



Department of  
**Justice**

An Roinn Dlí agus Cirt  
Máinnystrie O tha Laa

Improving the experiences of victims and witnesses in the criminal justice system: a consultation on –

- a new three-year Victim and Witness Strategy for Northern Ireland; and
  - the establishment of a Victims of Crime Commissioner for Northern Ireland.

Department of Justice  
Victims Support and Judiciary Division  
May 2021

## Answer Questionnaire

### Section A- Draft Victim and Witness Strategy

**Please provide some information about yourself:**

**What is your name?**

Law Society of Northern Ireland

**What is your email address?**

ann.mcmahon@lawsoc-ni.org

**Are you responding as (please answer in relevant box)**

	Answer
A victim of crime	
An organisation that supports victims	
A criminal justice organisation / agency	
A frontline worker / practitioner	
A service provider	
Other (please provide details in the space on the right)	Law Society of Northern Ireland

**If you are from an organisation, please advise us of your organisation.**

Law Society of Northern Ireland is the professional body for the solicitor profession in Northern Ireland and represents over 2800 solicitors working in approximately 480 firms, in public sector and in business.

You may email your response to:

[DOJVictimsWitnesses@justice-ni.gov.uk](mailto:DOJVictimsWitnesses@justice-ni.gov.uk)

Or you can post a copy to

Victims and Witnesses Branch,  
Victims Support and Judiciary Division,  
Department of Justice,  
Castle Buildings,  
Stormont Estate,  
Belfast,  
BT4 3SG

**PROPOSAL:**

We are proposing that implementation of the proposed strategy should help to make progress towards the direction set out in the aspirational mission statement that “victims and witnesses are at the centre of the criminal justice system”.

**QUESTION A.1:**

*Do you agree that this is an appropriate longer term mission statement to work towards?*

Answer Yes or No	Yes
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**Any additional comments / views?**

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It is essential that everyone participating in the criminal justice system is supported to allow them to give their best evidence so that justice can be done. Some victims feel marginalised as participants in the system, particularly those who appear on behalf of the prosecution. This needs to be addressed otherwise there is a danger that their participation may be diluted. In put from such participants or groups who support them, will identify their concerns and permit solutions to be sought.

## PROPOSAL:

We are proposing that strategic aim, to be delivered within the three year life span of the draft strategy should be “supporting victims and witnesses and improving their experiences of the criminal justice system”.

### QUESTION A.2:

*Do you agree that this is an appropriate strategic aim for the draft strategy?*

Answer Yes or No

Yes

### Any additional comments / views?

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If the process is properly resourced then it should be possible to deliver the aim of supporting those appearing within the criminal justice system and improve their experiences within the time-scale suggested. Victims are participants in the criminal justice system as opposed to service users. Their needs will continue after a trial and this needs to be recognised and addressed.

Evaluation throughout the three-year strategy would assist in determining if it is successfully addressing its aims and also identify areas where improvements may be made.

## PROPOSAL:

Four strategic priorities have been identified, the first of which focuses on improving our understanding of the immediate and longer term needs of victims and what works best in response to these needs. Strategic priorities, 2, 3, and 4 are what we need to do to deliver those needs.

### QUESTION A.3:

*Do you agree that the four proposed strategic priorities are the appropriate areas that we should prioritise in order to deliver the strategic aim of supporting victims and witnesses and improving their experiences of the criminal justice system?*

Answer Yes or No	Yes
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### Any additional comments / views?

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Longer term needs of victims is an important area that requires attention and resourcing. Areas where additional support and assistance is required should be identifiable as the strategy progresses through its three-year term and thereafter associated planning to deliver assistance to all victims of crime should be undertaken. Research for this has identified that there are approximately 93 000 victims of crime each year. Whilst not all of them will enter the criminal justice system, those that do should be better served as a result of this strategy.

The Society does not dispute that the impact of a criminal event may be compounded by a journey through the criminal justice system for victims and therefore steps need to be implemented to address this. The involvement of agencies supporting victims should be encouraged to continue to offer views on behalf of victims as the strategy progresses.

## PROPOSAL:

Strategic Priority 1 Objectives (Improved understanding of the needs, interests and experiences of victims and witnesses).

- Improved understanding of the experiences of victims and witnesses within the criminal justice system; their needs, interests and views.
- Improved understanding of the longer-term needs of victims and witnesses.
- Improved awareness of the best practice responses to the needs and interests of victims and witnesses.

