



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

OCTOBER 2023



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LIST OF ABBREVIATIONS

CJB	Criminal Justice Board
CJI	Criminal Justice Inspection Northern Ireland
CJIG	Criminal Justice Improvement Group
CVOC Designate	Commissioner for Victims of Crime Northern Ireland Designate
DoJ	Department of Justice (Northern Ireland)
EU	European Union
FLC	Family Liaison Co-ordinator (within the Police Service)
FLO	Family Liaison Officer (within the Police Service)
ISA	Information Sharing Agreement
NICHE RMS	Police Service of Northern Ireland Records Management System
NICTS	Northern Ireland Courts and Tribunals Service
NIPS	Northern Ireland Prison Service
NISCS	Northern Ireland Safe Community Survey
NIVAWS	Northern Ireland Victim and Witness Survey
NSPCC	National Society for the Prevention of Cruelty to Children
PBNI	Probation Board for Northern Ireland
PCSPs	Police and Community Safety Partnerships
PPN	Public Protection Notice
PPS	Public Prosecution Service for Northern Ireland
Police Service	Police Service of Northern Ireland
SOLAs	Sexual Offences Legal Advisors
UK	United Kingdom
VIU	Victim Information Unit
VRAM	Vulnerability Risk Assessment Matrix
VWCU	Victim and Witness Care Unit (in Belfast and Foyle)
VWSG	Victim and Witness Steering Group
YJA	Youth Justice Agency

CHIEF INSPECTOR'S FOREWORD

All victims and witnesses should be able to access their Victim Charter and Witness Charter entitlements and service standards. This should not be determined by the type of offence or their vulnerabilities, they all deserve human dignity and respect from everyone in the criminal justice system.

There is a difference between saying victims and witnesses are a priority and actually demonstrating it by funding long overdue and much needed service improvements to deliver against Victim Charter and Witness Charter obligations.

Of course, the focus on victims and witnesses in sexual and domestic violence and abuse cases is vital, but it is also important that other victims and witnesses are not left behind and feel like they are an afterthought. We know that what looks like a minor offence can be devastating and life changing for some people and they too must have their needs assessed and met throughout the often long duration of the case they are involved in.

New laws and new IT systems will only take the criminal justice system so far if victims won't report crimes or withdraw their evidence because their dignity has been crushed and they are re-traumatised by the delay, lack of information and poor support they receive. This undermines the rule of law and confidence in our justice system. If offences are not reported and victims and witnesses are not supported to give their evidence when they need to,

and offenders exploit this and are not brought to justice, it is a crime against all of us.

I recently attended the opening of the impressive new Remote Evidence Centre in Belfast city centre; it is a positive step forward and I hope it is well utilised and its full benefits realised. Other steps to improve Charter awareness and support for victims and witnesses are appreciated, but leaps and bounds are required and there is still much to be done.

The, as yet, unfunded revised service model for the Victim and Witness Care Unit is a real disappointment. This has the potential to be a real game changer in how victim and witness needs are assessed and met throughout the duration of a case. This was needed before the COVID-19 pandemic and the foreseeable increased delays exacerbated by the pandemic have resulted in investment in pandemic recovery across the criminal justice system but better victim and witness care for all cases does not seem to have benefitted from it. There is a cost to not funding good victim and witness care that reaches into families, health care, employment and education.

This Follow-Up Review also highlighted the mismatch between how well inspected organisations believed they had implemented recommendations and what the evidence and assessment by Inspectors found. The work that has been done to implement recommendations is appreciated, but there is much more to be done. The Victim Champions have an important role in embedding progress and continuous improvement in their own organisations and collectively across the criminal justice system and its partners. This Follow-Up Review highlights some of the good work dedicated Department of Justice officials, Police Officers, Prosecutors, Court staff, Prison Service Officers and staff, Youth Justice Agency staff and Probation Officers and staff are doing, but they can only take it so far without leaders committing to a real change in victim and witness services.

My thanks to CJI Lead Inspector, Dr Roisin Devlin supported by Inspector Maureen Erne who completed this Follow-Up Review.



Jacqui Durkin

Chief Inspector of Criminal Justice
in Northern Ireland

October 2023

I am grateful to the Department of Justice, Police Service of Northern Ireland, the Public Prosecution Service for Northern Ireland, the Northern Ireland Courts and Tribunals Service, Northern Ireland Prison Service, Youth Justice Agency and the Probation Board for Northern Ireland who supported this Follow-Up Review and the organisations who also contributed and shared their views and experiences.

Victims and witnesses in Northern Ireland deserve better. They are entitled to at least Charter rights and minimum standards being respected and delivered. We do not need any more recommendations, we need leadership at all levels and action to improve backed up by adequate resources and quality services that produce the better outcomes that are long overdue.

I hope a new Minister of Justice will focus on better victim and witness care as a priority and ensure the necessary sustainable resources are provided. I have no doubt CJI will return to this important topic in the future; my ambition is that no victim and witness should feel the criminal justice system is something to be 'put through' and they are not further harmed by their experience of it.



CHAPTER 1: INTRODUCTION

BACKGROUND TO THE FOLLOW-UP REVIEW

In July 2020 Criminal Justice Inspection Northern Ireland (CJI) published a report following its inspection titled *Victims and Witnesses: The Care and Treatment of Victims and Witnesses by the Criminal Justice System in Northern Ireland*.¹ This was a full inspection and followed previous inspections in 2005² and 2011³ and two Follow-Up Reviews of the recommendations made in those reports which were published in 2008⁴ and 2015⁵ respectively. There was a separate inspection report on the use of Special Measures published in 2012⁶ and the 2015 Follow-Up Review assessed the progress made against the recommendations made in that report.

CJI had inspected the care and treatment of victims and witnesses over an 18-year period. Improvements driven by inspection activity were evident from the development of the first Victim and Witness Strategy in September 2007 (Figure 1):

Figure 1 - Improvements in the treatment of victims and witnesses



- 1 CJI, *Victims and Witnesses: The Care and Treatment of Victims and Witnesses by the Criminal Justice System in Northern Ireland*, July 2020 available at <http://cjini.org/getattachment/5193b4b4-6351-4987-bdfb-03bace145c7e/report.aspx>.
- 2 CJI, *Improving the Provision of Care for Victims and Witnesses within the Criminal Justice System in Northern Ireland*, July 2005 available at <http://cjini.org/getattachment/ceda45b5-8b15-4f7b-a2a4-9dfe1902eca4/Victims-and-Witnesses-July-2005.aspx>.
- 3 CJI, *The Care and Treatment of Victims and Witnesses in the Criminal Justice System in Northern Ireland*, December 2011 available at <http://cjini.org/getattachment/c3a0fb11-e230-4d73-97e9-002c200e277a/report.aspx>.
- 4 CJI, *Improving the Provision of the Care for Victims and Witnesses within the Criminal Justice System in Northern Ireland, A Follow Up Review of the July 2005 Inspection Recommendations*, March 2008 available at <http://cjini.org/getattachment/b91c68e8-fb98-4e7d-aaab-3d0745ed5735/Victims-and-Witnesses-March-2008.aspx>.
- 5 CJI, *The Care and Treatment of Victims and Witnesses in the Criminal Justice System in Northern Ireland, Incorporating the use of Special Measures, A Follow Up Review of Inspection Recommendations*, March 2015 available at <http://cjini.org/getattachment/7c2edad9-98a3-4ff8-a5f8-dd78d5bd254d/report.aspx>.
- 6 CJI, *The Use of Special Measures in the Criminal Justice System in Northern Ireland*, April 2012, available at <http://cjini.org/getattachment/e684b2e9-231e-4c06-b496-5b744e10c0cb/report.aspx>.

This Follow-Up Review assessed the progress the criminal justice system had made against the four strategic and 12 operational recommendations arising from the 2020 inspection. Two recommendations were addressed to the Department of Justice (DoJ); six to the Police Service of Northern Ireland (Police Service); four to the Public Prosecution Service for Northern Ireland (PPS); one to the Northern Ireland Courts and Tribunals Service (NICTS) and one to the Probation Board for Northern Ireland (PBNI). Two recommendations were made jointly to the Police Service and the PPS.

CHANGES SINCE THE 2020 INSPECTION

The main legislative, strategic and operational changes impacting on victims and witnesses since the 2020 inspection are summarised as follows.

Appointment of a Commissioner for Victims of Crime for Northern Ireland Designate (CVOC Designate)

In March 2022 the then Minister of Justice appointed a Commissioner for Victims of Crime for Northern Ireland Designate (CVOC Designate). Geraldine Hanna took up post in June 2022 for a three-year term. It had not been possible to legislate to put the CVOC Designate on a statutory footing within the last Northern Ireland Assembly mandate (2017-2022) due to the limited legislative programme and sitting periods. The role of the CVOC Designate was established 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 Victim Charter entitlements and promotion of the Victim Charter;
- direct complaints and monitor outcomes;
- advise and make recommendations; and
- undertake or commission research.

The CVOC Designate published a three-year strategy⁷ in February 2023 which identified three key areas of focus. These were: *Delay* (the need for timely justice so that the trauma experienced by victims is not prolonged and the risk of undermining the willingness and confidence of victims and wider society to report a crime in future is mitigated); *Disclosure* of victims' personal details (the need to strengthen the protections of victims and reduce the volume of detail being sought for victims' personal data); and *Data* (the need for the system to collect and share meaningful data).

⁷ CVOC Designate, *Commissioner for Victims of Crime Strategy 2022-2025, February 2023* available at <https://www.cvocni.org/files/cvocni/2023-02/CVOC-Strategy-22-25.pdf>.

Proposed changes to victims' legislation in other jurisdictions 2023

Ministers in England and Wales introduced the Victims and Prisoners Bill⁸ (the Bill) on 29 March 2023. This followed a consultation by Government on how to improve what victims can expect from the criminal justice system and how to improve aspects of victim support services. In her response to the consultation, the then Victims' Commissioner for England and Wales, Dame Vera Baird KC, said that there was some optimism with the publication of the draft Bill, but that it looked insufficient to meet the scale of the challenge. Publishing her Annual Report for 2021-22 she said, '*At the heart of the cultural shift for victims is that they must be provided with guaranteed rights and not just favours.*' In the Annual Report,⁹ she highlighted that the social contract with victims required that victims of crime would be helped to cope and recover by the criminal justice process and that they should not come away from the system having been made to feel worse. She also highlighted the need for Government to prioritise a Victims Funding Strategy to recognise that more than 80% of victims in England and Wales do not enter the criminal justice system and yet needed professional support.

The draft Bill includes provisions to:

- enshrine the principles of the Victims' Code in law;
- place a duty on relevant bodies to promote awareness of the Code;
- enhance oversight of delivery of the Code through better data collection;
- introduce a duty to facilitate more holistic and better co-ordinated victim support services;
- improve the consistency of support provided by Independent Sexual Violence Advisers and Independent Domestic Violence Advisers;
- update the role of the Victims Commissioner including a requirement for Departments and Agencies to meet the requirements of the Code and respond to recommendations made by the Victims' Commissioner;
- give Ministers powers to direct joint thematic inspections on victims' experiences and a requirement for criminal justice inspectorates to consult the Victims' Commissioner; and
- changes to how complaints from victims are progressed.

The Bill had its second reading in the House of Commons on 15 May 2023. During the passage of the Bill, the Government brought forward an amendment to the Bill to block unnecessary and intrusive third-party material requests.

The Victims, Witnesses and Justice Reform (Scotland) Bill was introduced to the Scottish Parliament on 25 April 2023. The development of the Bill was informed by the work of a Victims Taskforce and a Review into Improving the Management of Sexual Offence Cases which was conducted by Lady Dorrian.

8 MoJ, *Victims and Prisoners Bill, March 2023* available at <https://publications.parliament.uk/pa/bills/cbill/58-03/0286/220286.pdf>.

9 VC, *Annual Report of the Victims' Commissioner 2021-2022, June 2022* available at https://cloud-platform-e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/6/2022/06/MOJ7216-Victims-commissioner-Annual-report_AW-WEB.pdf.

The Scottish Government said the Bill responds to concerns raised about the need to improve the experience of victims and witnesses within Scotland's justice system, especially victims of sexual crime. The Bill includes measures to establish an independent Victims and Witnesses Commissioner for Scotland, embed trauma informed practice across the justice system and establish a specialist sexual offences court.

Evaluation of the 2012-29 European Union (EU) Directive

The EU Directive 2012-29 established minimum standards on the rights, support and protection of victims of crime, (a Victims Rights Directive/the Directive). The development of the *Victim Charter* (2015) and *Witness Charter* (January 2017) (the Charters) formed part of the DoJ's response to meet the obligations set out in the Directive. The impact of the Charters in terms of their meaningful outcomes for victims and witnesses was a focus of the 2020 CJI inspection.

On 28 June 2022, the European Commission adopted its evaluation¹⁰ of the Victims' Rights Directive. The findings were notable given that the EU Victims' Rights Directive was the impetus for the Charters and, after the United Kingdom's exit from the EU, its continued consideration by the DoJ would be important in the development of any legislation and policy related to victims' rights.¹¹

The evaluation assessed against five criteria: effectiveness, relevance, efficiency, coherence and EU added value. The evaluation showed that over the past 10 years the Directive had greatly contributed to improving the lives of victims across the EU and contributed to enhancing victim safety and reduced the negative impacts of participating in criminal proceedings. The work found, however, that there were still shortcomings in relation to:

- access to information;
- victims' access to support services; and
- protection in accordance with each individual's needs.

The evaluation presented a number of follow-up measures including that victims receive information in multiple formats; the extension of free psychological support and medical treatment for as long as needed (at least for vulnerable victims) and the introduction of measures for victims' physical protection.

10 EC, Commission Staff Working Document, *Evaluation of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA*, SWD(2022)180 Final, Brussels 28.09.2022 available at https://commission.europa.eu/system/files/2022-06/swd_2022_179_evaluation_rep_en.pdf.

11 See Article 2 of the Protocol on Ireland/Northern Ireland of the United Kingdom (UK)-European Union (EU) Withdrawal Agreement.

Relevant current CJI inspections

Since 2020 a number of other CJI inspections and Follow-Up Reviews including the criminal justice system's response to child sexual exploitation (June 2020),¹² modern slavery and human trafficking (October 2020),¹³ sexual violence (March 2021),¹⁴ domestic abuse (April 2021)¹⁵ and a recent report on vulnerable older people (September 2023)¹⁶ have commented on matters related to victims and witnesses.

The work of the Victim Information Unit (VIU) was inspected as part of a broader inspection of Probation Practice in Northern Ireland in December 2020.¹⁷ The Inspection found that feedback from people registered with the VIU and stakeholders was mainly positive, victim forums had been established and the number of victims registered with the Scheme had increased by 39% over the course of the PBNI's 2017-2020 Corporate Plan.

