

COMMISSIONER FOR VICTIMS OF CRIME

STRATEGY

2022-2025



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FOR VICTIMS
OF CRIME

INTRODUCTION

I am honoured to have been appointed as the first Commissioner Designate for Victims of Crime in Northern Ireland. Having worked in the victims sector for over 21 years I am all too aware of how our response to victims in the aftermath of trauma can fall short of what the public expects and what our Criminal Justice System promises to deliver. This is the first strategy of my office and it provides a high level map of the areas of focus for my three year term as Commissioner Designate.



Geraldine Hanna

Victims' Rights

The Victim Charter was placed on a statutory footing in Northern Ireland through the Justice Act (NI) 2015. The Charter brought into effect minimum standards that were established across the EU on the rights, support and protection for victims. It demonstrated our Assembly commitment to improving the services and support available to victims. Seven years on from its implementation I still encounter victims who have not heard of the Victim Charter and have not received their entitlements under it.

The Criminal Justice Inspectorate for Northern Ireland's (CJINI) report on the treatment of victims and witnesses in 2020¹ reported:

“ a strong sense of apathy and disconnection by many organisations providing support to victims when asked about the ongoing influence and contribution of the Charters. ”

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

Every victim deserves to be treated with dignity and respect and afforded all the entitlements promised to them. The treatment of victims should not be hierarchical but instead should be delivered consistently and empathetically, driven by their individually assessed needs.

This care is not something limited to criminal justice professionals and the responsibility for this does not rest with the justice system alone. Victims can be affected by their interactions with health and social care professionals, housing, education professionals and those working within civil and family justice and coroner's services. I intend as part of this strategy to explore what more needs to be done to ensure a societal understanding of the impact of crime on victims and the responsibility on all public authorities in helping ameliorate this impact.

Victim Confidence

The confidence of the public in our rule of law and criminal justice system is the foundation that supports our societal response to crime. An individual suspected of committing a crime is prosecuted by our Public Prosecution Service (PPS) on behalf of the State.

¹ [Victims and Witnesses – The care and treatment of victims and witnesses by the criminal justice system in Northern Ireland \(cjini.org\)](#)

Victims therefore do not hold the responsibility of pursuing the offender and bringing them to justice but rather step aside as the State intervenes. However behind the State there is very often an individual victim with a vested interest in how the case is resolved. Their cooperation and satisfaction is vital to the effectiveness of the prosecution case and public confidence in the system. Victims must have confidence that they will be treated fairly and protected in the quest for justice. The experience I hear from victims however is one where at best they are treated like a bystander or at its worst they report harm greater than that caused by the crime itself.

If we are to ensure continued support for this system we must not lose sight of the individual in the process who has been most impacted by the crime. If victim trust is damaged at any stage, it is very difficult to restore. We must ensure that victims are central to our approach and decision-making at every stage of the process. To do this we need to examine the system through the eyes of victims, identifying appropriate touch points where they need information, updates, meaningful participation and opportunity to influence where appropriate.

My three year term will limit the amount of work that I and my small team are able to progress. Key deliverables therefore will be to establish a new office, influence the legislative provision that will govern the role and lay the foundations on which my successors will build. In order to help guide our work and priorities over this time, I have identified three key areas where I would like to make progress. These are my '3Ds' and are informed by my experience of what has had the most significant impact on victims and areas where I believe the Criminal Justice System need to provide much more focus. These areas are not new but as Victims Commissioner Designate, I will push for a renewed focus of energy and resource in these areas:

Delay

The need for timely justice has been recognised as far back as the *Magna Carta*². The length of time it takes for a case to reach a conclusion impacts on both the victims and their family's ability to recover as well as on the rehabilitation of the individual who committed the crime.

2 Clause 40 'To no one will we sell, to no one deny or delay right or justice'

Avoidable delay in the Criminal Justice System was already an area of significant concern before Covid-19 with both the Northern Ireland Audit Office (NIAO) and CJINI highlighting the issue. It is now of even greater concern following the impact of court closures and restrictions resulting from the pandemic. Agencies must work collaboratively to radically rethink ways of working. Alongside this work our government must also ensure that the justice system is sufficiently funded if we are to make any meaningful difference to the length of time cases are taking to get to court. If we fail to do so we prolong the trauma of victims of crime and risk undermining the willingness and confidence of both victims and wider society to report crime in the future.

