⁵ [Male Experiences of Intimate Partner Violence: The ME-IPV Study](#), CVOCO/QUB, Nov 2024

⁶ NI Audit Office, Reducing Adult Reoffending in Northern Ireland, June 2023, available at [NI Audit Office Report - Reducing Adult Reoffending in NI_0.pdf](#)

being missed to intervene in a timely manner to assist those struggling with mental ill-health, including at the various points at which a person might engage with justice system agents including the PSNI, Prisons Service and Probation Board. Further collaborative work is required to ensure better support is in place for both crime prevention and in the aftermath of crime.

5.10 It is important that the Department proactively engages with victims directly, drawing on the support from the community and voluntary sector, when this strategy does go out for public consultation. CVOCO will be willing to support such efforts wherever possible.

If you would like to discuss any of these points in further detail, please contact the office via:

Tel: 028 9052 6607

Email: policy@cvocni.org