In CJI's recent inspection of *File Quality, Disclosure and Case Progression and Trial Recovery from the COVID-19 Pandemic*,¹⁸ Inspectors found that outcomes for victims remained poor. Cases were taking too long with the overall time taken for 90% of cases being completed increasing by around 50% from 511 days in 2017 to 747 days in 2022. Communication with victims and witnesses remained an area for concern.

Victim and Witness Strategy 2021-24

In October 2021 the DoJ launched the new *Victims and Witness Strategy for Northern Ireland (2021-2024)*¹⁹ (the Strategy) in response to a number of drivers for change including: significant reviews (such as the Gillen Review²⁰), CJI's inspection of the care and treatment of victims and witnesses, issues identified in the Northern Ireland Victim and Witness Survey (NIVAWS)²¹ and the need to ensure that victim and witness interests were properly represented as the DoJ worked to recover the criminal justice system after the COVID-19 pandemic.

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- 12 CJI, *Child Sexual Exploitation in Northern Ireland, An Inspection of the Criminal Justice System's Response*, June 2020 available at <http://cjini.org/getattachment/31173a89-f283-4e24-ac04-4aab3cbd0d04/report.aspx>
- 13 CJI, *Modern Slavery and Human Trafficking, An Inspection of How the Criminal Justice System deals with Modern Slavery and Human Trafficking in Northern Ireland*, October 2020 available at <http://cjini.org/getattachment/df690ef3-5352-457e-bbeb-ea2957b531b0/report.aspx>.
- 14 CJI, *Without Witness: A Thematic Inspection of the Handling of Sexual Violence and Abuse Cases by the Criminal Justice System in Northern Ireland, A Follow Up Review of the Inspection Recommendations*, March 2021 available at <http://cjini.org/getattachment/ca6e6e77-f571-4190-8fbc-72f26896cc8b/report.aspx>.
- 15 CJI, *No Excuse: A Thematic Inspection of the Handling of Domestic Violence and Abuse Cases by the Criminal Justice System in Northern Ireland, A Follow Up Review of the Inspection Recommendations*, April 2021 available at <http://cjini.org/getattachment/48e855ca-cd40-4283-83c2-720cf49b5c94/report.aspx>.
- 16 CJI, *Vulnerable Older People, An Inspection of the Criminal Justice System's Approach to Vulnerable Older People*, September 2023 available at <https://www.cjini.org/TheInspections/Inspection-Reports/2023/July-Sept/Vulnerable-Older-People>.
- 17 CJI, *Probation Practice in Northern Ireland, An Inspection of the Probation Board for Northern Ireland*, December 2020 available at <http://cjini.org/getattachment/03375ddc-40ed-4359-9094-17eadd41b2ae/report.aspx>.
- 18 CJI, *An Inspection of File Quality, Disclosure and Case Progression and Trial Recovery from the COVID-19 pandemic*, June 2023 available at <http://cjini.org/getattachment/b88cbf6f-05c2-4ba5-baff-4ff8e96b897a/report.aspx>.
- 19 DoJ, *Victim and Witness Strategy for Northern Ireland 2021-2024*, October 2021 available at https://www.justice-ni.gov.uk/sites/default/files/publications/justice/victim%20and%20witness%20strategy%202021-2024_0.pdf.
- 20 Gillen Sir John, *Review, Report into the Law and Procedures in Serious Sexual Offences in Northern Ireland*, (Gillen Review), available at <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/gillen-report-may-2019.pdf>.
- 21 *The findings from the Northern Ireland Victim and Witness Survey are used to monitor progress in the area of service delivery to victims and witnesses of crime in Northern Ireland.*

The Strategy was developed collaboratively with criminal justice organisations and with Victim Support Northern Ireland and the National Society for the Prevention of Cruelty to Children (NSPCC).

Four strategic priorities were identified. They were:

- improved understanding of the needs, interests and experiences of victims and witnesses;
- ensuring victims and witnesses receive the emotional and practical support they need;
- embedding increased organisation focus on victims and witnesses; and
- ensuring victim and witnesses receive the service and information they need and are entitled to.

This Follow-Up Review does not examine each of the objectives contained in this Strategy nor arising from the Gillen Review except where they are relevant to the recommendations made by CJI in 2020. Inspectors, however, acknowledge the important linkages between these and other strategic and implementation plans aimed at improving the quality of the delivery of a system wide service for victims and witnesses.

Relevant statistics

In the period since the publication of CJI's 2020 inspection report, the lockdown measures introduced due to the COVID-19 pandemic had a substantial impact on recorded crime in Northern Ireland with the number of reported crimes falling significantly. The Police Recorded Crime update to March 2023²² shows, however, that in the 12 months from 1 April 2022 to 31 March 2023 there were 111,571 crimes recorded in Northern Ireland which was an increase of 4.9% compared with the previous 12 months. This was the highest recorded crime level in 16 years. All victim-based crime²³ categories increased in that period compared to the previous 12 months. There were 59 police recorded crimes per 1,000 population compared with 56 crimes in the previous 12 month period.

Trends in police recorded crime data for 2021-22²⁴ showed that around 72% of all crimes had a person victim. During 2021-22 violence against the person and sexual offences reached the highest recorded levels since the start of the data series in 1998-99. The majority of victims (81%) were aged 18-64 with 13% of victims being under 18 and 6% aged 65 and over. The majority of victims who were under 18 at the time the offence occurred were victims of violence against the person or a sexual offence. Almost three fifths of those aged 65 and above were victims of theft (including burglary) and criminal damage.

22 Police Service, Northern Ireland Statistics and Research Agency (NISRA), *Police Recorded Crime in Northern Ireland Update to 31 March 2023* available at <https://www.psnipolice.uk/system/files/2023-05/1401700191/Police%20Recorded%20Crime%20Bulletin%20Period%20Ending%2031st%20March%202023.pdf>.

23 Violence against the person, sexual offences, robbery, theft offences and criminal damage are categorised as victim-based crimes. For victim-based offences, the victim can be a member of the public (referred to as person victim), a police officer who was the victim of a crime in the course of carrying out their duty, or a business or organisation.

24 Police Service, NISRA, *Trends in Police Recorded Crime in Northern Ireland 1998-99 to 2021-22*, December 2022 available at <https://www.psnipolice.uk/sites/default/files/2022-12/Police%20Recorded%20Crime%20in%20Northern%20Ireland%201998-99%20to%202021-22.pdf>.

The proportion of females under 18 who were victims of violence against the person offences had risen from 2007-08 to 2021-22. For victims aged under 18, rape and sexual assaults recorded the highest number of offences in 2021-22 at 519 and 983 respectively. The proportion of under 18 years of age male victims of sexual offences had risen.²⁵

Comparable data was not available for witnesses of crime.

The findings of the 2021-22 Northern Ireland Safe Community Survey (NISCS)²⁶ indicated that 3.8% of adult respondents were victims of at least one crime measured through the survey during the 12 months prior to interview.

It was estimated that 43% of NISCS crime was reported to the police. As in the full inspection, this continued to indicate that the actual number of crimes and victims is much higher than official statistics.

The previous report referenced data from the 2016-17 NIVAWS. At the time of fieldwork for this Follow-Up Review, the 2019-20 NIVAWS, published in September 2020, had been the most recent NIVAWS to inform the work of the criminal justice system. The 2022-23 report was subsequently published on 2 August 2023.²⁷

At an overall level, there had been little substantial change in levels of satisfaction between the surveys published in 2016-17 and 2019-20 but there were some statistically significant changes including:

- more witnesses said that they were satisfied with the information given about the criminal justice system (81% in 2019-20 compared with 73% in 2016-17);
- fewer victims said they had been kept informed about the progress of their case (55% in 2019-20 compared with 65% in 2016-17) and how often they were updated; and
- more witnesses were satisfied with how they had been treated by staff in the criminal justice system (92% in 2019-20 compared with 85% in 2016-17).

Levels of awareness of the Victim and Witness Charters remained low at 27% and 22% of respondents respectively. Only a small minority of respondents (5%) reported they had been kept informed of how their case was progressing by the Victim and Witness Care

25 Extract from *Trends in Police Recorded Crime in Northern Ireland 1998-99 to 2021-22. Violence against the person: Female victims under 18 represented 38 per cent of all victims under 18 in 2007/08 and 48 per cent in 2021-22. In 2021-22 there were eight female victims under the age of 18 per 1,000 of the population under 18. Male victims under 18 represented 62 per cent of all victims under 18 in 2007-08 and 52 per cent in 2021-22. In 2021-22 there were eight male victims under the age of 18 per 1,000 of the population under 18. Sexual offences: Victim gender where victim under 18: Female victims represented 83 per cent of all victims under 18 in 2007-08 and 73 per cent in 2021-22. In 2021-22 there were four female victims per 1,000 of the population under 18. Male victims under 18 represented 17 per cent of all victims under 18 in 2007-08 and 27 per cent in 2021-22. In 2021-22 there was one male victim under the age of 18 per 1,000 of the population under 18.*

26 NISRA, *Experience of Crime: Findings from the 2019-20 Northern Ireland Safe Community Survey, February 2021* available at: <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/experience-of-crime-findings-201920-niscs.PDF>.

27 The findings from the most recent 2022-23 NIVAWS were published just as this Follow Up Review concluded and are referenced in the final chapter of this report (available at <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/Victim%20and%20Witness%20Experience%20of%20the%20Northern%20Ireland%20Criminal%20Justice%20System%20-%20Key%20Findings%20-%202022-23.pdf>).

Unit (VWCU) but there had been a significant increase in the proportion of respondents who said they had been kept informed by the PPS about their case progression, but a significant fall in the proportion kept informed by the police. There was also a significant reduction in the number of respondents who had been offered a pre-trial court familiarisation visit in 2019-20 (47%) compared with 2016-17 (59%) and also a significant fall in the proportion of people who accepted the offer of a visit. Fewer victims and witnesses were satisfied with the witness service schemes. Only 42% of respondents said they had been contacted by Victim Support Northern Ireland although this was the highest recorded level of contact. Awareness of the Prisoner Release Victim Information Scheme and the PBNI Victim Information Scheme was also low; 80% said if they became a victim of a crime again they would report the incident to the police, this was a significant reduction from the 2016-17 response (85%).

Although the NIVAWS provided a helpful insight to the experiences of victims and witnesses, certain categories of victims and witnesses were ineligible to take part in the survey. This included those involved in cases where there had been a fatality, and those associated with certain types of more serious or sensitive offences. Sexual and domestic violence offences, murder and manslaughter were among the offences deemed ineligible for inclusion. Instead, the DoJ had commissioned separate research studies to examine the experiences of these victims and the findings were referred to in the previous inspection report.

In May 2023 a report²⁸ was published providing data on the experience of domestic abuse from findings of the 2018-19 NISCS. This found that police were made aware of just under half of all 'worst' cases of domestic abuse meaning over half of victims did not report their experiences. As with the general crime survey data, this pointed to a significant level of unmet need.

The DoJ research priorities for 2022-23 included plans to review and collate findings from recent research and best practice, research on how support services for families bereaved through homicide could be extended in 2023-24, and a number of areas arising from the implementation of the Gillen Review recommendations including research on the extent and reasons for attrition rates in relation to domestic and sexual abuse offences.

Victim journey research

In May 2021 Victim Support Northern Ireland published a research report²⁹ on the victim recovery journey which had been explored through the lens of the victim's lived experience. The findings highlighted the personal nature of the recovery journey and interplay of personal resources, crime characteristics, individual characteristics and external factors at every stage. The report set out a model of victim recovery and made

28 NISRA, *Experience of Domestic Abuse findings from the 2018-19 Northern Ireland Safe Community Survey, May 2023* available at <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/experience%20of%20domestic%20abuse%20findings%20from%20the%20201819%20niscs.pdf>.

29 Victim Support Northern Ireland, *The Victim Recovery Journey, Understanding the recovery journey: Stages, facilitators and inhibitors of recovery, May 2021* available at <https://www.victimsupportni.com/site/wp-content/uploads/2021/11/Victim-recovery-journey-Final-Report.pdf>.

a number of suggestions for improvement including: early interventions, accessible services; after court support; improving communication; integrated provision; longer term therapeutic intervention; raising awareness; a victim centred/trauma informed approach; peer support; funding and metrics capturing change.

The 2018-19 Victims Support Northern Ireland's Court Observer Panel report³⁰ was based on an analysis of the reflections of a group of members of the public (Court Observers) who observed 27 trials for rape and sexual crime and documented their reflections on the experience of the 31 victims involved in those cases. The Observer Panel found ill-treatment to be endemic in the trials they observed with the treatment of vulnerable victims of sexual crime in court falling short of the minimum standard of decency they should expect under the *Victim Charter*. Special measures were widely used in the cases observed but there were mixed views on their use. They often felt that the manner in which they were delivered was detrimental to the Prosecutor's case mainly relating to the use of the technology involved.

Victim Support Northern Ireland launched a 26-month pilot project in January 2022 based on the research and it will be important to consider the emerging findings from this work.

More recently, Victim Support Europe published a discussion paper on ensuring safe justice for victims of crime with the aim of moving toward integrated, victim-sensitive systems of criminal justice.³¹ Safe justice is, '[...] a *'holistic, needs-driven, rights-based, victim-sensitive approach to justice which includes in its objectives upholding of victim's rights and the protection of the physical, psychological, and emotional safety of the victim, thus benefiting the justice system as a whole and supporting the creation of a fairer, safer society.'* The paper examined ways for criminal justice organisations to help victims access justice, to be informed and be safe, to enable their meaningful participation in proceedings, and achieve restoration. It concluded that, *'Victims' rights should be a crucial part of the design of the current justice landscape, rather than layered on top of existing systems'* and that structural change was required.

The Follow-Up Review

A progress update against the recommendations made in the July 2020 report was coordinated by the DoJ and provided to Inspectors. This included input from each of the criminal justice organisations: the NICTS, the Police Service, the PPS, the PBNI, the NIPS and the Youth Justice Agency (YJA).

In the update an assessment of the progress made, a description of the activity undertaken and some supporting documentation was provided.

30 *Victim Support Northern Ireland, Bearing Witness: Report of the Northern Ireland Court Observer Panel 2018-2019, February 2021* available at https://www.victimsupportni.com/site/wp-content/uploads/2021/02/VSNI-Report_BearingWitness_Final.pdf.

31 *Victim Support Europe, Safe Justice for Victims of Crime: Discussion Paper, February 2023* available at https://victim-support.eu/wp-content/files_mf/1677284356SafeJusticeforvictimsofCrime_compressed1.pdf.

Fieldwork was undertaken from March to June 2023 to examine the material initially provided, further documentation was requested and analysed, and feedback from operational staff and managers responsible for the implementation of the recommendations was sought. A Victim and Witness Steering Group (VWSG) meeting was also attended and observed.

