

Geraldine Hanna
Commissioner Designate for
Victims of Crime
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Mark Campbell

Via email

Dear Mark,

I welcome the opportunity to provide input into the consultation on the draft rules for the Bar Complaints Committee.

My response is grounded, as is all the work my office does, in the principles of the Victim Charter. As you will be aware this charter sets out the entitlements of victims of crime, including the right to be treated with dignity, respect, sensitivity, and fairness. Whilst the Bar Council are not a named service provider under the Charter, it is imperative that victims of crime can have confidence in the quality of service and conduct provided by the profession.

In our criminal justice system victims do not engage or instruct legal representatives directly and as I understand it, they therefore fall outside Section 15 of the Legal Complaints and Regulations Act (NI) 2016 and these corresponding rules. I therefore have focused my comments on the experience of victims who have been required to engage or instruct legal representatives within the family court system.

In the last few years my office has engaged with a number of victims of domestic abuse who have raised issues with the service they have received from barristers, and the legal profession more broadly, in the family court system.

The experiences of some of these victims have been helpfully captured in ['A Steep Learning Curve': Review and Rapid Priority Setting Exercise of Civil Legal Aid for Cases of Domestic Abuse in Northern Ireland](#).

In this report the complexity of the civil justice process, a perceived lack of transparency and lack of dedicated support are all highlighted as barriers for victims. The role of the legal profession within this structure is therefore even more significant and it is essential that there are robust complaints processes in place when things go wrong.

Many victims however report a reluctance to complain due to the fear of repercussions on obtaining future legal advice or a lack of understanding of their rights to complain or how to escalate if they are unhappy with the response. Such barriers highlight the need to ensure that our systems and process are accessible, transparent and supportive for complainants.

Given the complexity of the draft rules, I would therefore encourage you to consider developing a short 'easy read' guide and flowchart for complainants to accompany these rules.

I would also encourage the Bar to consider how these rules can be incorporated into a wider engagement process, clearly explaining the complaint processes available to victims of crime and ensure that the Bar's website is easy to understand and use for any victims trying to understand this information.

If you would like to discuss this or any other issue, please don't hesitate to contact my office.

Kind regards,

A handwritten signature in purple ink, which appears to read "Geraldine Hanna". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Geraldine Hanna

Commissioner Designate for Victims of Crime Northern Ireland