

Victim and Witness Strategic Action Plan 2010-11





Ministerial Foreword

I am committed to putting victims and witnesses of crime at the heart of the criminal justice system and to a process of continuously improving the services offered to them. “Justice for All” means, first and foremost, justice for victims and respecting the critically important role of both victims and witnesses in our justice system.

For many victims their experience of crime is a difficult, and often traumatic, one and we wish to ensure that engaging with the criminal justice system does not unnecessarily add to their distress. For witnesses, we need to ensure that when people seek to help secure justice by coming forward as witnesses they don’t themselves end up feeling like victims.

The statutory agencies and their voluntary sector partners are individually delivering relevant and effective services, but we recognise that the system as a whole needs to listen to, and be more responsive to, the individual needs of victims and witnesses.

All of these organisations have been brought together to identify what is needed to effectively improve the quality and coordination of service delivery and to improve the victim’s journey through the criminal justice system. This has involved identifying local needs through the Northern Ireland Victim and Witness Survey and putting in place local solutions.

This Strategic Action Plan, which sets out the key measures proposed to be undertaken during 2010–11, represents an important step forward in providing victims and witnesses with the support and assistance they deserve.

I welcome the interest of the Justice Committee in this important area of work and commit to working constructively with them on taking this programme of work forward.

David Ford

Introduction

It has long been recognised that individuals engaging with the justice system have differing experiences and needs and that some will require more support than others. It is important that each criminal justice agency dealing with a victim or witness, at whichever point in the process, recognises and is responsive to their individual needs.

Research has consistently identified a number of common trends with regard to the needs of victims and witnesses in the criminal justice system. This has shown that victims and witnesses need:

- To be treated with dignity, fairness and respect by all agencies which interact with them and valued for the fundamental part they play in the process;
- To receive timely and appropriate information from a central point of contact about the nature of the justice process, what is expected of them and what they can expect in return, and specific information about the progress and outcome of their case;
- Practical help, including protection from further victimisation, and assistance with issues such as applying for compensation for injury, loss or damage; and
- Information relating to counselling or other independent ongoing support services to address the emotional impact of the offence.

We are conscious that victims and witnesses, and organisations that support them or promote their interests, have high expectations of the criminal justice system which are not always realised. The findings of reports, research and surveys in this field consistently indicate that more needs to be done to help improve confidence in the criminal justice system amongst victims and witnesses and the public more widely. While the recent Northern Ireland Victim and Witness Survey findings have shown that 67.9 % of those victims and witnesses who give evidence in a case are more satisfied, than not, with their general treatment in the criminal justice system, that leaves almost a third who are unsatisfied. The most common concern related to being kept informed of the progress of their case.

Aim

The Strategic Action Plan's overarching aim is to improve services to victims and witnesses and to increase overall satisfaction levels with those services, within the wider context of improving public confidence in the criminal justice system.

Actions

The action plan focuses on improvement objectives, designed to more effectively meet the needs of all victims and witnesses who come into contact with the criminal justice system, through the development of enhanced services in 5 key areas.

Through the action plan, the criminal justice system makes commitments to:-

- (i) Provide victims and witnesses with easier access to information about the operation of the criminal justice system and sources of appropriate advice and support within it. It is hoped that this will encourage them to have confidence in reporting crimes and maintaining a positive engagement with the criminal justice system;
- (ii) Ensure that specific and timely information is provided to victims and witnesses in relation to their individual case as it progresses through the criminal justice process;
- (iii) Continue to work together, in a coherent and coordinated manner and in partnership with relevant voluntary agencies, to ensure that victims and witnesses are afforded a consistently high standard of service from all criminal justice agencies;
- (iv) Recognise, and be responsive to, victims' and witnesses' individual needs to ensure that the most appropriate level of support can be provided before, during and after court proceedings; and
- (v) Afford victims and witnesses the opportunity to make their views known to those in the criminal justice system responsible for making decisions which impact on them and to contribute to the decision-making process, where this is appropriate.

Some of the actions included in the programme include:

- Joining up policing and prosecution procedures to ensure that victims are kept informed at agreed milestones of the progress of their case;
- Taking forward a project to develop a new Victims of Crime Code of Practice that will enshrine the legitimate expectations of all victims of crime;
- Legislating for the introduction of an offender levy system. This will allow for monies raised to be channelled into a fund to provide support for victims of crime;

- Developing a model for the provision of an Intermediaries Service to help vulnerable witnesses. Intermediaries will facilitate communication between the police, prosecution and defence legal teams and/or the court and a witness to ensure that the communication process is as complete, coherent and accurate as possible;
- Extending the availability of special measures for vulnerable witnesses in criminal cases, both to protect them and to enhance the quality of their evidence.