A number of interviews were conducted with stakeholders included in the inspection recommendations (Victim Support Northern Ireland and the NSPCC) and with the CVOC Designate.

Inspectors were grateful for the time and resource dedicated to enabling fieldwork for the Follow-Up Review.

The information provided at interviews and documentation were reviewed and analysed and judgements were made as to the progress made against each recommendation.

CHAPTER 2: PROGRESS AGAINST RECOMMENDATIONS

STRATEGIC RECOMMENDATION 1

The Department of Justice should implement a strategic communications solution within one year of the publication of this report to substantially raise the profile of the [Victim and Witness] Charters and promote ease of access for all users in the community. Future development of the victim and witness strategy should also be co-aligned with communication strategy.

Status: Partially achieved.

ORGANISATIONAL RESPONSE

✔ Achieved

DoJ update: *This recommendation has been marked as achieved in that we have published a Communications Plan to raise awareness of the Charters and are actively progressing work against this plan. However, we acknowledge that work to raise and maintain awareness of the Charters needs to be an ongoing focus for DoJ and criminal justice partners.*

The Victim and Witness Charters Strategic Communications Plan was finalised in January 2022. We acknowledge that this was later than CJI's recommended target date, however this delay was to allow officials to progress other related key priorities including developing and consulting on both a new Victim and Witness Strategy and on the establishment of a Victims of Crime Commissioner.

In response to the recommendation, the Victim and Witness Steering Group (VWSG) established a Communications Subgroup. This subgroup is comprised of members from each of the criminal justice organisations and voluntary partners who are represented on the VWSG.

In January 2022, the VWSG considered proposals and approved a draft Victim and Witness Charters Strategic Communications Plan. This Plan was subsequently agreed by the former Justice Minister, on 17 February 2022, and noted by the Justice Committee on 3 March 2022.

The Plan is aligned with the strategic priorities and objectives of the Victim and Witness Strategy for Northern Ireland 2021-24 and contributes to the vision of ensuring victims and witnesses are at the centre of the criminal justice system. The plan consists of two main parts:

- Part A - Raising community awareness of the Charters; and
- Part B - Raising awareness of the Charters across criminal justice organisations.

Work to implement the plan is underway, however as a result of reduced staffing capacity and budget pressures, we have had to defer, sequence or scale back some elements of the Plan. Nonetheless, there have been a number of areas in which good progress has been made, for example, raising awareness of the Charters on social media and attendance at events such as Pride, Mela, Queen's University Belfast etcetera.

The Department has frequently used social media channels to promote awareness of the Charters. Communications have been targeted around specific times of the year and in conjunction with other messaging for example, Hate Crime Awareness Week, Victims of Crime Day, etcetera. In order to best harness heightened social media attention and activity. In addition, DoJ and partners have ensured that the circulation and impact of animated videos by the NSPCC, Victim Support Northern Ireland and the PPS have been maximised by sharing/retweeting posts on a regular basis [on] social media channels.

The former Minister of Justice also proactively used opportunities such as invitations to speak at conferences, and press releases to reference and promote awareness of the Charters.

One commitment under the Communications Plan relating to the development of awareness/information sessions was deferred as a result of finance and staffing pressures. This commitment involves the development and delivery of information sessions to voluntary and community sector organisations. Whilst this work had been paused it has now recommenced and the development of sessions is underway and officials attended the PPS Engagement Forum on 26 January 2023. We intend for delivery of sessions to begin in Q2 of 2023-24 (subject to securing necessary resources). We also intend to engage with Policing and Community Safety Partnerships (PCSPs) and other organisations over the coming months to maximise awareness of the Charters.

Since the last inspection, one of the most significant and important developments for victims and witnesses has been the appointment of a Commissioner Designate for Victims of Crime. The purpose of the Commissioner Designate role is to drive forward improvements by representing all victims, promoting their rights under the Victim Charter, and raising their issues with Government and criminal justice organisations.

In recent months the Commissioner Designate has been developing her Strategic Plan which is due to be published in the coming weeks. This too will bring greater visibility and focus on victims issues, including the Charter.

Inspectors' assessment

The establishment of a Communications Subgroup reporting to the broader VWSG was a positive development since the inspection.

A Victims and Witnesses Charters Strategic Communications Plan was agreed in early 2022 and aligned with objectives and actions related to the 2021-2024 Victims and Witnesses Strategy. It took further cognisance of the inspection report stating that, '[in] addition to the formal recommendation, the CJINI[CJI] Report also notes that within stakeholder organisations there is a *'strong sense of apathy and disconnect'* when discussing the Charters, and that knowledge of the Charters was *'almost always focused on the process (not the victim).'*' Two main aims were therefore identified: to raise community awareness; and to raise criminal justice organisations' awareness.

Inspectors were provided with examples of the ways in which information about the Charters had been communicated. This included the use of key dates as an opportunity to raise the profile of the Charters through social media, as well as information about support services, and from partners. Some social media communications were accompanied by the DoJ videos covering both the Victim and Witness Charters.³² As outlined by the DoJ, more recent information videos by the NSPCC, Victim Support Northern Ireland and the PPS highlighted rights, entitlements and the 'victim's journey'.³³

Attendance at seminars and events were also used as opportunities to highlight the Charters including Belfast Pride and Belfast Mela. The PPS Victim Champion presented at an event hosted by the Human Rights Centre at Queen's University Belfast on trauma informed practice with the purpose of highlighting the Charters. Inspectors acknowledged the appointment of the CVOC Designate as a further positive development in relation to this specific recommendation, as the role included 'promotion of the Victim Charter.' The CVOC Designate website included material on both the Victim Charter and Witness Charter.

Organisational awareness was an important part of ensuring ease of access to the Charters. The Charters were included in the Police Service Student Officer and PPS VWCU training programmes. A copy was provided to PPS VWCU staff on commencing a post in the Unit, and the NICTS had also included these as part of an induction programme for staff. The Police Service had developed a proposal for approval with its Corporate Communications Department, which included raising awareness of the Charters and a drive to educate Police Officers on their associated responsibilities. DoJ intranet articles had also been made available to staff.

32 <https://vimeo.com/788963050/d22a6a4acf>; see also on the Charters: Part 1 <https://vimeo.com/788969493/042905663f>; part 2 <https://vimeo.com/788976080/06a2892a66>; Part 3 <https://vimeo.com/788974246/6b97343f7c>.

33 See https://www.youtube.com/watch?v=S_pSH50zrPs; https://www.youtube.com/watch?v=Z_v-vqL-hss; <https://www.ppsni.gov.uk/victim-and-witness-information>.

Despite these developments, awareness of Charters among those who met with Inspectors within the PPS VWCU and Police Service was mixed, although there was a consensus that every day work was influenced by them. As an Officer explained, referrals are made, and victims' wellbeing and needs are met but the Charters' finer details were not familiar.

Budget limitations had impacted delivery of the Strategic Communications Plan. Resource constraints had prevented awareness sessions with Voluntary and Community Sector organisations taking place during summer 2022 as originally planned. While these sessions were in development again, they were still not underway at the time of fieldwork for this Follow-Up Review.

Communications and awareness about the Witness Charter was more limited than the Victim Charter. Inspectors appreciated that communications highlighting victims' rights should correctly focus on the Victim Charter. However, it was important that communication plans also maximised opportunities to promote entitlements of witnesses.

Overall, there was evidence that the forward work plan for communications to raise the profile of the Charters was sustainable. Elements of it had been scaled back but it was clear these aspects were still being considered or recommenced at the time of this Follow-Up Review. There was also a consistent commitment to the work from the Communications Subgroup lead and its members, which was evident through meeting agenda items and minutes. Contributions from statutory partners and the NSPCC and Victim Support Northern Ireland as stakeholders were notable. Support for this work was also evident from several organisations' Victim Champions and from VWSG members as observed in a Steering Group meeting attended by an Inspector.

Data to demonstrate outcomes because of the communications work that had been undertaken would have advanced the achievement of this recommendation. Evidence to demonstrate the extent to which the communication activities had substantially raised both Charters' profiles and, importantly, promoted ease of access for the community, would have been beneficial. Inspectors have noted the recently published NIVAWS results that show levels of awareness remained low, however, this is one source of evidence and others should be considered.³⁴

Inspectors therefore assessed this recommendation as  **Partially Achieved.**

³⁴ DoJ, NISRA, *Victim and Witness Experience of the Northern Ireland Criminal Justice System: Key Findings 2022-23, August 2023*, available at <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/Victim%20and%20Witness%20Experience%20of%20the%20Northern%20Ireland%20Criminal%20Justice%20System%20-%20Key%20Findings%20-%202022-23.pdf>.

STRATEGIC RECOMMENDATION 2

The Police Service of Northern Ireland should review how the current strategic prioritisation of vulnerability aligns with the delivery of outcomes impacting on all victims within three months of publication of this report.

Status: Partially achieved.

ORGANISATIONAL RESPONSE

 **Achieved**

Police Service update: *The strategic priority of vulnerability informs many different strands of operational activity and the service is re-orientated around understanding and tackling vulnerability and driving outcomes for all victims. For example:*

- *the Police Service now has a service-wide process to reduce the incidence of repeat victimisation by approaching each case with a problem solving ethos;*
- *each District now has an established Support Hub developing partnership working to address the complex needs of vulnerable people;*
- *the Police Service has embedded approaches to deal with particular crimes that affect vulnerable groups to ensure an enhanced service in order to optimise the prospect of positive outcomes such as Op Corin and Op Russett;³⁵*
- *the Police Service now has a community relations task force that is creating an enhanced understanding around minority communities – their specific vulnerabilities and needs;*
- *the enhanced Neighbourhood Policing footprint has brought more visible, accessible and community focussed policing services working locally with other key partners and community groups; and*
- *the Police Service now has an increased focus on crime prevention through the Prevention First strategy and action plan.*

Inspectors' assessment

Although the Police Service had not provided material relating to a review being conducted to show how its prioritisation of vulnerability aligned with ensuring outcomes for all victims, a range of approaches to address vulnerability were highlighted to Inspectors through the self-assessment and during fieldwork.

Inspectors noted the focus on repeat victims and the tools used to enhance this, for example, the 'Pulse performance portal' (Pulse)³⁶. Management information from Pulse was being used to inform District Daily Management Meetings and a weekly Pacesetter meeting³⁷.

35 *The Police Service Op Corin was an initiative aimed at tackling online sextortion; Op Russett was an initiative aimed at tackling burglary offences against older victims.*

36 PULSE is a Performance Management Framework used by the Police Service to provide real-time accessible performance information and analysis to Officer and Staff (See *Police Service of NI, Horizon 2023: Service Modernisation Plan*, available at <https://www.psni.police.uk/sites/default/files/2022-09/horizon-2025-spreads.pdf>).

37 Daily Management Meetings and weekly Pacesetter meetings are part of Police Service governance structures for Districts and Departments.

These meetings were viewed as an opportunity to oversee the response provided to victims and witnesses. Inspectors observed each in practice and heard examples of follow-up support for individual victims being discussed. The Police Service reported that a revised Tactical Tasking and Co-ordination Group process commenced in January 2023 to oversee the organisation's tactical response to its priorities, tailoring resources towards the greatest risks and harm.

To evidence this at work, internal reports in relation to adult safeguarding, child protection, domestic abuse, serious sexual offences, hate crime, violence against women and girls and modern slavery and human trafficking were provided to Inspectors.

The Police Service explained that their Public Protection Branch was the key branch in respect of 'daily operational grip of vulnerability.'

Since the publication of the full inspection, the approach to prevention had been further developed, which had potential to impact on outcomes for all victims. The SARA (Scanning-Analysis-Response-Assessment) problem-solving model had been adopted and the Multi-Agency Support Hub was a key example highlighted in developing a partnership approach. Although its primary focus was not necessarily victims of crime, the Multi-Agency Support Hubs had helped victims, particularly those who had experienced repeat victimisation. Some talked about supporting people who needed additional help to engage with the criminal justice process.

Helping victims through Multi-Agency Support Hubs

Multi-Agency Support Hub Police Officers/Officers talked about their work involving a lot of issues relating to mental health, addiction and learning disability. They discussed how some people may not have had support in the past. In one example, support was provided to a female who experienced repeated criminal damage to her property, as well as violence, 'She had never gone through the full court process until we got support put in place for mental health and addiction. We attended court with her, sat with her.' While there had been various cases before, the victim had not turned up at Court. It was explained that the Multi-Agency Support Hub had been well placed to give all round support.

In a further example, Police Officers supported a woman who had experienced domestic abuse by a family member. There had been unsuccessful attempts to achieve a criminal justice outcome previously. The victim experienced alcohol addiction and had been arrested in the past. While in police custody, Multi-Agency Support Hub Officers visited her and had a conversation about different help available including Non-Molestation Orders. The Officers supported the victim to have this help put in place.

While acknowledging this support, CJJ's recent inspection relating to 'vulnerable older people' identified work to agree common terminology and an overarching strategy for Multi-Agency Support Hubs as an area for improvement.³⁸ It found referral to the

38 CJJ, *An inspection of the criminal justice system's approach to vulnerable older people in Northern Ireland, September 2023*, available at [CJINI - Criminal Justice Inspection Northern Ireland - Vulnerable Older People](#)

Multi-Agency Support Hub formed part of the Police Service's work to identify repeat and vulnerable victims on police systems and allocate to police teams for intervention.

Enhancing and embedding a Neighbourhood Policing 'footprint' was also discussed, and the Police Service Strategic Community Engagement Team had been engaging with a range of minority communities in an effort to build trust and confidence in policing over the course of the last two years.

Inspectors considered that referrals to Victim Support Northern Ireland were one way to gauge potential levels of support being accessed by all victims in contact with the Police Service. Police Service figures showed referrals had dropped since the fieldwork for the 2020 inspection took place (see Table 1).

Table 1: Police Service Referrals to Victim Support Northern Ireland

Financial Year	Number referred	% of Victims referred
2019-20	58,476	64
2020-21	51,840	66
2021-22	54,339	59
2022-23	51,935	55

This decline had been recognised by the Police Service and it had developed a work plan to address it. Inspectors considered the work plan to be a crucial and positive development. Continual review of data to enhance more timely opportunities for intervention was important, as monthly figures showed the evident decline in referrals since 2021-22.

