



Northern
Ireland
Office

Consultation on a revised Code of Practice for Victims and Witnesses of Crime

Northern Ireland Office
Confidence Unit
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INTRODUCTION

1. The Northern Ireland Office (NIO), together with its statutory and voluntary partners represented on the Victim and Witness Task Force, is revising the Code of Practice for Victims of Crime. The Task Force is a sub-group of the Criminal Justice Board for Northern Ireland. It is chaired by the NIO and is made up of representatives from the Police Service of Northern Ireland, Public Prosecution Service, Northern Ireland Court Service, Northern Ireland Prison Service, Probation Board for Northern Ireland, Youth Justice Agency, Victim Support Northern Ireland and the NSPCC. The code of practice is essentially an agreement between the above organisations working in the criminal justice system about how you should expect to be treated if you become a victim or witness of crime.

BACKGROUND

2. The current Code of Practice for Victims of Crime was published in 1998. It provided guidance to victims, explaining what happens when an offence is reported to the police and the various stages of the criminal justice system. If you would like to read the 1998 code of practice, it can be viewed at <http://www.cjsni.gov.uk/module.cfm/opt/8/area/Publications/page/publications>
3. In September 2007 the NIO launched a five-year victim and witness strategy called 'Bridging the Gap'. The strategy aims to enhance the victim and witness experience of the criminal justice system by improving service delivery across a number of key areas.
4. The Bridging the Gap publication can be viewed on the CJSNI website at <http://www.cjsni.gov.uk/module.cfm/opt/8/area/Publications/page/publications>
5. Three of the strategy's key actions were:

- the development of a dedicated witness walkthrough to compliment the victim's walkthrough available on the CJSNI website (www.cjsni.gov.uk);
 - the development of a victim and witness handbook, based on the walkthroughs on the CJSNI website, to further explain the criminal justice system and the roles and responsibilities of those working within it; and
 - to develop a cross-cutting Victims' Code of Practice.
6. The witness walkthrough was developed and introduced on the CJSNI website in 2007 and a handbook has now been developed based on the information available on the website. A draft can be viewed on the website at <http://www.cjsni.gov.uk/module.cfm/opt/8/area/Publications/page/publications>
7. Since the website and handbook were developed to include both victims and witnesses of crime, it was considered appropriate to extend the code of practice to witnesses.
8. As much of the information in the 1998 code of practice is now included in the victims and witness walkthrough website and the handbook, the Victim and Witnesses Task Force is suggesting (influenced by feedback from key stakeholders) that the revised code of practice should take the form of a more concise statement of how victims and witnesses should expect to be treated when they come into contact with the criminal justice system. The Task Force is also proposing that the revised code of practice should be made available as an integral part of the handbook.

PURPOSE OF THIS CONSULTATION

9. The purpose of this consultation is to seek views from those working with victims and witnesses, those who have themselves been victims and witnesses and indeed the broader general public on the revised code of practice for victims and witnesses of crime. We would particularly welcome views from younger people and those who consider themselves to come from one of the nine groups listed

under Section 75. **All and any comments are welcome**, however, we would particularly appreciate your specific views on the following issues.

1. Do you agree with the proposed approach of having a short and concise code of practice that can be easily read on its own or in conjunction with a more detailed associated handbook?
2. Does the revised code of practice explain in a way that is understandable how you will be treated by the various criminal justice organisations should you become a victim or witness of crime?
3. Do you agree that the commitments contained in the revised code of practice are what you would expect from the criminal justice system?
4. Does the revised code of practice meet the objective in the Bridging the Gap Strategy of developing a cross-cutting Victims' Code of Practice that promotes accountability for all agencies interacting with victims and witnesses?
5. Do you agree with our proposed approach that the code of practice should embrace witnesses as well as victims?