Disclosure of Victims' Personal Details

A particularly pernicious issue impacting on both delay and victim confidence is that of disclosure. The disclosure of relevant material is an essential part of a fair trial and must be handled fairly, effectively and justly by all parties. Victims of crime and sexual violence in particular, however are often asked to give consent for excessive amounts of their personal data to be handed over which often leads to them feeling further traumatised and wary of engaging with therapeutic support for fear of how this information may be used.

The Gillen Review³ outlined many areas for improvement in this area and more recently the Information Commissioner's Office (ICO) has highlighted areas for improvements required by authorities when managing their data protection responsibilities as well as upholding the rights and protections of victims.

From speaking to victims and victims' groups, I am clear that more needs to be done to restrict the volume of detail being sought and to strengthen the protection afforded to victim's therapy notes if we are to increase the confidence of victims to engage with the justice system.

3 Gillen, Sir John 'Review into the law and procedures in serious sexual offences in Northern Ireland' 2019

Data – What Gets Measured, Gets Done!

In order to effectively monitor outcomes for victims, ensure transparency and make evidenced informed decisions, the system must collect and share meaningful data. Over the course of this strategy, I intend to establish a tool to monitor compliance with the Victim Charter and review its effectiveness. I also want to see an improvement in the level and quantity of data we use to monitor the experience of victims of crime and the outcomes they receive.

The Criminal Justice System is comprised of independent agencies with a specific focus on their area of the process. Historically, data has often focused on cases or defendants entering the system and Northern Ireland falls behind its counterparts in England and Wales in the level of victim data that it analyses and publishes. There are currently over ten case management systems in operation across these agencies yet we are unable to track a victim's journey through our system. Gaps are particularly apparent when we seek to breakdown data into relevant personal characteristics. If we are serious about understanding and genuinely improving the experience of victims we must identify and agree a comparable victim data set that can effectively capture their experience throughout the process. There are steps we can take in the short-term to improve this however we must allocate resources to ensure that we have effective information systems across all organisations that enables the robust analysis and monitoring of performance of the system as a whole.

Areas of Special Interest

As part of my role, I have been asked to give particular attention to domestic and sexual abuse victims and to victims of hate crime. Whilst crime type is not the only predictor of potential vulnerability of a victim, research demonstrates that victims of these crimes face some specific challenges in our system that are not faced by all victims. I intend to work with victims and other stakeholders to monitor what difference new laws in these areas are making.

Collaboration and Resourcing

If we are to achieve the necessary reform to improve victim confidence we need the buy in and support of all stakeholders in this process. The Department for Justice Victim and Witness Strategy 2021-2024⁴ outlines the shared aims of the key criminal justice agencies to build on improvements from previous years and ensure that victims are more central in the process. It is informed by stakeholder feedback, reports and surveys undertaken with those with lived experience of crime. If it is to be successful all agencies need to unite and work collaboratively to ensure that victim care is an integral part of everyday organisational culture. Agencies need to accept that they share a collective responsibility for the experience of victims. If a victim is let down by one agency, their experience of the whole system is tainted which will affect their confidence and willingness to report crime in the future. Effective collaboration can be a challenge across independent criminal justice agencies and requires continued effort and impetus in order to succeed.

We also need to ensure sufficient investment and allocation of resources to enable effective and sustained implementation of initiatives and to address the increasing backlog of court cases resulting from the pandemic. We need a functioning Northern Ireland Assembly in place to ensure effective planning and decision making over next year's budget and provide the leadership required to enable strategic investment in the system in the years ahead to support necessary reform.

Both I and my team are ready to play our part. I hope you will join us in providing what support you can to ensure that victims are valued and receive the rights they most definitely deserve.

GERALDINE HANNA
Commissioner Designate for Victims of Crime

4 [Victim and witness strategy 2021-2024_0.pdf \(justice-ni.gov.uk\)](#)

WHO WE ARE

The Commissioner Designate was appointed by the Minister of Justice in March 2022 to be an independent voice for victims of crime. It was not possible to legislate to put a Victims of Crime Commissioner for Northern Ireland on a statutory footing within the then Northern Ireland Assembly mandate (2017-2022), therefore a non-statutory Victims of Crime Commissioner Designate was initially appointed. The experience of the Commissioner Designate in the first year of post will help shape and inform the development of statutory legislation which is intended to be brought forward during the current mandate.