There was no Partnership Protocol between the Police Service and Victim Support Northern Ireland and the Information Sharing Agreement had not been reviewed since 2017. As reported in the full inspection, *'The PSNI [Police Service] and VSNI [Victim Support Northern Ireland] should establish a joint protocol to enhance operational delivery in key partnership areas, for example, detailing roles and responsibilities, communications and meetings with effective regularity.'*

Established evidence showed that early identification of needs and 'special measures' enhanced outcomes for victims.³⁹ The Police Service had not monitored the quality of its 'needs assessments' within Witness Statements or the proportion that highlighted a need for special measures. The DoJ monitored referrals for the Registered Intermediary service and noted in correspondence for the Follow-Up Review that approximately 80% of requests were from the Police. Figures showed a declining proportion of victims represented among all Registered Intermediary requests over the last five financial years (74% in 2018-19 to 63% in 2022-23), while the number of victims supported by Registered Intermediaries had increased. This was important data for the Police Service to further explore in assessing outcomes for victims.

³⁹ For example, Victim Support Europe report; FRA review of Victims Directive;

The appointment of the Police Service Victim Champion was positive. However, there was a lack of consistency in the resource available within the Police Service for leading on its performance in relation to victims and witnesses. The commitment of the Victims and Witnesses Policy Lead was evident but there had been changes in personnel and Victims and Witnesses policy was not the jobholder's exclusive role. Although the Police Service noted that the other area of responsibility was Restorative Justice, which was supportive of the thematic area of Victims and Witnesses.

Overall, Inspectors supported the priority that the Police Service had attached to vulnerability. However, it was not clear that the organisation had fully understood this recommendation. The original inspection stated that, *'It was important that dedicated individual areas of vulnerability did not develop as 'specialisms' to the exclusion of a broader service response through identified good practice in delivering outcomes for all victims.'* A recent review of the EU Victims' Rights Directive had also noted the importance of measures *'[...] to ensure that all victims, including vulnerable ones, can exercise their rights and hence gain effective access to criminal justice in practice.'*⁴⁰

To progress this recommendation further, a formal review of how the Police Service approach to vulnerability impacted outcomes for all victims with corresponding measures, as was originally envisaged by Inspectors, would have been beneficial.

For the reasons outlined, Inspectors assessed this recommendation as  **Partially Achieved.**

STRATEGIC RECOMMENDATION 3

The Department of Justice should review the role of the Victim and Witness Steering Group within three months of the publication of this report:

- the Terms of Reference should include the Senior Executive recommendations arising from this report;
- membership, as stated in Criminal Justice Inspection Northern Ireland's 2011 strategic recommendation, remains in place and is consistently evidenced, i.e. criminal justice agency membership should be at Senior Executive level; and
- members should also be appointed as their organisation's 'Victims Champion' responsible for and directly reporting to the head of their respective agency on matters identified in the 2011 strategic recommendation.

Status: Partially achieved.

⁴⁰ European Union Agency for Fundamental Rights, *Underpinning Victims' Rights; Support Services, Reporting and Protection*, 2023, Page 3

ORGANISATIONAL RESPONSE



Terms of Reference and membership of the Victim and Witness Steering Group (VWSG) was reviewed following the 2020 Report and membership of the VWSG reconstituted at a senior level. The key purpose of the group is:

To provide strategic direction and oversight of the development and implementation of strategy, legislation, communications and multi-agency operational policy and practice in order to deliver improved outcomes for victims and witnesses; their effective care and treatment by the Criminal Justice System in Northern Ireland; consistent access to entitlements under the Victim and Witness Charters; and to enhance confidence in the criminal justice system. VWSG reports directly to the Criminal Justice Board (CJB) and is aligned and has interdependencies with the [Criminal Justice Operational Delivery Group] and the Criminal Justice Strategic Group on Sexual Harm.

The new VWSG held its first meeting on 12 January 2021. Since then, membership of the group has grown to include representatives from the Youth Justice Agency, the Law Society of Northern Ireland, the Bar of Northern Ireland and more recently, the Department of Health. Originally the VWSG met quarterly, however, the group agreed that frequency would move to a cycle of three meetings per year at their meeting on 18 January 2022.

In October 2021, the Department [of Justice] also published the Victim and Witness Strategy 2021-24. The Strategy was developed in conjunction with all members of the VWSG and it is underpinned by a multi-agency commitment to work together. Regular updates on implementation are provided to the VWSG. Some of the other key issues that the VWSG has considered/led on since 2021 include:

- consideration of research priorities;
- improving information to victims;
- development of Charters Strategic Communications Plan; and
- overseeing scoping of options for My Justice Journey.

A copy of the VWSG Forward Work Plan for 2023 has been provided. This sets out the agreed VWSG programme of work and some of the [items] for consideration over the coming year.

The Terms of Reference for the group requires that members are also Victim Champions for their organisation. It is for each Victim Champion to explain how they carry out this role, however, the Communications Subgroup is currently working on plans to raise awareness of Victim Champions both internally, across criminal justice organisations, and externally, via social media, on Victims of Crime Day (22 February 2023).

Inspectors' assessment

The VWSG terms of reference were reviewed to include delivering improved outcomes for victims and witnesses. Reporting structures as outlined were to the CJB and aligned with the Criminal Justice Improvement Group (CJIG). Minutes reflected meetings that were generally well attended and membership expanded to include the YJA, the Law Society of Northern Ireland, the Bar Council of Northern Ireland, and the Department of Health. A forward work plan had been agreed by members with indicators to assess progress. Among those who met with Inspectors, there was a strong belief in the importance of victims being at the heart of the system and a corresponding shift in culture was reported.

There was limited evidence for Inspectors to comment on how well the accountability and governance mechanisms for the VWSG had been working. The CJB met on four occasions between June 2022 and January 2023. It held a further meeting as the fieldwork for the inspection was concluding in June 2023. Over one year had passed between the two most recent CJIG meetings. Inspectors were concerned that this had been detrimental to the Steering Group's progress. While important initiatives had been financed, for example, the appointment of the CVOC Designate, more analysis would have been beneficial to demonstrate the basis on which budget allocations were made. The DoJ acknowledged that budget constraints had been a key factor in decisions around the prioritisation of workstreams. However, prioritisation had also been informed by consideration of victim and witness needs, interests and entitlements, and an assessment of greatest impact against this, within available budget.

Inspectors considered that approaches to human rights-based budgeting could have assisted in helping to evidence the relationship between budget decisions and victims' and witnesses' rights.⁴¹

'Consistent access to entitlements under the Victim and Witness Charters' had been identified as a core purpose of the VWSG strategic and oversight role. The full inspection highlighted '*...that there were no formal oversight arrangements within the VWSG meeting to address the two Charters and nor was this identified within the current meeting agenda being utilised.*' An Inspector attended a VWSG meeting as part of the Follow-Up Review and this remained an area for development in the agenda.

The dedication and amount of work undertaken by VWSG leads, members and subgroups was notable. The frequency of meetings had reduced to three times per year. Having observed a meeting there was a need for continued monitoring of frequency, as well as time afforded to focus on business priorities, as this would benefit from development. Meetings needed to facilitate challenge, which would be an important indicator of the maturity of the Steering Group's partnership.

41 This could be a helpful approach to draw on when setting out anticipated impact on victims' and witnesses' entitlements at the various levels of decision-making, for example, at Departmental and NMD [Non-Ministerial Department] level in relation to budget allocations; and at Department, NMD or VWSG level in terms of expenditure including whether different Departments, NMDs or agencies can plan together or co-ordinate spending – see *Office of the United Nations High Commissioner for Human Rights, Realizing Human Rights Through Government Budgets, July 2017* available at <https://www.ohchr.org/sites/default/files/Documents/Publications/RealizingHRTThroughGovernmentBudgets.pdf>.

A mapping exercise setting out the obligations arising from the Charter and corresponding duty bearers was positive. There was a need to progress monitoring against this and integrate reporting within the VWSG meetings. The Information Subgroup's consideration of victims' information-related complaints, and the response to this, was also important and could usefully feature on the main VWSG agenda.

Organisations' Victim Champions were designated members of the VWSG. A DoJ intranet video featuring all Victim Champions for European Victims of Crime Day was a positive example of working together to raise awareness of the role. The PPS provided examples of internal communications about the Victim Champion's work.

The Victim Champion role was still evolving and there was still work to be done to raise awareness of the role within the criminal justice organisations. Some were new to the role and continuity of relationships was therefore still to be developed. Not all Victim Champions regularly attended VWSG meetings. This was particularly marked in respect of the Police Service, which had been most challenged to ensure consistent representation at the VWSG.

Victims Champions' grip on organisational performance was an area for development and data remained process driven at times. For example, the PPS had information about targets for notifying victims of file receipt, prosecutorial decision and arraignment. Knowledge about the rate and quality of needs assessment being undertaken by the VWCU would have been beneficial. The PPS noted that its Stakeholder Engagement Forum provided a consultative relationship and an opportunity to update on new legislation, challenging legal issues, and policy developments. Inspectors considered it an important mechanism for the PPS to obtain feedback about the impact of everyday practice from victims and witnesses. The Police Service and the YJA provided Victim Satisfaction Surveys, and the NICTS had plans to undertake regular customer surveys. For all Victims Champions, routine analysis of relevant complaints data and performance data with reporting of thematic findings to the VWSG would have been beneficial.

The limitations in data available to Victims Champions impacted the VWSG's ability to assess the outcomes of its work as a whole. In the absence of routine outcome data the Victim and Witness Survey would be the main measure of how the system was performing, although it would not assess the experience of all victims. The most recent survey was published in August 2023, as this Follow-Up Review concluded. As noted at the end of this report, the VWSG programme of work and how it monitored progress needed to be informed by the experiences of those who took part in the survey.

Despite the progress made by the VWSG, greater leverage and influence across the partner agencies was needed to ensure its work was joined up. There was evidence that individual agencies had moved forward alone, particularly front facing organisations required to keep pace with service demands. An example was the potential for the NICTS future case management system to give case updates online, and the Police Service's plans for investigation updates through its online services.

These were positive steps undertaken by the individual organisations, but a plan to prevent a fragmented experience for victims and witnesses and provide a criminal justice system wide solution was required.

Overall, it was encouraging that the terms of reference had been reviewed. The VWSG had been clear and transparent in its work plan setting out what it would progress and what it had stalled due to budget issues. The commitment of Victim Champions was notable. Meaningful monitoring and challenge by the Group about performance in relation to victims' and witnesses' access to Charter entitlements was an area for development. It would also be important to revisit planning for projects that had stopped due to budget (*My Justice Journey phase 2*) when agencies developed plans to progress related areas of work individually. There was limited evidence of an accountable governance mechanism in practice. Inspectors appreciated that resource had impacted the VWSG's work and that the DoJ had committed to projects that could be funded in-year or had already commenced for the benefit of victims and witnesses. However, evidence of budgeting allocations against what the Charters' required would have been welcomed.

For this reason, Inspectors assessed this recommendation as  **Partially Achieved.**

STRATEGIC RECOMMENDATION 4

The Public Prosecution Service for Northern Ireland in partnership with the Police Service of Northern Ireland should establish a Victim and Witness Care Unit working group to examine a future Victim and Witness Care Unit service model, with a focus on enhanced provision of care for victims and witnesses in Northern Ireland within three months of report publication. A next steps options paper with recommendations should be prepared and submitted to the Criminal Justice Board within nine months of report publication. The paper should include options for:

- future human resource structures and models; and
- the development of the current Victim Support Northern Ireland provider role to include a Victim and Witness Needs Assessment Service adjoined to and supporting existing Victim and Witness Care Unit services.

Status: Partially achieved.

ORGANISATIONAL RESPONSE



PPS update: Progress Update July 21: A joint Working Group was established in November 2020, including three task and finish groups to progress the main aspects of the recommendations, as follows:

- Needs Assessment;
- Resourcing; and
- Training.

An options paper has been completed and is going through final approval of the VWSG for submission to the CJB in August 2021.

Progress Update January 22: The CJB approved the recommended model and approach in August 2021. Implementation is subject to further discussions on the required resources.

Progress Update January 23: A meeting took place with [the DoJ lead] in October 22 regarding the Needs Assessment Service, during which the PPS advised that whilst the PPS would take the lead on implementation of the Needs Assessment Service, responsibility for funding remains with the DoJ.

At VWSG on 17 January 2023, a paper tabled by Victims Support Division, DoJ stated at paragraph 7 – We acknowledge that, in the longer term, a number of the issues highlighted would, in principle, be improved by implementation of CJINI recommendations for a restructured Victim and Witness Care Unit (VWCU) and integrated Needs Assessment Service. However, as we have previously acknowledged, we do not currently have an identified budget to take forward these recommendations [Department's emphasis] and so, whilst they remain a longer-term aspiration, they cannot be progressed in the current budget climate.

The PPS were advised of an ongoing exercise to look at existing issues around information provision/communication across the CJ [Criminal Justice] agencies prior to consideration of a Needs Assessment Service – the recommendations from that exercise were shared at the VWSG. The PPS view is that the two can proceed in parallel.

Police Service Update: A Victim and Witness Care Unit (VWCU) Working Group was established in September 2020. This was chaired by the Public Prosecution Service with representation from the Police Service and Victim Support Northern Ireland. A resourcing paper incorporating the establishment of a Needs Assessment Service for victims was agreed by the respective organisations. This was presented to the Criminal Justice Board in August 2021 who agreed with the proposal in principle. In the current financial climate funding for such an extensive undertaking has delayed any implementation of the proposed service. Training for VWCU case workers has been developed and delivered by Public Prosecution Service in regard to developing the capacity of case workers to provide support to victims and witnesses.

DoJ Update: *This recommendation was directed to the PPS and the Police Service who, in partnership with Victim Support Northern Ireland, led on the development of proposals in response.*

This recommendation has been marked as technically achieved (in that a) the recommended options paper has been developed and a preferred model identified; (and b) this has subsequently been considered by CJB which indicated its support, in principle, for the recommended model). However, we acknowledge that further work to deliver the proposed model for the restructured VWCU has been deferred until funding can be identified. It should also be noted that both Operational Recommendation 9 (for the PPS/Victim Support Northern Ireland to review stage one of the overall three stage needs assessment process) and Operational Recommendation 10 (in respect of a PPS/Victim Support Northern Ireland partnership service provision protocol) cannot be progressed further at present as they are dependent on the implementation of this strategic recommendation.

Whilst work to establish a restructured VWCU and Needs Assessment Service cannot be progressed at this time because of resourcing constraints, we are progressing other measures that are intended to improve the services and supports to victims and witnesses, particularly in relation to improving how information about the criminal justice system; about their case; or about the supports available to them is communicated.

To this end, the VWSG has established an Information Subgroup, this group has mainly been focused on reviewing how information is shared with victims and witnesses.

One of the main work strands for the Subgroup has been to identify options for the development of a digital information portal (the 'My Justice Journey' project). The long-term vision for My Justice Journey is to provide secure access to case-specific information in one place for victims and witnesses, and further down the line, for defendants. The objectives are:

- *Phase 1 – to provide a platform for victims and witnesses and the general public to access easily understood generic information about the criminal justice system and the processes, services and supports that apply at each stage of it, in order to help individuals to navigate the system and to manage expectations; and*
- *Phase 2 - to empower victims and witnesses to access secure information relevant to their case; to understand what has happened in their case, what will happen next and what support services are available.*

The development of My Justice Journey is also a commitment under Victims and Witnesses Strategy.