EQUALITY IMPACT

10. Section 75 of the Northern Ireland Act 1998 requires public authorities to have due regard to the need to promote equality of opportunity and to the desirability of promoting good relations between certain groups of people. A screening of the code of practice has indicated that no section 75 group should be adversely affected by it and that it need not be subject to a full Equality Impact Assessment.

However, views are welcome on the implication of the code of practice on equality of opportunity for all groups specified under section 75 of the 1998 Act.

INVITATION TO COMMENT

11. We would welcome your views on the revised code of practice (Annex A) and we would invite you to send your comments, which should include your name and contact address, in whatever format you choose to:

Code of Practice for Victims and Witnesses of Crime Consultation
Confidence Unit
Northern Ireland Office
Massey House
Stormont Estate
Belfast
BT4 3SX

Telephone: 028 90 527259

Fax: 028 90 527507

Text phone: 028 90 527668

E-mail: CJD.Public@nio.x.gsi.gov.uk

Comments should be returned by **5pm on Friday 30 October 2009.**

12. In an effort to make responding to this consultation easier for some recipients we are enclosing the questionnaire (Annex B) that you might wish to use to provide us with your views but we are happy to receive your responses in whatever format is most convenient. We will acknowledge receipt of all comments that we receive and will try to answer any questions raised.
13. **If you have any queries about the information provided in this document please contact the NIO Confidence Unit (whose details are listed above) for assistance.** However if you have any queries or concerns about the way in which the consultation process itself has been handled, you may raise these with the NIO Consultation Co-ordinator at the following address:

Donna Knowles
Equality Branch
Central Management Unit
Northern Ireland Office
Stormont House Annexe
Stormont Estate
Belfast, BT4 3SH

E- mail: donna.knowles@nio.x.gsi.gov.uk

Telephone: 02890 527015

Text phone: 028 90 527668

ALTERNATIVE FORMATS

14. An electronic version of this document is available to view and download from the NIO and CJSNI websites (www.nio.gov.uk and www.cjsni.gov.uk). Hard copies will be posted on request. The text phone contact details are detailed above. Copies in other formats, including Braille, large print, audio cassette, computer disc etc may be made available on request. If it would assist you to access the document in an alternative format or a language other than English, please let us know, and we will do our best to assist you.

CONFIDENTIALITY OF RESPONSES

15. The NIO will publish a summary of responses following the completion of the consultation process. Unless individual respondents specifically indicated that they wish their response to be treated in confidence, the nature of their response may be included in any published summary of responses. Respondents should also be aware that the NIO's obligations under the Freedom of Information Act 2000 may require that any responses, not subject to specific exemptions in the Act, may be disclosed to other parties on request.

CONSULTATION CRITERIA

16. The Government's general consultation criteria are:

- to consult widely throughout the consultation process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy;
- to be clear about what its proposals are, who may be affected, what questions are being asked and the timescale for responses;
- to ensure that the consultation is clear, concise and widely accessible;
- to give feedback on the responses received and how the consultation process influenced policy;
- to monitor the Department's effectiveness at consultation, including the use of a designated consultation co-ordinator; and
- to ensure that consultation follows better regulation best practice, including carrying out a regulatory impact assessment if appropriate.

Draft Code of Practice for Victims and Witnesses of Crime

Introduction

If you should become a victim of, or witness, a crime, you may have contact with a number of different organisations and people who work in the criminal justice system in Northern Ireland. This code of practice is an agreement between us, the various organisations and people working in the criminal justice system, about how you should expect to be treated if you become a victim or witness of crime. We will aim to make sure that you receive information and support to help you during your involvement with us, and we will treat you with dignity, respect and sensitivity.

We have listed the organisations that you may have contact with in the useful contacts section of the handbook that will incorporate this code of practice. We each have different responsibilities at different stages of the criminal justice process and we will explain our roles in more detail in the handbook. If we cannot help you with a query, we will try to put you in touch with someone who can. You can also contact **Victim Support Northern Ireland on 0845 3030 900** if you would like to talk more generally to someone about the services and support that are available for victims and witnesses.

