

Enabling Access to Justice Reform Programme – Delivery Plan Consultation

**Response from the Commissioner Designate
for Victims of Crime for Northern Ireland**

March 2025

Enabling Access to Justice Division

Via email (EAJDConsultations@justice-ni.gov.uk)

GENERAL COMMENTS

The Commissioner Designate welcomes the Minister's ambition in reforming our justice system as demonstrated in the Department's Enabling Access to Justice Programme Delivery Plan.

In that context she welcomes the opportunity to provide input into the consultation regarding prioritisation of themes within the Delivery Plan.

The long-term viability and sustainability of both criminal and civil legal aid is of the utmost importance to victims of crime in Northern Ireland.

It is important that when we consider how to improve our criminal justice system, to make it as beneficial as possible to victims of crime, all of these issues are taken together and considered holistically.

A sustainable legal aid framework can help ensure fair, speedy trials and the swift delivery of justice, which is important to victims of crime.

That is also why **it is so important that our legal aid system encourages timely resolution of cases, avoiding unnecessary delays or costs.** Incentivising early resolution supports legal professionals to provide high quality advice at the earliest stages of the case and supports government objectives to ensure efficient, effective case progression and value for money for taxpayers. Most importantly, swifter resolution helps reduce delay which reduces the further harm caused to victims. Our legal aid system should not incentivise unnecessary delay. The Commissioner Designate views the Enabling Access to Justice delivery plan as a key measure to help solve the thus far intractable problem of delay within the criminal justice system.

Key Priorities

Victims need a justice system that is viable, which requires that the full range of advice, representation and support is available to all that need it once they enter the justice system.

This office welcomes the Delivery Plan which sets out the key themes and priorities for the remainder of this mandate and beyond regarding Access to Justice.

As set out in the Delivery Plan, it is important that these priority themes are delivered in tandem as many are interlinked and will impact on each other. While the Commissioner Designate is largely supportive and understanding of the timetable set out for each of the deliverables within the plan, there are some that she hopes could be reasonably delivered before the proposed timeframe.

Firstly, regarding Ensuring Appropriate Quality Services, victims of crime in contact with this office will often cite the impact that their ability to access civil legal aid has on them. This is specifically in relation to victims of domestic abuse who rely upon solicitors and barristers for support in securing protection orders or in representing their interests at family proceedings.

More must be done to make sure that victims of crime are able to access civil legal aid quickly and effectively as well as being advised of their eligibility for legal aid depending on circumstance. It is clear from '[A Steep Learning Curve](#)' report and other feedback received by this office that victims of domestic abuse are often unclear of the process or financial thresholds involved. The uncertainty regarding financial support arising from a complex legal aid system is a cause for further stress and harm to victims. As set out in the table below, taken from the Delivery Plan, proposals to address the concerns outlined will not be issued until the end of the year and will not be operationalised until next year. While she welcomes the recognition of vulnerable victims and the need to provide specialist support for these groups, the Commissioner Designate would urge that this matter be prioritised and commencement brought forward if at all possible.

Objective	Impact on citizens / Outcome	Deliverables	Delivery Date
Ensure the availability of an integrated system of targeted support and resolution that addresses the diverse range of access to justice needs	Enhance access to justice and improve outcomes by ensuring the availability of tailored services which effectively meet user needs.	Issue proposals to improve specialist support, including legal, for specific vulnerable groups, focusing initially on victims of domestic abuse, people in housing stress, and migrants including refugees.	Q4 2025
		Commence operationalisation of proposed new support mechanisms	Q2 2026

The Commissioner Designate is also concerned that whilst the domestic abuse waiver is beneficial for victims the evidential requirements and complicated procedures may act as a barrier to both victims and solicitors in pursuing this option. Any review of civil legal aid should look to simplify procedures to remove barriers for victims and ensure fair remuneration for the time required by solicitors supporting applicants for such waivers.

Under the Improving Access to Justice Priority, some of the deliverables and related timeframes are of interest to this office in terms of the impact they will have on victims of crime. They are extracted from the Delivery Plan in the table below:

Objective	Impact on citizens / Outcome	Deliverables	Delivery Date
Ensure processes are fair, proportionate and efficient.	Enhance access to justice by ensuring processes are effective and efficient, fair and responsive.	Issue proposals for reformed parole review process and associated remuneration framework.	Q2 2026
		Introduce legislation to underpin reformed parole review process and associated remuneration framework.	Q4 2026
Ensure processes are fair, proportionate and efficient.	Processes and associated remuneration frameworks aid early resolution in the interests of reducing impact of proceedings on victims and witnesses and defendants	Issue proposals for revised remuneration framework to reflect system changes flowing from Speeding Up Justice Early Engagement project	Q4 2026

The Commissioner Designate would be keen to see the review/reform of the parole process brought forward if possible as this has been highlighted as a significant concern by victims of crime. The parole process in Northern Ireland provides very limited opportunity for victim engagement in contrast to neighbouring jurisdictions, particularly England & Wales. The sooner the review process is consulted upon and recommendations formulated and implemented, the better. The Commissioner Designate would welcome any fast-tracking of the timeframe on this matter, particularly on any areas where there is the possibility of a quick win.

Similarly with regards to the Speeding Up Justice Early Engagement project as Q4 2026 seems like a lengthy wait for victims on this issue which has been raised repeatedly by this office.

If you would like to discuss any of these points in further detail, please contact the office via:

Tel: 028 9052 6607

Email: policy@cvocni.org