Work on the development of Phase 1 (generic information) of My Justice Journey has commenced and is expected to be completed within the next 18 months, subject to securing the necessary resources. A number of papers on My Justice Journey have

been considered by the VWSG, the CJIG and CJB in order to agree the interim and long term direction of travel and oversee delivery.

In addition to the work on My Justice Journey, the Subgroup has also been carrying out an audit and mapping exercise on information-related complaints that have been received from victims on their journey through the criminal justice system. The group developed an initial paper for discussion purposes with VWSG members at their most recent meeting on 17 January 2023. This work is ongoing and it will seek to identify what interim measures which can be put in place to address issues and concerns about communication with victims.

Inspectors' assessment

A WVCU Working Group was established in September 2020 chaired by the PPS with representation from Victim Support Northern Ireland and the Police Service with subgroups to take forward different workstreams. Significant time and resource was committed to modelling what an enhanced service would require including costed options for a Human Resource Structure. Victim Support Northern Ireland employed a dedicated staff member for six months to research and help structure the paper. It was important that the new service could recruit people with the appropriate skills and experience to operate it. The vision was to maintain existing public sector recruitment for the WVCU Case Officer role with an increased presence of Victim Support Northern Ireland staff in a manner that would, '*...facilitate the development of an ethos within the WVCU which places victim care at the heart of its operations.*'

The paper had set out what a new Needs Assessment Service would do including a 'triage' approach and an expanded coverage so that the needs assessment process would commence at the point of reporting a crime through to completion of criminal proceedings. This, it was explained, went beyond the CJI inspection recommendation, and aimed to give victims a single point of contact from initial report to the police.

The Working Group had also considered potential for duplication of services and proposed cost saving measures that could be achieved through co-location and reconfiguring aspects of victim support services. With advice from the NSPCC, adjustments to take account of children's needs were made.

As a result of all this work, the group gave a total recurring cost estimate of £548,000 annually for the remodelled Needs Assessment Service. This would be in addition to the cost of operating the current WVCU model with annual staffing costs (based on full capacity) in the region of £1.69 million.⁴² Those who spoke to Inspectors were content that while the proposal for the new Needs Assessment Service was not necessarily the ideal model, it was a positive and realistic proposal, and implementation would have targeted the key issues for victims and witnesses: understanding needs and timely access to support. It should be noted that informing the WVCU staff team about the proposals and any developments would be important, as none of those Inspectors met with were aware of the proposals.


42 Figure provided to CJI by the PPS by email 7 July 2023.

The paper was approved in principle by the CJB but set aside due to there being no budget to implement it. Approval in principle indicated support for, and recognition of the importance of, the proposed service for victims and witnesses. However, there had been no meaningful work since this time to map out the practicalities of implementation, to examine options for realising implementation over time, or to revisit what the options or up-to-date costs might be.

Measures outlined in the DoJ update (see previous) in relation to the development of the *My Justice Journey* and the mapping of victims' information-related complaints were positive but neither initiative addressed the recommendation. The thematic issues raised by the latter provided important data to support what victims, stakeholders and CJI Inspections had said about information accessibility including language used in letters. These issues remained apparent during the Follow-Up Review and it was important that organisations, led by their Victims' Champions, progressed work to address this, as well as regular auditing of their own organisation's responses to victims' and witnesses' complaints.

A recent review of the Victims' Rights Directive highlighted two priority areas for improving practice: access to support services and protection from repeat and secondary victimisation. Inspectors considered that achieving this strategic recommendation would have helped in relation to both areas. An enhanced needs assessment service was fundamentally required to protect victims from secondary victimisation. It could also facilitate monitoring of victims' access to support services and help plan for future demand.

Overall, the diligence and dedication of the working group in developing proposals for an enhanced needs assessment service from the point of report through to Court was positive. The option proposed was approved, which gave recognition to the fact that this was a service that victims and witnesses required. It was disappointing that there was no evidence of a plan to revisit the paper or investigate potential budget availability in the future. There were concerns expressed that initiatives already commenced by the DoJ to advance services for victims and witnesses would be stopped if the new Needs Assessment Service was funded. However, Inspectors did not receive a formal assessment outlining this type of anticipated impact, or the potential savings that could be achieved across the system, in relation to delay for example, by ensuring better needs assessment and support for victims and witnesses in a timelier way.

For the reasons outlined, Inspectors assessed this recommendation as  **Partially Achieved.**

OPERATIONAL RECOMMENDATION 1

The Public Prosecution Service for Northern Ireland should introduce enhanced induction and continuous training for staff attached to the Victims and Witness Care Unit within six months of the publication of this report.

Status: Partially achieved.

ORGANISATIONAL RESPONSE

 Achieved

PPS Update Progress Update July 21: Both agencies [PPS and Victim Support Northern Ireland] have met to explore interim training that can be progressed in advance of a more comprehensive programme, as part of the overall VWCU review (see Strategic Recommendation 4). COVID-19 restrictions have restricted our ability to progress with classroom learning for suicide prevention skills - and plans to introduce online training on victim care and the Victim Charter have been delayed due to technology issues and recent staff absence within Victim Support Northern Ireland. It is hoped that both these interim pieces will progress in September as restrictions continue to lift and a new Victim Support Northern Ireland Learning and Development manager is brought on board.

Progress Update January 22: Progress has been through the delivery of a bespoke training course from VSNI [Victim Support Northern Ireland] to VWCU Case Officers as well as an awareness session for managers. Following evaluation, this course will now provide the foundation of a comprehensive review of training and induction for case officers.

Progress Update January 2023: The course delivered by VSNI [Victim Support Northern Ireland] in November 2021 has since been reviewed and agreement has been reached with VSNI [Victim Support Northern Ireland] to provide this training on a yearly basis to VWCU staff – delivery of the next tranche is scheduled for February 2023, subject to final sign-off of the course content. Two course content documents have been provided.

It should be noted that a comprehensive training and induction programme has now been approved by the PPS People and Resources Committee. This was developed in the context of complexities encountered in the establishment of the Needs Assessment Service. A copy of the paper to the Committee has been provided.

Inspectors' assessment

The PPS People and Resources Committee approved a training and induction programme. It noted that a number of aspects were already in place including 'training and induction three-month buddying.' Generic Northern Ireland Civil Service online training on induction, bespoke training from Victim Support Northern Ireland recurring every 18 months, job shadowing of certain Court functions, and personal resilience and wellbeing had been included.

Although the development of training with Victim Support Northern Ireland was delayed due to the impact of the COVID-19 pandemic, a bespoke training package was developed. Initial sessions were delivered in November 2021 and subsequently a session focusing on 'soft skills' (interpersonal communication and handling difficult conversations) in February 2023. This included the role of Victim Support Northern Ireland, wellbeing techniques for clients and for VWCU staff at the Belfast and Foyle offices.

From an internal performance report, it was apparent that the PPS had sought to build on learning from the training sessions. It had identified a potential gap in training for soft skills when callers presented with suicidal thoughts and to build staff's personal resilience when responding to these calls. As a result, Victim Support Northern Ireland accredited trainers agreed to provide training to four VWCU staff in April 2023 at no cost. This was the internationally recognised Applied Suicide Intervention Skills Training. It was positive that some VWCU staff had been identified to undertake the training. Nevertheless, it was a small proportion of the team and remained important to ensure availability to all who would benefit.

As highlighted during the full inspection, the everyday work of the VWCU involved conversations that were often difficult and required an understanding of the impact of trauma and the ways in which the criminal justice process could further victimise people. Staff were generally aware of this but felt more support was needed or that it was often beyond their role, capacity or skillset. Frustration remained that staff could be required to support victims and witnesses who were upset about other aspects of the system. However, positive working relationships were described by the team, as one staff member who met with Inspectors explained, '*individually we all want to do [our] best and care for people*' and that the VWCU staff were '*a good team and good support.*'

While CJI received information about opportunities to work shadow, for example, at Courts, not all staff seemed aware of these plans. There was an opportunity to communicate in advance to staff about the different ways in which the PPS was planning for their support and training. Team meetings had not been occurring consistently across both the Belfast and Foyle offices. These would have been beneficial for staff and managers to discuss key issues and training needs, particularly given the flexible working patterns. Opportunities for the Foyle and Belfast teams to engage would also have been beneficial.

An Inspector spent a morning with a VWCU Supervisor talking through induction. A supportive process was described whereby staff were provided with the Charters and encouraged to access different aspects of the induction manual as and when required. New staff were supported to seek out assistance and ask questions. If working from home, managers and colleagues were available by telephone or online. However, Inspectors were not assured that the induction process had been fully reviewed. An induction manual was dated and expectations about use had not been the same across the teams or managers Inspectors spoke to.

During the full inspection, the need to reassess the importance of the relationship between the VWCU and Prosecutors was highlighted. It encouraged opportunities for one-to-one interactions such as rotational attendance at staff meetings or as part of inductions to both roles. Interaction between prosecutorial staff and the VWCU in either the Belfast or Foyle offices was not apparent and there was little sense of connection between these roles.

Opportunities for joint engagement would have been beneficial to assist the PPS in discharging its responsibility to support Prosecutors and VWCU staff in understanding the relationship between their roles. For example, what the PPS expected when witnesses' queries related to legal as opposed to administrative matters, or when VWCU tasks required legal expertise. On a visit to a VWCU, Inspectors were concerned about potential legal complexities involved in editing a letter, which VWCU staff had been expected to undertake pending an IT solution.

The original inspection had also encouraged the PPS to explore good practice and lessons learned through the Police Service experience of providing support and training to Call Handling staff. This had not been considered by the PPS at the time of the Follow-Up Review. Since the inspection, the Police Service had established an Employee Engagement Group and one of the VWCU Staff was a member. This was an opportunity for the PPS to consider with the Police Service, potential ways to extend learning for the benefit and support of the VWCU team.

The development of training had been positive and in the spirit of the recommendation. The need to develop engagement with, and learn from, the Police Service experience was an important area for development. In addition, the delivery of training had been recent and continued evaluation was needed. The induction process required a more holistic review including of the materials available and expectations about their use and application. Opportunities to facilitate engagement between Prosecutors and the VWCU and support each in understanding expectations around their respective roles were also needed.

For these reasons, Inspectors assessed this recommendation as  **Partially Achieved.**

OPERATIONAL RECOMMENDATION 2

The Police Service of Northern Ireland in partnership with Victim Support Northern Ireland should review practices for the provision of victim information by police first responders to victims within six months of the publication of this report.

Status: Partially achieved.

ORGANISATIONAL RESPONSE



Police Service update: *The Police Service in partnership with Victim Support Northern Ireland reviewed the provision of information by first responders and amended and updated literature as a result. A Victim and Witness Information subgroup, chaired by the Department of Justice commenced June 2021. The provision of information to victims and witnesses in accordance with the 2022-24 Victim and Witness Strategy was identified as one of the key priorities for the group. This group involves representatives from all statutory criminal justice organisations, Victim Support Northern Ireland and the NSPCC. Literature provided to victims has since been reviewed and updated where required. The increased input into the various police training programmes (Operational Recommendation 3) also provide opportunity to reinforce with Officers the need to provide the correct information at first point of contact. The development of longer-term technical solutions to include automated provision of information to victims and witnesses are currently being considered as part of the actions arising from the subgroup.*

Inspectors' assessment

The original 2020 Victims and Witnesses inspection noted that, 'Provision of key information that relied on the actions of a single Police Officer to deliver a paper leaflet in often very busy and complex live operational environments required renewed consideration by the criminal justice system that explored opportunities through more up to date approaches.' Paper-based material continued to be the main way in which police first responders provided information to victims. The Victims of Crime Leaflet had been reviewed since the inspection and remained a considerable length. The Police Service reported that 'The Information for Victims of Crime leaflet was reviewed and updated through the Victim and Witness Information subgroup chaired by DoJ. Input was provided by the Police Service, criminal justice partners and victim support organisations.'

The original report highlighted a link in the online leaflet about information sharing, which referred to a six-page document that had not met accessibility requirements. The revised leaflet linked to a one-page overview on the Police Service webpage on Data Protection and appeared more accessible (for example, 'what is personal data?' and 'Data protection principles'). A development since the inspection included a wallet sized calling card with a crime reference number and contact details. Some Police Officers considered the calling card easier to use and speculated that frontline Officers were perhaps more likely to use it.

Inspectors heard about the Police Service Digital Citizens Services focused on improving digital services provided primarily through its website. This had included the development of online reporting. Individuals reporting online had been receiving an acknowledgement email with incident reference numbers and additional information if relevant including Investigating Officer and local Neighbourhood Policing Team contact details, and the Victims of Crime and Charter leaflet.

Feedback on whether the service to victims had been enhanced because of the revised leaflet, the calling card or information through online reporting was not available.

Inspectors were not assured that the leaflet was accessible given the volume of text that it contained. The card was more concise but provided less clarity on *Victim Charter* entitlements and, in respect of referrals to Victim Support Northern Ireland, suggested people would need to make contact themselves (*you can contact them on...!*).

As in the full inspection, it remained unclear how Officers were communicating with people about referral to Victim Support Northern Ireland. The Police Service provided a flowchart for the referral process which stated that, “*CMSU [Call Management and Supervision Unit] updates Niche occurrence to indicate leaflet given to victim and whether victim has actively objected to referral to Victim Support Northern Ireland or Advocacy Service. Consent for referral is not required*”⁴³ Police Service figures showed referrals had declined and work was ongoing to understand the reasons.

Frustrations were described about the quality of referrals, for example, when contact details were not correct and Victim Support Northern Ireland had been unable to reach the victim. Inspectors heard that in some instances next of kin details or up-to-date mobile telephone numbers had not been provided.

Inspectors agreed that the Information Subgroup was an important mechanism to review information provided to victims, as it involved representatives from a range of agencies and stakeholders including Victim Support Northern Ireland and the NSPCC. At the time of the Follow-Up Review, it had been amalgamated with the Communications Subgroup and appeared a constructive way to proceed given the potential overlap. As already discussed, the *My Justice Journey* aimed to provide accessible information about the criminal justice system online and in one place. Its potential was perhaps best realised in relation to this recommendation because it could facilitate better use of technology and therefore help in removing the main reliance on an individual Police Officers to provide a leaflet. The Police Service was also planning for the development of a ‘Victim Support Application’ on Police Officers’ mobile devices to send an automatic email to the victim with details of support services and a copy of the Victims of Crime leaflet.