Delivery

This action plan will be delivered by the Victim & Witness Task Force, which includes representatives of the main criminal justice organisations, the Department of Justice, the Police Service of Northern Ireland, the Public Prosecution Service, the Northern Ireland Courts and Tribunals Service, the Northern Ireland Prison Service, the Youth Justice Agency, the Probation Service for Northern Ireland, and also includes the voluntary organisations Victim Support (NI) and the NSPCC.

The responsibility for each area of work included in the action plan has been allocated to one of the organisations represented on the Task Force. They will take the lead and work with other organisations as necessary.

The Task Force will meet several times during the year to review progress against each of the actions and will report to the Minister through the Criminal Justice Board.

Conclusion

We are committed to enhancing our responsiveness to the needs of victims and witnesses of crime. We seek to do this by delivering quality services in a coordinated manner, which both improves their experience of engagement with the criminal justice system, and delivers better outcomes for the individual and the justice process.

This action plan represents a substantial programme of work to improve services for victims and witnesses by driving up performance across the criminal justice system.

Actions

1. Improving access to information

<p>The Police Service of Northern Ireland, the Public Prosecution Service, the Northern Ireland Courts and Tribunal Service and the Probation Board for Northern Ireland will review and revise their victim and witness policies to improve service delivery.</p>	<p>Police Service of Northern Ireland/Public Prosecution Service /Northern Ireland Courts and Tribunals Service/ Probation Board for Northern Ireland</p>
<p>To update the Young Witness Pack.</p>	<p>NSPCC</p>
<p>To update the victim and witness interactive website walkthroughs.</p>	<p>Department of Justice</p>
<p>To make localised directories of victims' services available to the general public.</p>	<p>Victim Support NI</p>

2. Keeping victims and witnesses informed

<p>To put in place in all police District Command Units and across the Public Prosecution Service regions effective procedures to ensure that victims are kept informed at agreed milestones of the progress of their case.</p>	<p>Police Service of Northern Ireland / Public Prosecution Service</p>
<p>To review the management of and support available for victims and witnesses who are called to the Crown Court to give evidence.</p>	<p>Public Prosecution Service</p>
<p>To review the effectiveness of procedures for advising victims of the outcome of their case.</p>	<p>Public Prosecution Service</p>

3. Providing a quality service

<p>To develop a new Victims of Crime Code of Practice and consider if all or part of it should be placed on a statutory footing.</p>	<p>Department of Justice</p>
<p>To legislate for the introduction of an offender levy system and commence a phased implementation in line with operational capabilities.</p>	<p>Department of Justice</p>
<p>To monitor the effectiveness of the Public Prosecution Service electronic referral system to the witness services in magistrates' and youth courts.</p>	<p>Witness Service Steering Group</p>
<p>To review management of data sharing to ensure that victims have access to information and support.</p>	<p>Police Service of Northern Ireland</p>
<p>To assess the final report of Year One of a Skills for Justice modular learning and development project, and make a recommendation on the way forward.</p>	<p>Department of Justice</p>
<p>To raise awareness with the judiciary and defence counsel of the damaging impact of inappropriate cross-examination.</p>	<p>Department of Justice</p>

Actions

4. Supporting individual needs

To evaluate the responses to the Special Measures consultation ⁽¹⁾ , agree the way forward and implement appropriate recommendations.	Department of Justice
To develop a model for the provision of an Intermediaries Service to help vulnerable witnesses.	Department of Justice
To consult on and publish guidance for practitioners in the use of special measures, interviewing and supporting victims and witnesses, and the provision of pre-trial therapy; provide associated training; and monitor implementation.	Department of Justice/ NSPCC
To pilot an initiative to reduce waiting times for victims and witnesses while at court.	Northern Ireland Courts and Tribunals Service
To agree and implement proposals for the roll-out of the Young Witness Service into all magistrates' and youth courts.	Department of Justice/ NSPCC
To evaluate the effectiveness of the remote link facility in Old Town Hall.	Northern Ireland Courts and Tribunals Service
To review lessons learnt from the remote link facility at Foyle and take forward any recommendations.	NSPCC

⁽¹⁾ The Criminal Evidence (NI) Order 1999 provides for eight special measures to assist vulnerable and intimidated witnesses give their best possible evidence in criminal proceedings. The Department of Justice recently consulted on the effectiveness of these measures and how they could be improved.

5. Listening to victims and witnesses

To obtain feedback on the experiences of the criminal justice system of victims and witnesses under 18 years and families bereaved through murder and manslaughter	Department of Justice
To develop networks to capture victims' views on initiatives which are at the development stage and ahead of any formal decisions being taken.	Victim Support NI
To ensure that victims' voices are heard in the development of restorative interventions and reparative processes.	Probation Board for Northern Ireland



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