### QUESTION A.4:

*Do you agree that these are the objectives under SP1 that we should be focused on in order to support delivery of the strategic aim?*

Answer Yes or No

Yes

### QUESTION A.5:

*Do you agree that the actions that we have proposed will help us to achieve these objectives?*

Answer Yes or No

### ***Any additional comments / views?***

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Awareness raising around the needs of participants in the criminal justice system will assist in achieving the objectives outlined. Victims will have individual needs so it is important to not expect one size to fit all within the strategy.

Evaluation of results is important to allow informed decisions and strategies for the future to be developed.

## PROPOSAL:

Strategic Priority 2 Objectives and actions (Ensuring victims and witnesses receive the emotional and practical support they need)

- Victims and witnesses receive the emotional support that they need.
- Victims and witnesses receive the practical support that they need to give their best evidence.
- Options to meet the longer-term needs of victims and witnesses are scoped out.

### QUESTION A.6:

*Do you agree that these are the objectives under SP2 that we should be focused on in order to support delivery of the strategic aim?*

Answer Yes or No

Yes

### QUESTION A.7:

*Do you agree that the actions that we have proposed will help us to achieve these objectives?*

Answer Yes or No

Yes

### **Any additional comments / views?**

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The Society believes that these objectives should assist all witnesses participating in the criminal justice system together with longer-term support which is often overlooked. However ongoing engagement with representatives of victims will be important to ensure changing needs are met.

Secure and recurrent resources to achieve these objectives is of equal importance and a collaborative approach will be required to deliver the objectives to result in better outcomes. Extension of advocacy services for prosecution witnesses might be made more widely available to allow them to participate more fully.

## PROPOSAL:

### Strategic Priority 3 Objectives (Embedding an increased organisational focus on victims and witnesses across the criminal justice system).

- Criminal Justice Organisations have an improved focus on the needs of victims and witnesses across the criminal justice system.
- Criminal Justice Organisations have increased awareness of, and consistently deliver, services and obligations under the Victim and Witness Charters.
- Criminal Justice Organisations address and strive for continuous improvement in responding to emerging issues and complaints received across the criminal justice system.

#### QUESTION A.8:

*Do you agree that these are the objectives under SP3 that we should be focused on in order to support delivery of the strategic aim?*

Answer Yes or No	Yes
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#### QUESTION A.9:

*Do you agree that the actions that we have proposed will help us to achieve these objectives?*

Answer Yes or No	Yes
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#### **Any additional comments / views?**

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Raising awareness amongst all criminal justice agencies as well as the public will assist in achieving the objectives but again the Society emphasise that adequate reoccurring resources are important to achieve an improved experience for all victims and witnesses. A restorative element should be included within the strategy as this has proven benefits for victims.

## PROPOSAL:

- Strategic Priority 4 Objectives (Ensuring victims and witnesses receive the services and information they need and are entitled to).
- Victims and witnesses can consistently access their rights under the Victim and Witness Charters.
- Victims and witnesses know how and where to complain or seek redress.
- Effective processes are in place to ensure that victims and witnesses receive timely and accurate information relevant to their specific case.

### QUESTION A.10:

*Do you agree that these are the objectives under SP4 that we should be focused on in order to support delivery of the strategic aim?*

Answer Yes or No

Yes

### QUESTION A.11:

*Do you agree that the actions that we have proposed will help us to achieve these objectives?*

Answer Yes or No

### **Any additional comments / views?**

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These actions will assist all victims and witnesses to receive appropriate services and support as well as providing information to them as the case they are involved in progresses through the system. Communication with participants in the criminal justice system requires to be improved as this is a recurring complaint. It will be important to ensure that there is not a duplication of services for victims as this may ultimately dilute what is delivered to them.

Raising awareness levels is very important to ensure rights and entitlements under the Victim and Witnesses Charter are known by those participating in the system as well as the consistent delivery of Charter obligations across criminal justice organisations.

## PROPOSAL:

Implementation of the draft strategy should be underpinned by a principle of working in partnership

### QUESTION A.12:

*Do you agree that the effective implementation of this strategy should be underpinned by the principle of working in partnership?*

Answer Yes or No

Yes

### ***Any additional comments / views?***

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The Society agrees that all agencies within the criminal justice system need to work collaboratively to help deliver the strategy to all victims and witnesses, but again adequate resources will play a key role. This may also help to eliminate any duplication of services as referred to in no.11.

## Freedom of Information Act 2000 – Confidentiality of Consultations

The Department intends to publish a **summary** of responses following completion of the consultation process.