Overall, review of the information leaflet provided by first response Officers was positive. However, there was no data to demonstrate whether the revised materials had improved outcomes for victims and the decline in Victim Support Northern Ireland referrals highlighted the importance of this type of enquiry. The development of Police Service online reporting, which provided information to victims was also notable and links with the VWSG Information/Communications Subgroup had been an important forum for progressing this recommendation. However, its work in respect of the *My Justice Journey* had not reached the stage of delivery. *My Justice Journey* had a limited budget and as a result, progress had been slow.

Inspectors assessed this recommendation as  **Partially Achieved.**

43 excerpt step from PSNI flowchart ‘Victim Support Process’ provided to CJI 23.May 2023.

OPERATIONAL RECOMMENDATION 3

The Police Service of Northern Ireland should review Victim Support Northern Ireland input to Student Officer and District Training within three months of the publication of this report.

Status: Partially achieved.

ORGANISATIONAL RESPONSE

 **Achieved**

Police Service Update: *The Police College and Victim Support Northern Ireland have developed a course which provides an enhanced input to the Student Officer Programme by Victim Support Northern Ireland. This includes a mixture of online and in person training. The course includes various related subjects including raising awareness of victim's rights and entitlements under the Northern Ireland Victim Charter. The first course was delivered in June 2021. The course is now delivered by police trainers as a result of the 'training the trainer' aspect of the course. District training was seriously impacted by the COVID-19 pandemic hence the delay in implementing this aspect of the training. The District Training Committee has since considered and authorised similar input to be included within the District training cycle. An exact date for commencement cannot be confirmed at this stage, only that it will commence later in 2023. The newly designed Probationary Officer Certificate/Degree programme intended to commence spring of 2023 will include similar input. Criminal Justice Branch are also delivering similar training as part of the newly launched First Line Supervisor training programme, the first course of which commenced 23 January 2023.*

Inspectors' assessment

As first responders to reports of crime, frontline Police Officers had an important role in signposting victims to support and services provided by Victim Support Northern Ireland. At the previous inspection, there was limited evidence to suggest that frontline Police Officers fully appreciated the rights of victims to 'understand and to be understood' and of their obligation to signpost victims to support services other than a requirement to provide an information leaflet. Inspectors believed that direct and ongoing collaboration with Victim Support Northern Ireland would be helpful in the development of the Student Officer development programme and, that those attached to policing Districts across Northern Ireland receive training which reinforced the significance of the interface between frontline Police Officers and victims, when a crime was reported.

Inspectors met with trainers at the Police Training College and reviewed training materials developed for Student Officers, First Line Managers (Sergeants) and staff working in Police Service Districts. The module for Student Officers had been introduced earlier in the training programme before their first statement lesson and the *Victim and Witness Charters* formed part of the pre-read material. The training materials emphasised what victims and witnesses were entitled to under the Charters, set out details of the most

common complaints raised by victims about the service provided by the Police Service and information about referral and advocacy services. The expectations of Police Officers and line managers in terms of victim updates and the need for accurate recording were also covered as was the role of the VWCU.

Student Officer and First Line Manager training was being delivered by Police Service College tutors who had been trained as trainers. Victim Support Northern Ireland had been involved in devising the training content but were not resourced to input directly to the delivery of training. Victim Support Northern Ireland had an opportunity to speak to Student Officers through a community engagement evening and Police Officers also received information about Victim Support Northern Ireland's role in supporting victims as part of Court visits.

The revised Student Officer training content was first introduced in June 2021 and from then until 3 April 2023, 463 Student Officers had completed the Victims, Witnesses and Suspects within the Criminal Justice System in Northern Ireland training module.

Six classes involving 96 Sergeants had completed the First Line Managers' Development Programme including the revised input on victims and witnesses and a further 12 courses were scheduled during 2023. In total 288 Sergeants will then have completed this programme.

While it was positive that a module for District training had been developed, this had not yet been delivered. It was estimated that 1,700 Officers, from Local Policing Teams, Neighbourhood Policing Teams and their Sergeants would eventually be trained through attendance at District Training courses. At focus groups Police Officers and line managers confirmed refresher training would be welcomed to raise awareness of the Charters, special measures and support services available to victims and witnesses.

Apart from participant feedback following the completion of the training module and through a developmental exam for Student Officers, there was no mechanism to monitor and understand the impact of the training on First Line Managers or Student Officers following their deployment.

Overall, Inspectors acknowledged the progress made to review the training content and that this was now being used as part of Student Officer and First Line Manager training. However, there was no mechanism to evaluate its impact and it had not been rolled out to policing Districts across Northern Ireland.

Inspectors assessed this recommendation as  **Partially Achieved.**

OPERATIONAL RECOMMENDATION 4

The Police Service of Northern Ireland should review use of current risk and needs assessment tools that have evolved in response to vulnerability. The review should explore operationally effective technical solutions based on the concept of single data input within six months of the publication of this report.

Status: Partially achieved.

ORGANISATIONAL RESPONSE

 **Partially Achieved**

Police Service Update: *The Police Service is currently developing a mobile app providing a single data input. The first version of which being the current Public Protection Notice (PPN) system which is used for Domestic related incidents. The PPN provides a higher level of scrutiny, more reflective recording in terms of professional judgement and one place to make referrals from. Once completely embedded, other areas of vulnerability will be considered. Subsequent reviews will consider the impact on service provision due to the increased demand on frontline officers and support staff in inputting the required information.*

Inspectors' assessment

The development of the Public Protection Notice (PPN) as a tool to enhance risk assessment in response to domestic abuse was positive. Although the PPN was not reviewed in practice for this Follow-Up Review, there was broad consensus among those Inspectors spoke to that it enabled a more reflective assessment and eased the referral process to social services and support organisations (rather than requiring manual follow-up by a Police Officer in the Central Referral Unit).

Those Inspectors met with generally welcomed tools that could assist frontline Police Officers in assessing risk and needs provided the capacity of frontline Police Officers to undertake response work was not negatively impacted. However, the PPN had not been developed to encompass other areas of risk or needs assessment, although there was an intention to consider its possible future extension to the Vulnerability Risk Assessment Matrix or 'VRAM' tool used to assess the risk and impact of hate incidents and crimes on the victims and wider community.

There was not a common understanding by the Police Service representatives about the feasibility of this recommendation. During the factual accuracy check process, the Police Service outlined that a digital application to record and share the relevant information in a PPN was at the end of the development stage, and was due to undergo review and testing before being rolled out to front line staff. In this respect, the Police Service had been developing digital technology in considering vulnerability with a stated intention of working towards a single data input.

Police Officers described the demands on first responders who did not always have capacity to assess victims' needs. As in the full inspection, information about victim needs was currently captured on a Witness Care Form located on the reverse side of Form 38/36 (Witness Statement). The Witness Care Form was completed when Officers recorded the victim's statement, which was sometimes weeks or months after first report.

There was a suggestion from some interviewees, although not a view shared by all, that the Police Service should consider a Victim and Witness hub to provide updates, identify victims' needs and make onward referrals. The original report identified that *'Officers didn't demonstrate and seldom recognised the importance of continual needs assessment following initial completion of the Witness Care Form unless initiated by the victim or witness.'* VWCU staff continued to highlight a lack of information on the Witness Care Form they received.

As part of its input to the proposals for Strategic Recommendation 4, the Police Service developed options to transfer information it recorded on vulnerability to a new Needs Assessment Service within the enhanced VWCU. It had also agreed a new Risk and Needs Assessment electronic form. This form would have attached to the individual's Police System record and been accessed by the VWCU. However, the Police Service had not progressed this because the budget for the enhanced VWCU was not approved.

Overall, the development of the PPN was positive, and the Police Service plans to progress a digital application to record and share information within the PPN was promising, although Inspectors note that it had still to be implemented. A specific review document that outlined how this recommendation had been addressed more widely including plans to include other areas of vulnerability would have been beneficial. Evidence of an assessment outlining the potential for a single data input following implementation of the PPN application would be also important.

For these reasons, Inspectors assessed this recommendation as  **Partially Achieved.**

OPERATIONAL RECOMMENDATION 5

The Police Service of Northern Ireland should review the current approach to providing investigation updates to victims within three months of the publication of this report.

Status: Partially achieved.

ORGANISATIONAL RESPONSE



Police Service Update: *The Police Service in partnership with Victim Support Northern Ireland reviewed the process for providing updates to victims and the obligations to do so under the Northern Ireland Victim Charter. It was agreed that the main issues were not necessarily the process but in the manner of how Police Officers communicated with victims. The increased input by Victim Support Northern Ireland into police training programmes was developed to include guidance in dealing with victims in a sensitive and empathetic manner. Further work in providing supervisors and Officers with renewed guidance and focus on the qualitative aspect of victim updates has commended [sic] upon direction of Assistant Chief Constable Local Policing. A Communications Plan is being developed regarding increasing awareness of the Northern Ireland Victim Charter and the entitlements for victims arising from this.*

Inspectors' assessment

Inspectors welcomed that the Police Service had reviewed the approach with Victim Support Northern Ireland and identified an issue around the quality of updates provided. Monitoring data had also been used by the Police Service to identify a gap in compliance between Police Service performance rates and victim satisfaction. The former remained high on achieving the 10-day update at over 94% since 2019-20, whereas victims' satisfaction about being updated on the case had been lower, between 56% and 59% since 2019-20.

The Police Service internal report to the Service Performance Board had considered other available data including confidence in policing as reported in the NISCS, the Office of the Police Ombudsman Northern Ireland Failure in Duty allegations related to failures in contact, and the Northern Ireland Policing Plan Survey.

An action plan with 'suggested steps to improve performance relating to victim contact and victim satisfaction survey' had been developed. This included a revised Communications Plan for the Police Service relating to victim contact to encompass guidance on five key points relating to the timing of victim contacts and expectations for supervisory review.

Recent developments included revised guidance for District Performance Chief Inspectors. Performance Chief Inspectors would have a greater focus on qualitative aspects of updates as part of the performance management regime. Progress on the actions was being monitored through the Service Performance Board. Revisions had been included in training programmes and would be reflected in the new 'Victim Support' page on the Police Service intranet POINT.

The action plan was promising. However, it was relatively recent and would have benefited from timescales for all of its elements. During focus groups, supervising Inspectors reported dip sampling two cases per month but with limited guidance on what this should entail, for example, the content of the information provided, including

expectations around assessing needs. A recent His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) Policing Effectiveness, Efficiency and Legitimacy (PEEL) inspection highlighted that while THRIVE (a vulnerability risk assessment tool) was undertaken at initial contact (by Call Management Centre staff), it was not used subsequently, and this would be a further and related area for Police Service Supervisors to consider.⁴⁴

The Police Service was exploring an option for its Digital Citizens Services to give investigation updates online. While not wanting to detract from the priority the Police Service had attached to this work, it was important that any potential to make this a whole criminal justice system approach was explored with the DoJ and criminal justice partners (also referenced in the assessment of Strategic Recommendation 3). Senior Officers considered there was no reason why the system could not integrate links to other portals in future (if, for example, the *My Justice Journey* Phase 2 case information portal was developed). However, if progressed as intended, the result would be a fragmented experience for victims in relation to the receipt of updates and, as one stakeholder was concerned, a perception that individual agencies were 'doing their bit of the puzzle.'

Overall, the Police Service was at the early stages of implementing plans to address the disparity in victims' satisfaction versus victim update data and learning from the performance management would be important.

For these reasons, Inspectors assess this recommendation as  **Partially Achieved.**

OPERATIONAL RECOMMENDATION 6

The Public Prosecution Service for Northern Ireland and the Police Service of Northern Ireland should review policy and practice for Single Point of Contact arrangements in line with the provisions set out under Articles 3, 4 and 6 of the European Union Directive to ensure best practice meets the needs of bereaved victims and family members as defined under Article 2 of the European Union Directive within three months of the publication of this report.

Status: Achieved.

ORGANISATIONAL RESPONSE

 **Achieved**

PPS Update Progress Update July 21: *Completed – a revised Protocol was implemented in January 2021.*

Progress Update January 23: *Completed – a revised Protocol was implemented in January 2021 and reviewed in January 2023. A copy of the PPS/Police Service Joint Protocol has been provided.*

⁴⁴ HMICFRS, *The Police Service of Northern Ireland, An inspection of police effectiveness, efficiency, vetting and standards, October 2023* available at <https://hmicfrs.justiceinspectorates.gov.uk/publications/psni-inspection-of-police-effectiveness-efficiency-vetting-and-standards/>

Police Service Update: *The Public Prosecution Service and Police Service agreed a Joint protocol for cases involving fatalities in line with the provisions of the European Union Directive. This protocol sets out the procedures for maintaining contact with bereaved victims and family members. The protocol was agreed and implemented in January 2021.*

Inspectors' assessment

In the previous inspection a number of discussions with victims and a review of relevant guidance highlighted the need for continuity of treatment for bereaved families and coherent communication with them. Inspectors recommended that the PPS and the Police Service should review their current policy and practice to improve outcomes for victims.

The PPS and the Police Service agreed a joint protocol for cases involving fatalities and this was operational from January 2021. The arrangements were subsequently reviewed in January 2023.

The protocol set out the procedures for maintaining contact with bereaved victims and family members. It stipulated that the Police Service's Family Liaison Officers (FLOs) would act as the conduit between the VWCU and the next of kin for the delivery of key information and updates. The key points of engagement were detailed and the requirement for the details of the FLO and the next of kin to be submitted when files passed from the Police Service to the PPS was included.

There was no documentary evidence available to demonstrate any improved outcomes for victims since the implementation of the protocol, but the Police Service reported that most families were appreciative of the professional service, support and advice provided by FLOs. The limited number of complaints was viewed by the Police Service as an indicator of success.

Overall, feedback from the VWCU and their line managers was that the revised arrangements were generally working well and the Police Service were not aware of any issues being raised regarding engagement between FLOs and VWCUs.

This recommendation was assessed as having been  **Achieved.**

OPERATIONAL RECOMMENDATION 7

The Police Service of Northern Ireland should centralise command and management of Family Liaison Officers within three months of the publication of this report.

Status: Partially achieved.

ORGANISATIONAL RESPONSE



Police Service Update: *The Family Liaison Cadre was centralised under the command of Serious Crime Branch in August 2020, headed by a Detective Superintendent.*

Inspectors' assessment

When the previous inspection was conducted, the Police Service had been considering a proposal to centralise command for FLOs. It was hoped this would result in increased co-ordination, more effective deployment and easier recognition of welfare issues. Inspectors supported the bringing of FLOs under central command and management.

While the cadre of FLOs was centralised under the command of Serious Crime Branch in August 2020, the benefits of this arrangement had not yet been fully realised. The main improvement in the four years since the previous inspection was the more effective and consistent deployment of FLOs and improved governance of the service.