Access to information

We will give you relevant information at each stage and throughout the criminal justice process. This may include:

- your role in the criminal justice process;
- progress reports (where possible giving an explanation for any delays);
- the outcome of criminal proceedings (where relevant); and
- where you can get more information and help.

We will make sure that the information we give you is easy to understand and will try to provide it in other languages or formats if you need it. We will tell you who to contact if you want to discuss specific information that you receive. If the information is about a

decision that has been taken, we will tell you as much as we can about how that decision has been made.

Accessibility

If possible, we will make arrangements to meet your personal circumstances, for example, if you have language or communication needs, we will provide an interpreter or signer or whatever help might be appropriate.

Involvement

A number of people from various organisations may need to speak to you about what happened to you before, during or after the crime, and about the effect the crime had on you. When we contact you, we will explain clearly who we are, why we are contacting you, what you can expect from us and what will happen next. Where possible, we will arrange a meeting (if you want one) at a time and place that suits you.

If you are a child witness or other vulnerable witness, it may be possible for you to get extra help, and we will work with you to meet your needs at court to help you give your best evidence. It is important that you tell us, as early as possible, if you think you might need additional help or if your contact details or personal circumstances change.

Confidentiality

The services we provide are normally confidential. Information we hold about you is protected by data protection laws and we will not reveal it to anyone without your permission, unless:

- we legally have to; or
- revealing it would help to prevent or detect crime.

The Data Protection Act 1998 sets out your rights in relation to the information that is held about you.

Feedback or complaints

We are committed to continuously improving our services to victims and witnesses. An important way of understanding how we might improve our services is to ask you for feedback. Each of the criminal justice organisations may ask you for feedback and we

may also invite you to take part in the Northern Ireland Victim and Witness Survey. This is your opportunity to tell us about your experience. If you are not happy with the service you have received from any of the organisations you have been in contact with, it is important that you tell us so that we have an opportunity to deal with your concerns. If a particular matter cannot be sorted out to your satisfaction, we will explain how you can raise your concerns formally.



RESPONSE PRO FORMA

Consultation on the revised Code of Practice for Victims and Witnesses of Crime

The purpose of this consultation is to seek views from those working with victims and witnesses, those who have themselves been victims and witnesses and the broader general public on the revised code of practice for victims and witnesses of crime. We would particularly welcome views from younger people and those who consider themselves to be members of the nine categories listed under Section 75. All and any comments are welcome, however, we would particularly appreciate your specific views on the following questions please:-

1. Do you agree with the proposed approach of having a short and concise code of practice that can be easily read on its own or in conjunction with a more detailed associated handbook?

2. Does the revised code of practice explain in a way that is understandable how you will be treated by the various criminal justice organisations should you become a victim or witness of crime?

3. Do you agree that the commitments contained in the revised code of practice are what you would expect from the criminal justice system?

4. Does the revised code of practice meet the objective in the Bridging the Gap Strategy of developing a cross-cutting Victims' Code of Practice that promotes accountability for all agencies interacting with victims and witnesses?

5. Do you agree with our proposed approach that the code of practice should embrace witnesses as well as victims?

6. Do you have any further comments or observations on the revised code of practice that you might like to make?

7. Did you find the language used in this consultation paper easy to understand?

YES / NO (please delete as applicable)

If you responded 'NO', please take a moment to tell us why and what we could do to improve.

8. Finally, did you find the inclusion of this questionnaire a helpful means of enabling you to respond?

YES / NO (please delete as applicable)

If you responded 'NO', please take a moment to tell us why.

Name _____

Organisation _____

Address _____

T/P _____

Email _____ @ _____

Date _____

Please return your completed questionnaire or other response to:

Code of Practice for Victims and Witnesses of Crime Consultation
Confidence Unit
Northern Ireland Office
Massey House, Stormont Estate
Belfast, BT4 3SX

Telephone: 028 90 527259

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