



Written evidence
to the Northern Ireland Assembly Committee for Justice
on the Inquiry into the Criminal Justice Services available to
Victims and Witnesses of Crime in Northern Ireland

1. Introduction

- 1.1. The Probation Board for Northern Ireland (PBNI) is a Non-Departmental Public body (NDPB). The PBNI was created in 1982 by the Probation Board (NI) Order 1982 and is a key organisation within the Northern Ireland Criminal Justice system.
- 1.2. PBNI aims to prevent offending by assessing offenders; challenging offending behaviour; positively changing offenders' attitudes and behaviour; and protecting the public, to create safer communities.
- 1.3. At the core of all the work we undertake, probation is about reducing the risk of people becoming victims of crime. Everything we do is about preventing people becoming victims of crime and preventing re-victimisation.
- 1.4. As an NDPB, the PBNI has a Board of 13 members drawn from across the community. The Chair of the Board is Mr Ronnie Spence. The Director of PBNI is Mr Brian McCaughey. PBNI employs 376 people, of various grades (including Probation Officers, Managers, administrative and support staff), based in 31 locations throughout Northern Ireland. PBNI staff are also based in Northern Ireland's prisons (40 in total). All Probation Officers hold a professional qualification in Social Work (DipSW or equivalent). The PBNI also has a forensic psychology unit, and a Victim Information Unit. PBNI provide grant aid to voluntary and community organisations in respect of rehabilitation services for offenders.

1.5. PBNI works at every stage of the criminal justice process; at court, in custody and in the community and

- Provides a Victim Information Scheme to any person who has been the direct victim of a criminal offence and the offender is supervised by PBNI.
- Works with partners to minimise the risk of harm posed by certain violent and sexual offenders.
- Delivers behavioural change programmes for offenders in custody and in the community.

1.6. The focus of all of the work undertaken by the Probation Board is to reduce offending. There are in effect 4 key elements of our work, which we describe as:

- Ensuring sentence compliance;
- Challenging offending;
- Minimising harm; and
- Promoting responsible citizenship.

2. Background

2.1. The PBNI provide around 9,700 reports for courts, parole commissioners and others every year. At any given time PBNI supervise over 5,000 court orders placed on offenders (4,100 under supervision in the community, 900 in custody). These offenders are supervised in relation to compliance against a wide variety of court orders, including probation orders; custody probation orders; combination orders; and community service orders. PBNI also supervise offenders released on licence from prisons and the Juvenile Justice Centre.

2.2. The PBNI delivers a wide range of challenging programmes tackling offending behaviour including specific programmes for those who perpetuate domestic violence and sexual offences, violent offending as well as programmes to address offending behaviour more generally.

- 2.3. With a presence in every provincial town in Northern Ireland, close working relationships with around 300 partners in the community and voluntary sector, PBNI supervises annually 160,000 hours of unpaid work to communities through the Community Service Scheme.
- 2.4. This is partly achieved by providing over £1.25 million every year to voluntary and community groups to help deliver services in relation to the prevention of crime and supervision of offenders (Community Development funding).
- 2.5. In the next year, in assist in delivering on its purpose of making local communities safer, PBNI also hopes to play a direct role in the newly established local Policing and Community Safety Partnerships (PCSPs).
- 2.6. All PBNI activities are delivered to clear standards and service requirements and in accordance with best practice principles. These standards are agreed with the Department of Justice and Lord Chief Justice.
- 2.7. For the purpose of this inquiry, PBNI's written evidence will focus on the needs of victims as they come into contact with the Criminal Justice System.

3. Probation Board for Northern Ireland Work with Victims

- 3.1. PBNI believes that the victim's perspective is central to our work carried out with offenders. All our programmes and interventions challenge offenders to understand the impact their offence has had on the victim.
- 3.2. PBNI's statutory Victim Information Scheme was established under the Criminal Justice (NI) Order 2005 to provide information to victims about what it means when someone is sentenced to an order or licence supervised by PBNI.
- 3.3. As well as providing information, PBNI's Victim Information Scheme listens to the concerns of victims and this informs our work with the offender. Approximately 800 victims have joined the scheme to date.

- 3.4. Approximately 60% of those who have used the Victim Information Scheme have provided feedback; and the most recent analysis of this feedback shows that 98% were very satisfied / satisfied with their contact with the Scheme.
- 3.5. PBNI has completed a number of victim / offender pilots throughout Northern Ireland in conjunction with community partners, Alternatives and Community Restorative Justice Ireland (CRJI) and is committed to the use of a range of restorative interventions ranging from indirect mediation to victim /offender restorative meetings. In the right circumstances there is a real benefit in the victim of crime being able to make clear to the offender the impact the crime has had on their life. Following the successful completion of these pilots, victim / offender work continues to be supported through partnerships funded by PBNI's Community Development grants scheme.
- 3.6. PBNI needs to build greater resource capacity to deliver restorative approaches across the whole of Northern Ireland and begin to develop approaches in adult conferencing.
- 3.7. The Community Service strategy which was revised in 2010 has a theme of listening to the voices of victims and victim's representatives. Those who register via the PBNI Victim Information Scheme have an opportunity if they so wish to influence the type of work that an offender completes, for example if the victim supports a cancer charity the offender might be tasked to work for that charity. Victims are able to nominate particular schemes that may benefit from community service through PBNI's website.
- 3.8. The Alternatives community based organisation was appointed after a procurement exercise to help raise staff awareness with regard to victim/offender work through the provision of training to relevant PBNI staff.
- 3.9. PBNI Victims Unit also prepares reports for the Parole Commissioners in relation to life sentence cases. This enables the victims' families to have their say about any concerns they may have regarding the prisoners'

release under PBNI supervision. 15 reports have been completed to date and the feedback from victims has been very positive. The Parole Commissioners have also welcomed this development.