Geraldine Hanna took up the post of Victim of Crime Commissioner Designate on the 13th June 2022.

The overarching purpose of the role of Commissioner Designate is to represent the needs and interests of all victims of crime and help drive systemic improvements across the criminal justice system. This will include helping to identify any areas where victims are not consistently being provided with their entitlements set out within the Victim Charter and ensuring that their issues and experiences are raised in the public arena, with Government, with criminal justice organisations and organisations that support and represent victims in order to bring forward effective change.

OUR VISION

A society where all victims of crime feel valued and have rights to protection, participation, support and redress.

OUR MISSION

To utilise the voice of victims alongside best practice to monitor the treatment of victims and advance their rights.

OUR VALUES

Our values inform our decision making and engagement with victims of crime and all other stakeholders.

V

Victim-centred: we listen with empathy and without judgement to the needs and experiences of victims using this engagement to inform our work and decision-making.

O

Openness & Transparency: we act with honesty and integrity in the course of our work, sharing information responsibly and publishing information on our own performance.

I

Independent: we value and protect our ability to identify and set our own goals without undue influence from others.

C

Collaborative: we work constructively with victims and stakeholders to help develop innovative solutions to meet the needs of victims of crime.

E

Empowerment: we promote the involvement of victims in all decisions affecting them and work to ensure that victims have access to the information and support they need.

The environment we are working in:

Crime Levels

The Covid-19 pandemic created a perfect storm for families and individuals who were already struggling. The prolonged lockdown periods meant victims of domestic abuse were unable to escape the violence at home and children who received additional support at school had that lifeline removed. The Police Service for Northern Ireland (PSNI) reported that in the 12 months from 1st July 2021 to 30th June 2022 there was a 6.5% increase in domestic abuse incidents in Northern Ireland from the previous 12 months. In addition, the number of domestic abuse crimes rose by 12.8% on the previous 12 months and was the highest 12 month period recorded since the data series began in 2004/05⁵.

According to the latest PSNI statistics⁶, in the 12 months from 1st August 2021 to 31st July 2022 there was an increase of 8.4% in crime when compared with the previous 12 months. PSNI caveat this by explaining that these changes should be seen in light of the Covid-19 lockdown measures first introduced on 23rd March 2020 which had an impact on the lower crime levels seen from that date through to February 2021.

Higher crime levels were seen in violence against the person, sexual offences and theft offences with lower levels experienced in robbery, burglary, criminal damage, drugs and public order offences.