There was no longer a delineation between FLOs who responded to fatal road traffic collisions and homicides and a Northern Ireland wide on-call rota was in place whereby one Family Liaison Co-ordinator (FLC) and four Officers were on call in every 24-hour period. The Police Service reported dual deployment of Officers in 95% of cases. Track and trend data was routinely analysed and the Police Service reported it was better able to track where and how many times a FLO was deployed. This helped ensure fairness and consistency and support staff welfare.

A Detective Sergeant had relatively recently been appointed to assist with the management of the FLO function. In the last three to four months plans were being made to develop a common training programme for all FLOs which would include a requirement for Continued Professional Development. Training was due to commence in September 2023. Bi-monthly meetings had been established with FLCs to provide better oversight of FLO deployment and address issues including training and staff wellbeing.

There were no current plans to develop Homicide Services similar to those introduced throughout England and Wales by Victim Support. Although in the Victim and Witness Strategy 2021-24 the DoJ included a commitment for 2023-24 to consider how support services for bereaved families could be extended.

FLOs we spoke to as part of this Follow-Up Review continued to report some concerns about aspects of their deployment and lack of role specific training/refresher training. This was particularly the case for those who had not previously been assigned to homicide investigations. Having more localised information about the range of help and assistance available to families would be beneficial. FLCs were reported to provide good support but that you had to ask for support. There were limited opportunities to share learning which hopefully the proposed training and regular bi-monthly meetings could help address.

The plans being developed for training and actions to improve communication and monitor deployment were positive and should, in time, result in better lines of accountability and better staff support and wellbeing. The data provided by the Police Service showed a 25% increase in deployment of FLOs from 77 in 2020 to 96 in 2022. It was very important therefore to closely monitor and implement the plans which were currently being developed.

This recommendation was assessed as being  **Partially Achieved.**

OPERATIONAL RECOMMENDATION 8

The Public Prosecution Service for Northern Ireland in partnership with Victim Support Northern Ireland should review the stage one Initial Needs Assessment letter sent to victims and witnesses within three months of the publication of this report.

Status: Not achieved.

ORGANISATIONAL RESPONSE

 **Partially Achieved**

PPS Update: Progress Update July 21: A review of letters has been completed in conjunction with VSNI [Victim Support Northern Ireland]. The draft templates are to be reviewed by the PPS internally and the prioritised by the ICT [Information Communication Technology] Change Board prior to implementation.

Progress Update January 22: As per July 21 update. Information Communication Technology (ICT) Change priorities have been set for the remainder of the year- these changes do not incorporate changes to VWCU letters.

Progress Update July 22: As per January 21 update. Position remains the same.

Progress Update January 2023: The original review of letters examined the file receipt letter and various letters sent when a decision is taken.

As previously outlined, prioritisation of other ICT work related to wider criminal justice initiatives (for example, Committal Reform, Digital Evidence Management) has prevented the implementation of these letters into our Line of Business System. However, we envisage that capacity may exist within the next few months to begin progressing this work.

Copies of the revised documentation are provided.

Inspectors' assessment

The PPS reviewed the relevant letters with input from Victim Support Northern Ireland.

The text of the reviewed 'File received letter' signposted people to the *Victim Charter* and to Victim Support Northern Ireland. There was also a link to the Victim Support Northern Ireland victims guide on its website. Enclosures included an information card about Victim Support Northern Ireland services; leaflets about the role of the PPS and the VWCU; and how to make a complaint if unhappy with the service. The letter concluded, '*Lastly I would encourage you to consider contacting Victim Support Northern Ireland for support should you feel you need it.*'

Letters informing about a decision not to prosecute, namely, the V60e letter (where the decision was due to insufficient evidence), and the V60i (where the public interest test had not been met) had also been reviewed. These outlined how to make contact if a further explanation of the decision was desired and set out the right to review the decision. A PPS leaflet was enclosed and reference to support available included details about how to contact Victim Support Northern Ireland. A Victim Support Northern Ireland leaflet would also be included.

The letter about a decision to prosecute was revised as well. This was the only letter provided to Inspectors that invited victims to complete an assessment of their needs. It said, '*If the Defendant(s) pleads not guilty to this offence, you may be required to come to court to give evidence. We would therefore like to know what needs you may have so we can arrange the most appropriate support. I would be grateful if you could **complete the enclosed needs assessment form and return to me** in the pre-paid envelope provided.*' Leaflets for Victim Support Northern Ireland, the DoJ Victim Personal Statement leaflet and a special measures leaflet were enclosed.

It was important that the criminal justice system empowered victims and witnesses to have needs assessed in a way that reflected their entitlements. While Inspectors appreciated the importance of explaining the next stages of the criminal justice process, there was an opportunity to encourage needs assessment upfront and unconditionally. Potentially, the language used risked communicating to victims that the offer to assess needs was dependent on what the defendant would do ('*If the defendant pleads not guilty...*').

Due to the prioritisation of other ICT development work, revised letters had not been implemented into the PPS ICT workplan. This remained the case at the time of the Follow-Up Review. Inspectors were told the PPS ICT consisted of a small team, and externally driven pressures (for example, ICT changes to support Committal Reform and Remote Evidence Centres) had left little capacity for other changes. The PPS indicated that there would be scope for other ICT changes in early Autumn and it would emphasise the importance of the revised letters to the IT Change Board. Inspectors were concerned that the reviewed letters were dated, as two years had passed since amendments had been made. Developments in service provision for victims since 2021 included the DoJ

funded ASSIST NI advocacy service for victims of domestic and sexual abuse, and the Sexual Offences Legal Advisors service (SOLAs). It was therefore important that letters referencing support, including the initial needs assessment letter, were kept under review.

Overall, Inspectors acknowledge that the letters had been reviewed by the PPS with Victim Support Northern Ireland and the PPS had provided a tentative plan for implementation. However, because the revised letters had not been implemented, and the time that had lapsed since the text had been reviewed, Inspectors assessed this recommendation as

 **Not Achieved.**

OPERATIONAL RECOMMENDATION 9

The Public Prosecution Service for Northern Ireland in partnership with Victim Support Northern Ireland should review stage one of the overall three stage needs assessment process within three months of the publication of this report.

Status: Not achieved.

ORGANISATIONAL RESPONSE

 **Achieved**

PPS Update: Progress Update July 21: *The members of the VWCU Working Group consider that this review should be captured within the overall work around an enhanced role for Victim Support Northern Ireland with the Unit.*

Progress Update January 22: *Completed although detailed design and implementation dependent on the implementation of the model defined under Strategic Recommendation 4 above.*

Inspectors' assessment

The overall needs assessment process was reviewed as part of the paper developed by the VWCU working group. However, because the enhanced model had not been implemented, review of the needs assessment process had not progressed. As described in the update provided for this Follow-Up Review, it remained aspirational.

The original inspection had reported a pilot period in which the PPS tested the concept of Initial Needs Assessment by post. Returns were measured against a comparative telephone sample and showed completed assessments had reduced by around 36%. However, the proportion of referrals to Victim Support Northern Ireland had remained consistent. A further five-month review period showed referrals to Victim Support Northern Ireland were higher than in the telephone sample but completed needs assessment had fallen further.

The full inspection reported that:

*'Given the approach to needs assessment at Stage 1 Initial Needs Assessment by postal communication (letter) and not personal contact by phone, Inspectors had concerns as to whether this was in the long-term interests of victims and witnesses. **The move from a more personal approach to communicating by letter and the 'low completed' return rate of Initial Needs Assessments during the pilot (and the additional period analysed) suggested a need for ongoing monitoring and review.***

*Inspectors were satisfied that monitoring through existing governing structures provided adequate management of risk to facilitate a lengthy testing period in order to provide strong analytical evidence of outcomes. **A further full review of the evidence after a reasonable period of implementation should consider the quality, quantity and completeness of Initial Needs Assessments posted and the impact of returned Initial Needs Assessments on supporting outcomes for victims and outcomes in the criminal justice system.***

The PPS had not continued to monitor the Initial Needs Assessment return rate or the quality of returns. As a proxy measure Inspectors requested referrals to Victim Support Northern Ireland by the VWCU. This did not encompass referrals made by VWCU staff at a later stage of the needs assessment process. PPS management information figures showed a drop in the number of referrals to Victim Support Northern Ireland, although it was important to caution that this had not been analysed in terms of the proportion of victims contacted at the initial stage (Table 2).

Table 2: Number of 'Referral Agency Support' Tasks 1 January 2018 – 9 May 2023

Calendar Year	Referral to Victim Support Northern Ireland
2018	1,509
2019	1,536
2020	986
2021	1,403
2022	1,355
2023 (up to 9 May)	668

The PPS also needed to assess this data against figures held by Victim Support Northern Ireland, who indicated that referrals had increased.

Understanding the return rate and quality of Initial Needs Assessments, and how this impacted outcomes for victims and witnesses, including timely access to special measures was crucial. The PPS management information reflected over 90% of special measures applications had been granted for each financial year from 2019-20 through to 2022-23. Figures had not shown if the need for special measures had been identified by police or at the Initial Needs Assessment stage, or the proportion of victims' requests that had been applied for.

VWCU staff sensed that often people had not wished to engage in needs assessment until there was certainty about attending Court. Most advised that engagement tended to be at this later stage when the VWCU telephoned to establish availability for Court. This later contact was initiated because of an administrative need to confirm availability for Court. It was important and required, but the impetus was not mainly about the victim. Needs identified at this stage were placed into the 'availability notes,' as there was no needs assessment form.

While acknowledging the sensitivity which some VWCU staff described in encouraging victims and witnesses to talk about needs, and a view that the entirety of the role was about needs assessment; it was not clear how the approach met the requirements of the Charters.

Overall, ongoing review of Initial Needs Assessments, including the rate and quality of returns, was crucial. It was required to continually assess the criminal justice system's capacity and plans to meet victim and witness needs, which impacted on outcomes. Support services and the VWCU reported an already limited resource, and evidence showed VWCU caseload had been increasing. Inspectors did not agree that this recommendation was dependent on implementation of an enhanced VWCU model. Assessing needs including through identifying requirements for support services was an important protection against secondary victimisation. Acknowledging that the proposed Needs Assessment Service would greatly enhance this, reviewing the existing Initial Needs Assessment remained important.

For these reasons, Inspectors assessed this recommendation as  **Not Achieved.**

OPERATIONAL RECOMMENDATION 10

The Public Prosecution Service for Northern Ireland in partnership with Victim Support Northern Ireland should formalise and implement a partnership service provision protocol within three months of the publication of this report.

Status: Not achieved.

ORGANISATIONAL RESPONSE

 **Partially Achieved**

PPS Update: Progress Update July 21: *The members of the VWCU Working Group consider that this review should be captured within the overall work around an enhanced role for Victim Support Northern Ireland with the Unit.*

Progress Update January 22: *As per update in July 21. Dependent on implementation of Strategic Recommendation 4.*

Progress Update July 22: *As per January 21 update. Position remains the same.*

Progress Update January 23: *As per the January 21 update.*

Inspectors' assessment

A Partnership Service Provision Protocol was not in place. An Information Sharing Agreement (ISA) existed since February 2020 and indicated a review period every 12 months. Victim Support Northern Ireland described a positive relationship with the VWCU in which there was ease of communication between managers and staff. Although not physically present since before the COVID-19 pandemic, it was reported that contact could be made in real time through Microsoft Teams video calls.

Victim Support Northern Ireland indicated that it received referrals and requests for information from the VWCU regularly. It advised that more queries were coming through from VWCU staff and there was greater awareness of the service Victim Support Northern Ireland provided. VWCU Case Officers had been alerting Victim Support Northern Ireland to important issues that they had not otherwise known, such as Restraining Orders that meant witnesses could not be in the same room.

As in the original inspection, Victim Support Northern Ireland and VWCU staff advised that there continued to be confusion among victims and family members between the VWCU and Victim Support Northern Ireland roles.

VWCU staff noted the absence of Victim Support Northern Ireland's physical presence in the office as a significant loss, particularly in respect of the support available to them and ease of communication. It was not clear if support to VWCU staff was an intended part of the Victim Support Northern Ireland role. Understanding about this was not consistent among those Inspectors spoke to. It was important this was clarified and communicated to staff.

The Partnership Protocol envisioned in the original inspection had been intended to provide clarity on the resource, resilience, performance management and agreed outcomes for Victim Support Northern Ireland and the VWCU working in partnership together. Resourcing the Victim Support Northern Ireland role within the VWCU continued to be an issue. The Victim Support Northern Ireland manager based in the VWCU Foyle office was leading in respect of both VWCU offices.

The inspection report also said, *'When Inspectors spoke to [Case Officers] they were unclear of when they should make referrals to Victim Support Northern Ireland and some told Inspectors that they contacted or signposted other organisations without involving VSNI [Victim Support Northern Ireland].'* During this Follow-Up Review, staff mostly reported referring to Victim Support Northern Ireland only, with an expectation that onward referrals if required, would be for Victim Support Northern Ireland community services.

As discussed above, the PPS needed to monitor referrals to Victim Support Northern Ireland and cross-reference its data with Victim Support Northern Ireland figures. Feedback about the referrals made to Victim Support Northern Ireland and outcomes as a result would also have been beneficial. Victim Support Northern Ireland had been feeding back regularly to the VWCU Managers but an opportunity for VWCU Managers to convey this through team meetings, and to include Victim Support Northern Ireland in these, would be an important consideration. As noted already, VWCU team meetings had not taken place since the COVID-19 pandemic.

Overall, the ISA between Victim Support Northern Ireland and the PPS agreed in February 2020 was a positive development. However, there was no evidence that it had been reviewed or that all aspects of the Victim Support Northern Ireland/VWCU partnership had been captured. A Partnership Service Protocol had not been developed and the PPS interpreted this recommendation as applying in respect of an enhanced VWCU only. A Partnership Protocol was important to clarify how the VWCU and Victim Support Northern Ireland partnership was working.

For these reasons, Inspectors assessed this recommendation as  **Not Achieved.**

OPERATIONAL RECOMMENDATION 11

The Northern Ireland Courts and Tribunals Service should implement arrangements to formalise input from the National Society for the Prevention of Cruelty to Children [NSPCC] and Victim Support Northern Ireland service providers on assessment of needs impacting on the 'Courts 2020' Transformation Programme within three months of the publication of this report.

Status: Achieved.

ORGANISATIONAL RESPONSE

 **Achieved**

NICTS Update: As part of the overall NICTS Modernisation Portfolio (previously Transformation) incorporating Estates, Digital, Service Redesign and Supporting Business Change Programmes, a Stakeholder Advisory Group is to be established that would provide a forum for wide stakeholder representation and input. Both the NSPCC and Victim Support Northern Ireland will be invited to sit on this Group to ensure victim and witness's needs are taken into account for any future estate and digital plans. Draft Terms of Reference and membership of the Stakeholder Advisory Group agreed.