3.10. PBNI is intent (resource permitting) on extending the provision of such victim reports for Parole Commissioners in relation to appropriate public protection sentences, thereby ensuring a victim centric approach in those cases which cause greatest harm.

4. Desired Outcomes

4.1. The way in which the Criminal Justice System engages with victims of crime needs to change.

4.2. The Criminal Justice System in Northern Ireland must strive to ensure the needs of victims are listened to, acknowledged and are a core part of the system's administration.

4.3. The Criminal Justice System should

- Deal with cases without undue delay.
- Keep victims up to date about the progress of their case and provide support at all stages of the process.
- Provide accurate, timely information about the person who offended against them.
- Provide ways for victims to inform judges and other decision makers about the impact of the crime on them, their views and concerns.
- Provide opportunities for restorative interventions between a victim and offender. Such opportunities must be victim led.
- Provide an integrated service to victims.

4.4. PBNI is well placed and wishes to play its part in the provision of services to victims. This means

- Expanding the use of restorative interventions for the victims of offenders on community sentences, including face-to-face interventions, and restorative approaches with higher risk offenders.
- Facilitating the delivery of restorative interventions in partnership with voluntary and community organisations.
- Giving local communities the opportunity to participate in restorative initiatives.
- Providing victims with specific and tailored information about their particular case.
- Being part of an integrated service to victims, which operates on an 'opt out' basis, i.e. the starting position is that victims will be provided with information, and can choose to opt out if they wish (rather than the current 'opt in' provision as outlined in points 5.7 and 5.8 below).

4.5. For victims, and for Northern Ireland society more generally the outcomes will be

- Victims needs and concerns will be better understood.
- Victims will have the opportunity to contribute their views on improvements to the criminal justice process.
- There will be one point of contact for victims in Criminal Justice where they will receive timely information and support.
- Local communities will have a role to play in restorative initiatives (possibility through PCSPs).
- There will be a better understanding of criminal justice, and therefore, confidence in the Criminal Justice System will increase.

5. Issues and Concerns Requiring Attention

- 5.1. The most common concerns we hear from victims who are registered with our Victim Information Scheme are about the lack of timely information on their particular case, lack of ongoing contact throughout the duration of their case and confusion about what information they are entitled to at each stage of the criminal justice process.
- 5.2. PBNI is of the view that a singular interface for victims is the most effective means of providing accurate, timely information about the criminal justice system. In real terms, this means the amalgamation of existing Victim Information Schemes, and bringing into a singular entity the provision of support services for witnesses.
- 5.3. An integrated service for victims after an offender has been convicted could lead to the development of appropriate technology to exchange information with victims and witnesses, and also provide a single point of contact for more general information (helping to raise awareness and thus confidence).
- 5.4. The court process itself is difficult to understand and needs to be more responsive to the needs of victims and witnesses.
- 5.5. PBNI is of the view that victims should have the opportunity to have their voices heard at the key stages of the criminal justice process- from prosecution, at sentencing, when release from custody is being considered and when an offender is subject to licence conditions or supervision in the community.
- 5.6. Practical ways of achieving this may include provision of victim impact statements or victim reports at the prosecution and sentencing stages, opportunities to contribute to the agreement of licence conditions prior to release from custody, or contributing to multi-agency public protection arrangements for certain offenders.
- 5.7. For any information provided to victims post-conviction, this may be more effectively delivered on an 'opt out' basis (rather than the current 'opt in')

requirement), i.e. unless otherwise specified, victims will receive information about the sentence given to an offender and their progress.

- 5.8. Currently, victims are required to register with PBNI's Victim Information Scheme in order to receive its services. Registration is mediated via provision of information by PSNI (PBNI has no direct contact with victims), which adds unnecessary delay and burden on staff to ensure victims have access to information. This is based on the current legislative provisions for PBNI's Victim Information Scheme. The current system is unwieldy, and means that PBNI is unable to ensure timely and accurate notification to victims.
- 5.9. PBNI recognise that each victim will have individual needs; therefore, information schemes should have more discretion in relation to the type and level of information which may be provided to victims. For example, currently PBNI is not able to disclose the actual date of release from custody to a victim, nor the area where an offender lives.

6. Conclusion

- 6.1. At the core of all the work we undertake, probation is about reducing the risk of people becoming victims of crime. Everything we do is about preventing people becoming victims of crime and preventing re-victimisation.
- 6.2. By providing victims of crime with information about the requirements of an offender's court sentence, as well as giving them the opportunity to inform decisions makers at key points in the criminal justice process, PBNI seeks to reduce the impact of crime on individual victims, and also to decrease the likelihood of further offending by explaining to offenders the impact of their behaviour on others.

6.3. PBNI would welcome the opportunity to provide oral evidence to the Justice Committee in relation to this inquiry should the Committee find that to be of assistance.

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Director of Probation

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