Your response, and all other responses to the consultation, may also be disclosed on request. The Department can only refuse to disclose information in exceptional circumstances. Before you submit your response, please read the paragraphs below on the confidentiality of consultations and they will give you guidance on the legal position about any information given by you in response to this public consultation.

Subject to certain limited provisos, the Freedom of Information Act gives members of the public a right of access to any information held by a public authority, in this case,

the Department. This right of access to information includes information provided in response to a consultation.

The Department cannot automatically consider as confidential information supplied to it in response to a consultation. However, it does have the responsibility to decide whether any information provided by you in response to this consultation, including information about your identity should be made public or be treated as confidential.

This means that information provided by you in response to the consultation is unlikely to be treated as confidential, except in very particular circumstances. The Lord Chancellor's Code of Practice on the Freedom of Information Act provides that:

- the Department should only accept information from third parties "in confidence" if it is necessary to obtain that information in connection with the exercise of any of the Department's functions and it would not otherwise be provided;
- the Department should not agree to hold information received from third parties "in confidence" which is not confidential in nature;
- acceptance by the Department of confidentiality provisions must be for good reasons, capable of being justified to the Information Commissioner.

Further information about confidentiality of responses is available by contacting the Information Commissioner's Office or [www.ico.org.uk](http://www.ico.org.uk)

## Privacy Notice

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Data Controller Name: Department of Justice (DoJ)

Address:

Department of Justice,  
Castle Buildings,  
Stormont Estate,  
Belfast,  
BT4 3SG  
Telephone: 02890 378617

Email: [FOI@justice-ni.gov.uk](mailto:FOI@justice-ni.gov.uk)

Data Protection Officer Name: DoJ Data Protection Officer

Telephone: 02890 378617

Email: [DataProtectionOfficer@justice-ni.gov.uk](mailto:DataProtectionOfficer@justice-ni.gov.uk)

### **Why are you processing my personal information?**

- DoJ is seeking comments from interested parties as part of its public consultation on the policy proposals for the establishment of a Victims of Crime Commissioner for Northern Ireland. DoJ is not seeking personal data as part of the consultation but is likely to receive names and addresses/e-mail addresses as part of a consultee's response.
- Consultation is a requisite part of the development of public policy and strategy.

- *ONLY if you are relying on consent to process personal data.*

DoJ is not relying on consent for processing the data supplied by the applicant. DoJ is required to seek consultation responses as part of policy development.

### **What categories of personal data are you processing?**

- Responses to the consultation will include names and addresses and/or e-mail addresses.

### **Where do you get my personal data from?**

- The personal data will originate from the person responding to the consultation.

### **Do you share my personal data with anyone else?**

- We will not share your personal data with other organisations.

### **Do you transfer my personal data to other countries?**

- No.

### **How long do you keep my personal data?**

- We will retain your data in line with 5.7 of Schedule 5 of the [DoJ Retention and Disposal Schedule](#).

**(If you use automated decision making or profiling) How do you use my personal data to make decisions about me?**

- DoJ will not use automated processing for responses to this consultation.

### **What rights do I have?**

- You have the right to obtain confirmation that your data is being processed, and access to your personal data
- You are entitled to have personal data rectified if it is inaccurate or incomplete
- You have a right to have personal data erased and to prevent processing, in specific circumstances
- You have the right to 'block' or suppress processing of personal data, in specific circumstances
- You have the right to data portability, in specific circumstances
- You have the right to object to the processing, in specific circumstances
- You have rights in relation to automated decision making and profiling

### **How do I complain if I am not happy?**

Complaints should be submitted to:

Freedom of Information Unit  
Department of Justice  
Castle Buildings  
Stormont Estate  
BELFAST  
BT4 3SG

Telephone: 02890 378617  
Email: [FOI@justice-ni.gov.uk](mailto:FOI@justice-ni.gov.uk)

If you are unhappy with any aspect of this privacy notice, or how your personal information is being processed, please contact the *Departmental Data Protection Officer* at: [DataProtectionOfficer@justice-ni.gov.uk](mailto:DataProtectionOfficer@justice-ni.gov.uk)

If you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113  
Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)

[Website for the Information Commissioner's Office](#)

## Complaints

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If you have any concerns about the way this consultation process has been handled, please submit your complaint by email to [Governance.Unit@justice-ni.gov.uk](mailto:Governance.Unit@justice-ni.gov.uk) or write to the following address:

Governance Unit Corporate Engagement & Communications Division,  
Justice Delivery Directorate,  
Department of Justice,  
Room B5.16,  
5th Floor,  
Castle Buildings,  
Stormont Estate,  
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BT4 3SG