



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 B – Establishment of a Victims of Crime Commissioner

**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:

The Minister of Justice is proposing to establish a Victims of Crime Commissioner for Northern Ireland. Initially this office would take the form of a Victims of Crime Commissioner *Designate* until legislation can be taken forward for a statutory Victims of Crime Commissioner.

### QUESTION B.1:

*Do you support the creation of a Victims of Crime Commissioner to help represent and drive improvements to the outcomes and experiences of victims of crime?*

Answer Yes or No

Yes

### Any additional comments / views?

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The Law Society would have no objections to the creation of such a position as it will aid and support all witnesses and victims within the criminal justice system and help improve their experiences and outcomes.

## PROPOSAL:

The Minister of Justice is proposing that the role and functions of a Victims of Crime Commissioner should be to:

- provide a voice for all victims of crime;
- identify, promote, encourage and issue guidance on good practice;
- review the adequacy and effectiveness of law and practice;
- review the operation and delivery of Charter entitlements;
- promote the Victim Charter;
- direct complaints and monitor outcomes;
- advise and make recommendations; and
- undertake or commission research.

### QUESTION B.2:

*Do you agree that these are the appropriate role and functions to meet the gaps/weaknesses and improve how victims of crime are treated within the criminal justice system?*

Answer Yes or No

Yes

**Any additional comments / views?**

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The Society agree that the stated roles and functions appear to encompass what is required to assist and support those witnesses and victims who enter the criminal justice system.

**QUESTION B.3:**

*Is there anything that you think should be added to or removed from the role and functions outlined and if so, please explain why?*

**Any additional comments / views?**

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No comment.

## PROPOSAL:

The Minister of Justice is proposing that the remit and focus of a Victims of Crime Commissioner should be to represent all victims of crime and be independent from government, but that the role should include a particular focus on victims of domestic and sexual abuse and hate crime.

### QUESTION B.4:

*Do you agree with the proposal that, in addition to their remit to represent all victims of crime, the Victims of Crime Commissioner should also be tasked and resourced to provide a focus on particularly vulnerable groups of victims, specifically:*

*Victims of domestic and sexual abuse?*

Answer Yes or No	Yes
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*Victims of hate crime?*

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

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The Society supports assistance and representation for vulnerable groups. It is vitally important that appropriate resources be made available to deliver such assistance on a consistent basis.

The areas highlighted are appropriate for specific attention. The assistance of voluntary groups who support such victims will offer valuable input and information to any strategy the Commissioner wishes to develop.

**QUESTION B.5:**

*Do you agree that the Victims of Crime Commissioner should have the autonomy to set their own priorities and be required to develop a Strategic Plan and report annually on delivery against this Strategic Plan?*

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

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The Society agrees that oversight and reporting on strategic planning by the Commissioner would be appropriate.

Such detail should be available for scrutiny and as this is a statutory role, the legislation should clearly set out the expectations and timeframes for Strategic Plans and reporting.

**QUESTION B.6:**

*Do you agree that the Minister of Justice should be able to ask the Victims of Crime Commissioner to conduct a thematic review and advise on particular victim-related priorities, where she considers that necessary?*

Answer Yes or No

Yes

**Any additional comments / views?**

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The Society agrees that this would be appropriate and will provide valuable feedback for future planning and delivery of initiatives to meet and address victims needs. However, it is noted that the remit and focus of a Victims of Crime Commissioner should be ‘to represent all victims of crime *and be independent from government.*’ Any option to request such reviews should be enshrined in the legislation which creates the role, and set out the exact parameters as to when such a request can be made.

**QUESTION B.7:**

*Do you agree that the Victims of Crime Commissioner Designate has a role in helping to inform the development of the statutory role?*

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

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No comment

**PROPOSAL:**

The Minister of Justice is proposing that the Victims of Crime Commissioner should establish an Advisory Group with experience and expertise in the criminal justice system and issues impacting on victims of crime that would advise and assist the Commissioner in identifying and executing the priorities for the post.

**QUESTION B.8:**

*Do you agree that the Victims of Crime Commissioner should establish an Advisory Group?*

<i>Answer Yes or No</i>	Yes
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**Any additional comments / views?**

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If the Commissioner feels it appropriate to establish such a grouping then this should be taken forward and be populated with representatives from all relevant stakeholders and voluntary groups. The latter will have a breadth of invaluable experience to contribute effectively and identify priorities.

## Freedom of Information Act 2000 – Confidentiality of Consultations

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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,  
Belfast,  
BT4 3SG