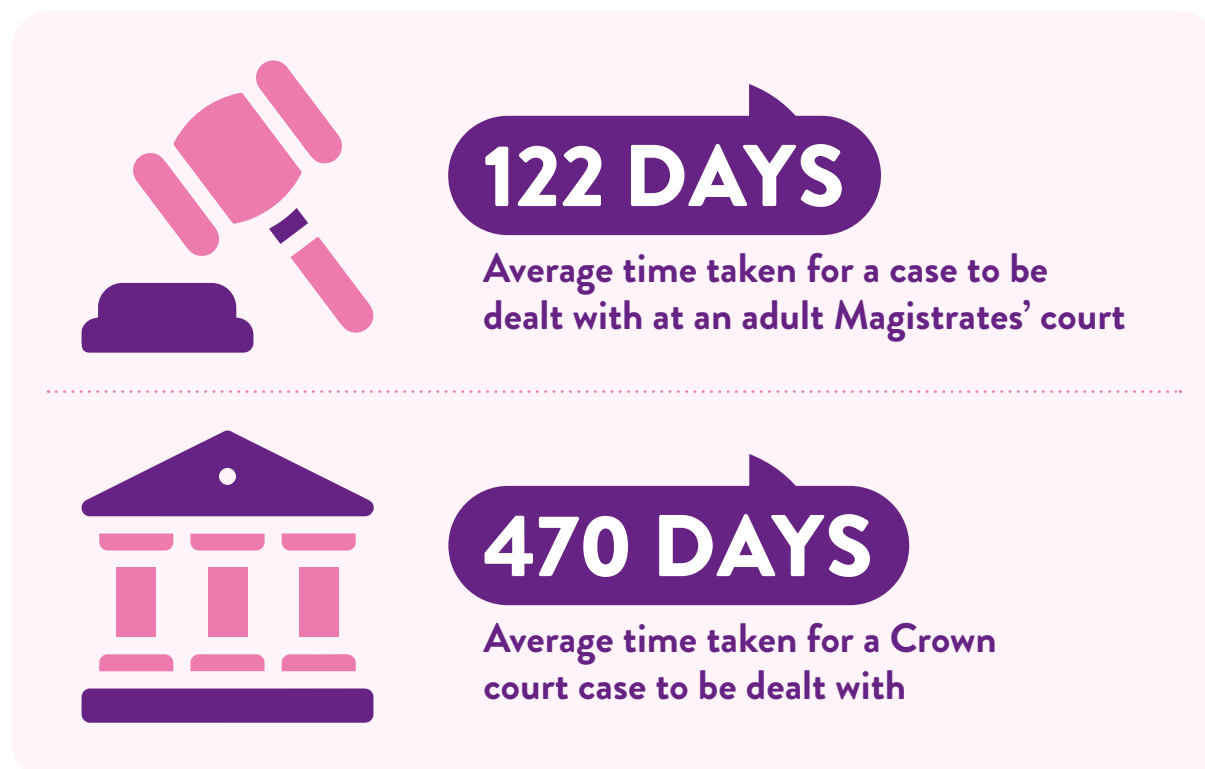
There was also an increase in hate motivated incidents and crime in the 12 months from 1st July 2021 to 30th June 2022, with more incidents recorded across all six hate motivation strands when compared with the previous twelve months⁷.

⁵ [Domestic Abuse Incidents and Crime Recorded in Northern Ireland Monthly Update to 30th June 2022 \(psni.police.uk\)](#)

⁶ [Police Recorded Crime in Northern Ireland Monthly Update \(psni.police.uk\)](#)

⁷ [Incidents and Crimes with a Hate Motivation Recorded by the Police in Northern Ireland Update to 30 June 2022 \(psni.police.uk\)](#)

In 2020/21 the average time taken for a case to be dealt with at an adult Magistrates' court was 122 days and 470 days for a Crown court case⁸. These are averages so within these figures, there are cases, involving victims of crime that are taking a considerably longer time to reach court.



This was already an issue prior to the impact of the Covid-19 pandemic, but if you are a victim of crime in 2022, it could be 2028 before the case is brought to court.

There has also been an increase in cyber-crime such as financial fraud and technology assisted sexual abuse including the online sexual exploitation of children. While the pandemic forced us to communicate online in order to stay connected with family and friends, allowing us to work remotely and ensuring our children were able to continue with education, this led to an unprecedented rise in screen time for children and young people increasing their exposure to online harm. The PSNI believe that the number of children subjected to technology based sexual abuse could be much higher than reported⁹.

⁸ [Case Processing Times at Courts 2020-21 \(justice-ni.gov.uk\)](https://www.justice-ni.gov.uk)

⁹ [Reports of online child sexual abuse in NI rise by 80% - BBC News](https://www.bbc.com/news/health-58111111)

Policy Priorities

We commend the government’s commitment to ensuring a better outcome for victims as detailed in the ‘New Decade, New Approach’¹⁰ document including delivering recommendations from the Gillen Review and ensuring fairer and faster justice to benefit victims and witnesses. This was again reflected in the draft Programme for Government¹¹, published in January 2021, which included a key outcome where ‘everyone feels safe – we all respect the law and each other’ which committed our government to work towards ensuring access to justice and addressing harm and vulnerability.

The Department for Justice Victim and Witness Strategy 2021-2024¹² has a long term vision to work towards putting victims and witnesses at the centre of the Criminal Justice System. This is a worthy goal but is one that will require systemic change in how we approach issues such as case progression and victim communication. The CJINI report on Victims and Witnesses¹³ from 2020 highlighted the low levels of awareness of the both the Victim and Witness Charters¹⁴ amongst the public, but also more alarmingly amongst the criminal justice agencies tasked with delivery of these standards.