This can now be marked as achieved with a date achieved of 17 December 2020 - which is the date the first Stakeholder Engagement Group was held of which both Victim Support Northern Ireland and the NSPCC are members and attended.

Inspectors' assessment

Victim Support Northern Ireland and the NSPCC, as well as other stakeholders, had been invited to join a Stakeholder Advisory Group to ensure that the needs of victims and witnesses were fully considered and integrated in the NICTS Vision 2030 Modernisation Portfolio (previously its Transformation programme).

The first meeting of the stakeholder group had taken place in December 2020 and representatives of both organisations had attended and contributed to subsequent meetings. Outside of this formal engagement advice was taken from Victim Support Northern Ireland and the NSPCC as required. It was acknowledged that a lot of the programme work was in its early stages of development and more detailed conversations would arise as plans progressed.

As recognised in the July 2020 report, the NICTS appeared to have a good understanding of the needs of victims and witnesses and their expectations and experiences of using Court services and these were central to the design and delivery of future services.

While engagement appeared positive, it would be important to monitor the resulting outcomes in terms of improved services for victims and witnesses.

This recommendation was assessed as having been  **Achieved.**

OPERATIONAL RECOMMENDATION 12

The Probation Board for Northern Ireland working in partnership with the Department of Justice and the Northern Ireland Prison Service and in consultation with Victim Support Northern Ireland, should seek agreement and manage the effective delivery of promotional plans by the Victim Information Unit and increase enrolment across all schemes within six months of the publication of this report.

Status: Achieved.

ORGANISATIONAL RESPONSE

 **Achieved**

PBNI Update: PBNI has developed a communications approach in partnership with NIPS/DoJ and in consultation with Victim Support Northern Ireland to promote the Victim Information Unit with the aim of increasing registration across all schemes. This has included:

- the review and refinement of PBNI website content relating to the Victim Information Schemes. This commenced in 2020 and there was ongoing work which continued into 2021 and 2022 as PBNI's website was redeveloped. Victim Support Communications staff provided input to our language to ensure it was appropriate.
- the Victims Information Leaflet was reviewed, updated and published 2020-21. Victim Support Communications staff provided input to our language to ensure it was appropriate.

- a range of social media campaigns have been undertaken to raise the profile of the schemes during 2020-22.
- the work of the Victims Information Unit was profiled through the annual Irish Probation Journal.
- infographics and videos have been used as communication tool to raise the profile of the Victim Information Unit.
- in 2022 PBNI developed and published a booklet on 'victims stories' telling the journey and stories of those who have benefited from using the schemes. We held a launch event which included the Permanent Secretary of the DoJ, the NIPS and Victim Support Northern Ireland.

As part of a North-South event between PBNI and the Probation Service in Ireland a joint staff practice seminar was held in October 2022 in Dublin exploring responses to hate crime and interventions to address hate crime with people who have offended. An important aspect of this conference was consideration of the impact on victims and in addition to hearing directly about the experience of victims, the seminar also looked at how Restorative Justice approaches could be used to address the harm caused by this type of offending.

As a result of all of the work to raise the profile of victims within the criminal justice system and within the PBNI in particular, we have witnessed an increase in the number of registered victims with the PBNI. The number of new registered victims has increased each year. In 2021-2022, 280 new victims registered, which is an increase of 8% from 2020-2021. The annual statistics are not available for 2022- 2023 however, at the end of December 2022, there were 468 victims registered on the PBNI Victim information scheme, 72 who registered in Quarter 3 2022-2023. In terms of gender breakdown, 72% were female, 28% male.⁴⁵

NIPS Update: Prison Service staff are continuing to support the Probation Board to meet Operational Recommendation 12 which is to deliver a plan that will increase enrolment across the three victim information schemes. This work is being carried out under the auspices of the Victim Information Schemes Co-Location Group. This group is chaired by Probation and comprises themselves, DoJ and NIPS staff. It was established to monitor the PBNI's supervision of the schemes following their co-location in 2012, in line with a previous CJI recommendation.

Inspectors' assessment

Previously Inspectors recommended that all three victim information Schemes (Schemes) should develop a plan to maximise uptake of the Schemes so that progress already made by the Victim Information Unit (VIU/Unit), led by the PBNI, continued.

⁴⁵ During the factual accuracy process, the PBNI advised that its most recent annual statistics for 2022-23 had been published showing 313 new registrations in 2022-23. At 31 March 2023 there were 471 victims registered. In terms of gender breakdown 73% were female and 17% male. (see PBNI Caseload Statistics Report 2022-23, PSNI Statistics and Research branch 2022-23 available at [PBNI Annual Caseload Statistics Report 2022-23 v2.pdf](#)).

A comprehensive plan of work had been developed and implemented since the original inspection. This included a range of initiatives, some in consultation with Victim Support Northern Ireland, to raise awareness of the Schemes and set out how victims could be supported. Examples included: a review and refinement of the information about the VIU available on the PBNI website; the publication of an updated VIU leaflet; a range of social media campaigns and the publication of an article in the annual Irish Probation Journal (2019). In July 2022 the PBNI developed and published a 'Victim Stories' booklet which included testimonials from victims which gave them an opportunity to explain, in their own words, how each of the Schemes had helped them. The booklet is used to raise awareness of the Schemes and encourage victims of crime to sign up to one of the Schemes. The VIU staff also supported victims to respond to the consultation on the DoJ's most recent Victim and Witnesses Strategy.

Work to raise awareness of the prisoner release victim information scheme had also been undertaken. The NIPS reported that the VIU provided awareness training to all new staff during Induction training at the Prison Service College and with existing staff in the Prisoner Development Units and PBNI Offices, as well as awareness sessions delivered to outside organisations. Its engagement work was ongoing.

The number of new enrolments to the PBNI scheme had increased since the original inspection report was published. The total number of victims being supported by the VIU had also increased (see Table 3).

Table 3: Victim Information Schemes data 2019-20 to 2022-23

	2019-20			2020-21		
	PRVIS	VIS	MDOs	PRVIS	VIS	MDOs
New enrolments	43 New 46 Ongoing	186 New 138 Ongoing	12	11 New 92 Ongoing	259 New 109 Ongoing	14
Total registered	89	398	12	103	368	14
TOTAL	499			485		
	2021-22			2022-23		
	PRVIS	VIS	MDOs	PRVIS	VIS	MDOs
New enrolments	32 New 35 Ongoing	280 New 216 Ongoing	17	90 New 24 Ongoing	313 New 158 Ongoing	12
Total registered	67	496	17	114	471	12
TOTAL	580			597		

PRVIS = Prisoner Release Victim Information Scheme

VIS = PBNI Victim Information Scheme

MDO = Mentally Disordered Offenders Information Scheme

Notwithstanding the efforts made to raise awareness of the Schemes, the PBNI attributed the increase in new registrations in large part to a change of working practice within the VIU. Prior to the COVID-19 pandemic a letter was issued to victims providing information about the relevant Scheme and inviting them to register, however staff now telephone victims and speak to them about the benefits of registration. VIU Managers believed that this human contact has resulted in more people registering than before.

While the increase in registrations was positive, it had placed a demand on the resourcing of the Unit. Both the NIPS and the PBNI were very conscious of this at a time when criminal justice organisations were facing budgetary pressures. This meant it was unlikely that any additional resource could be allocated to the VIU to maintain current services. The VIU was currently staffed by experienced Probation Officers and NIPS staff members and a further challenge for the future was to ensure effective succession planning.

Relationships with the VWCU were reported to be effective.

Oversight of the VIU was managed through the co-location working group which comprised representatives of the DoJ, the PBNI and the NIPS. Originally established to manage issues arising from the implementation of a co-located service, this group had evolved to address responses as they arose from victims' experience of the criminal justice system and to enhance service delivery. A Memorandum of Understanding was in place which set out the operating and governance arrangements for the VIU. It was important that this was regularly monitored and reviewed.

It was evident in the discussions conducted during this Follow-Up Review that there was a strong sense of partnership working between the three organisations responsible for the individual Schemes and a clear commitment to work together to support victims and improve and promote victims' experiences and interests. Gaps in legislative provision and service had been identified for the incoming year areas for development included engagement with hard-to-reach groups and through the introduction of a number of restorative practice schemes. Examples included the Restore Project, a partnership initiative between the PBNI and Quaker Service aimed at giving voice to victims and survivors of crime through storytelling, and the recent training in restorative practice of just under 50 PBNI staff to support the delivery of restorative interventions including within the VIU.

Overall, there had been very good progress made to address this recommendation. The concern going forward was the VIU's ability to sustain and develop the valuable service it delivered.

This recommendation was assessed as having been  **Achieved.**

CHAPTER 3: **CONCLUSION**

It had been a challenging period for all involved in the criminal justice system. Police Officers, Prosecutors, Court and other staff within criminal justice organisations had been dealing with increased workloads as the system recovered from the COVID-19 pandemic. As one interviewee explained, challenges had been cumulative starting with COVID-19, the backlog, reducing budgets, and staff morale and *'it was a difficult time to ask for extra.'* 'Speedy justice' was a priority and there was a concern about quality when working at pace.

In this context, Inspectors assessed that out of the 16 recommendations, three had been achieved, 10 partially achieved and three not achieved. This departed somewhat from the criminal justice agencies own assessments particularly in respect of the four Strategic Recommendations. Each had been deemed achieved, whereas none were judged achieved by CJI. As well as activities undertaken, Inspectors were looking for evidence of how the work had impacted outcomes for victims and witnesses. Where budgets had not been available, evidence of a plan to work progressively towards realising the recommendation was still needed.

The dedication and commitment of individuals was apparent. There was a belief in improving victims and witnesses' experiences and this was at the forefront of thinking, even though systems and resources had not always enabled it. Representatives from all the criminal justice organisations Inspectors met had experienced resource demands. There was an opportunity to demonstrate how the resources they were using enhanced outcomes for victims and witnesses. Recognition that performance targets were administrative and the need for change was evident. The NICTS planned for future customer surveys and the PPS regular stakeholder engagement group was promising.

There were many positives including the dedication of Victim Champions. The work of Police Officers through Multi-Agency Support Hubs had improved criminal justice outcomes for some victims, and the Police Service drive to address the disparity in performance data compared to victims' satisfaction was an example of proactive monitoring. Bereaved victims and family members received vital information and support from FLOs.

Despite challenges, there was a notable team ethos in the VWCU and a continued relationship with Victim Support Northern Ireland. Engagement with stakeholders including the NSPCC and Victim Support Northern Ireland had enhanced the NICTS's understanding of what victims and witnesses needed. The VIU, through personal contact and sensitive communications, had increased engagement with victims. It was an important source of learning for others to explore. Across all the agencies and by the DoJ, much had been undertaken through media campaigns and attendance at events to raise awareness of the Victim Charter and (albeit to a lesser extent) the Witness Charter.

Because of this, and the dedicated individuals Inspectors met, it was disappointing to hear about the fragmented approaches that victims and witnesses continued to experience. Many initiatives were highlighted to Inspectors. These included Remote Evidence Centres, research priorities derived from the Gillen Review, restorative work pursuant to the DoJ Restorative Justice Strategy, the 'Under 13 Protocol' for children who had been victims of sexual offences, and the new domestic and sexual abuse advocacy and legal support services ASSIST NI and the SOLAs. Each was important, with its own evidence-base and individual learning and demonstrated evidence of a commitment to prioritise services to victims and witnesses.

In the meantime, a proposal to assess needs throughout the justice journey could not be delivered, and there was increasing fragmentation because initiatives for particular groups of victims and witnesses were not joined up with the system overall. For example, the ASSIST NI service funded by the DoJ for victims of domestic and sexual abuse was positive and had been in place since October 2021. However, measures enabling the VWCU to share information with it were still being developed at the time of this Follow-Up Review.

Influence and leverage across the criminal justice system was required to drive improvement and ensure agencies worked better together. CJB oversight and direction needed to be enhanced. The approach of progressing and stalling initiatives because of budget constraints was not sustainable. Principles of Human Rights-based budgeting could assist both the CJB and the VWSG in understanding the relationship between its budget and its duty to victims and witnesses. Mapping Charter obligations had been key and could move the system towards outcome monitoring to inform decisions on priorities and budget allocations. There was also an important role for the work DoJ had undertaken in mapping victims' information-related complaints. This type of complaints monitoring was an initiative that could be developed by each of the Victim Champions with regular reporting to the VWSG.

Inspectors understood the PPS decision to stall operational recommendations once funding for an enhanced VWCU had been declined, as in its view it had been protecting the service from accepting more without the required resource. However, these recommendations remained important for the VWCU current operations. At the same time, revision by criminal justice system leaders to assess how they could help currently or in future to support a new Needs Assessment Service would have been important. While proposals for the *My Justice Journey* and mapping information complaints were promising, these would not progress needs assessment.

There was also an opportunity for greater cohesion and coming together at the centre to reassess plans when organisations identified resource to progress initiatives on their own. Evidence showed that individual organisations adopted approaches beneficial to them in the absence of agreed direction and momentum across the criminal justice system.

The appointment of the CVOC Designate was hugely significant and welcomed. The CVOC Designate role would be an important guardian for victims' rights. Membership on the CJB and the decision-making powers of the CJB would be important to consider.

As this Follow-Up Review was concluding the findings for the 2022-23 NIVAWS were published. It cautioned that its findings *'...should be viewed in the context of the COVID-19 pandemic having had a significant impact on court activity. It is possible that this along with the range of measures introduced to assist during the pandemic will have impacted on victims' and witnesses' experiences of the criminal justice system.'*⁴⁶ Those who took part signalled declining satisfaction in victim and witnesses experiences with key aspects of the criminal justice system. The findings highlighted important areas for the VWSG to focus its programme of work and the types of performance management information it needed to routinely seek out and monitor. Victims' and witnesses' satisfaction with information given about the criminal justice system, and with how well they had been treated by staff significantly reduced overall. Understanding the effectiveness of needs assessment and the capacity of services to help was also borne out by victims' and witnesses' reports in relation to feelings of safety, referrals to and satisfaction with victim support services.

A further Follow-Up Review within a two-year period would be beneficial. There had been good progress on some recommendations, and these could be achieved with more time to evidence impact on victims and witnesses. It would be important to examine if victims and witnesses were being empowered through access to case-specific information, and holistic needs assessment that cared for them and protected them from secondary victimisation. Capacity to provide support services with effectiveness and funding being monitored and understood by the DoJ centrally would also be key.

46 DOJ, NISRA, *Victim and Witness Experience of the Northern Ireland Criminal Justice System: Key Findings – 2022-23, August 2023*, page 13, available at <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/Victim%20and%20Witness%20Experience%20of%20the%20Northern%20Ireland%20Criminal%20Justice%20System%20-%20Key%20Findings%20-%202022-23.pdf>

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