10 [2020-01-08_a_new_decade_a_new_approach.pdf \(publishing.service.gov.uk\)](#)

11 [PFG draft Outcomes Framework consultation \(northernireland.gov.uk\)](#)

12 [Victim and witness strategy 2021-2024_0.pdf \(justice-ni.gov.uk\)](#)

13 [Victims and Witnesses – The care and treatment of victims and witnesses by the criminal justice system in Northern Ireland \(cjini.org\)](#)

14 [Witness Charter | Department of Justice \(justice-ni.gov.uk\)](#)

The report noted:

the importance and need for ongoing and dedicated oversight to ensure that the rights of all victims are fully represented and protected and that the CJS has independent oversight to assist it in continued delivery of meaningful outcomes for victims.

We will work with the Department of Justice to ensure a ‘victim’s lens’ approach is taken when developing new strategies and policies and will play our part in ensuring that victims are aware of their entitlements under the Charter. However, a culture shift is also required amongst criminal justice organisations to embed awareness, understanding and consistent delivery of Charter obligations. Again, this will form a major element of our work over this coming term and we will work closely with all relevant statutory agencies to make sure this happens.

The Need/Role for Government

This will take more than goodwill, this will require strong leadership across government to ensure victims’ rights and needs are embedded, not only within the criminal justice system, but also in health, education, housing and welfare in Northern Ireland.

We are very concerned that the current lack of a functioning Assembly will curtail the necessary legislative action and government oversight required to deliver against existing legislative recommendations and to ensure improved outcomes for victims. We know from the hiatus during the last mandate the pressure that was placed on all stakeholders to deliver within a reduced legislative timeframe. We are hopeful that a way forward can be agreed to ensure a return of our government and will work closely with our elected representatives and all other stakeholders to increase the rights and protection available to victims of crime.

OUR STRATEGY

Our strategic outcomes outline the change we hope to achieve for victims of crime. They have been identified from our past experience of working with victims and our engagement with individual victims and victims groups, as well as by local and international research on victims' experiences and needs. These outcomes cannot be achieved by the Commissioner Designate for Victims of Crime (CVOC) alone but rather align with the government responsibility for the well-being of victims of crime. They support the draft Programme for Government outcome '*Everyone feels safe – we all respect the law and each other*'. CVOC is committed to playing their role to promote improved outcomes for victims of crime across Northern Ireland.

CVOC Strategic Outcomes

- Victims of crime are listened to and their experiences used to effect positive change for future victims;
- Victims of crime have increased participatory rights in the justice process and accessible support to address the harm caused by crime;
- Victims of crime have effective redress where their rights have not been met;
- Our politicians and government departments have greater awareness of the needs and concerns of victims and use this to effect positive change; and
- Victims of crime and wider society have confidence in the Commission and its governance.

CVOC Strategic Outcomes and Objectives

Against each of these 5 outcomes we have identified two specific objectives which govern the work that we will take responsibility for to help achieve the over-arching outcomes. In each business year we will develop a plan that outlines specific actions that we will progress against these objectives and the measures we will use to assess our performance.

1. Victims of crime are listened to and their experiences used to effect positive change for future victims

- a. Engage with victims and stakeholders to gain knowledge and understanding of their lived experiences and capture ideas for change
- b. Conduct and commission research into the experiences of victims to crime and make recommendations based on evidence and best practice

2. Victims of crime have increased participatory rights in the justice process and accessible support to address the harm caused by crime

- a. Drive systemic change in legislation and practice to improve the experience of victims of crime
- b. Scrutinise current legislation highlighting areas for improvement

3. Victims of crime have effective redress where their rights have not been met

- a. Monitor and promote compliance with the Victims Charter, highlighting issues and areas for improvement
- b. Direct complaints to relevant agencies and monitor the outcomes to identify issues and recommendations for change

4. Our politicians, government departments and the wider public have greater awareness of the needs and concerns of victims and use this to effect positive change

- a. Represent the voice of victims and victims groups in the public arena
- b. Advise and make recommendations to Ministers and government on systemic issues impacting on victims of crime

5. Victims of crime and wider society have confidence in the Commission and its governance

- a. Assist the Department of Justice by helping to inform the development of the statutory role for the Commissioner
- b. Maintain effective corporate governance demonstrating accountability and value for money



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