

## SAMM NI SUBMISSION TO COMMITTEE FOR JUSTICE

### INQUIRY INTO THE CRIMINAL JUSTICE SERVICES AVAILABLE TO VICTIMS AND WITNESSES OF CRIME IN NORTHERN IRELAND

1. SAMM NI. Support After Murder and Manslaughter Northern Ireland, is the local branch of an independently registered charity SAMM National, funded in England and Wales by the Home Office. SAMM offers free and confidential practical help and emotional support to families and friends bereaved through murder or manslaughter. SAMM is involved in training, research, raising public awareness and increasing the understanding of agencies who work closely with the families. SAMM National has assisted in many reports, papers and television programmes, met with Members of Parliament and given evidence before a House of Lords Select Committee and at the House of Commons Home Affairs Committee. Referrals are made to SAMM NI by PSNI Family Liaison Officers, Victim Support NI and some families make contact themselves. SAMM NI has been involved in the training of the PSNI's Family Liaison Officers since 2006 and has given presentations to agencies within the Criminal Justice System. SAMM NI works very closely with Victim Support NI and other support agencies such as The Family Trauma Centre based in Belfast.
2. This submission aims to reflect the experiences of SAMM NI members, i.e. those most deeply and directly affected by the way Criminal Justice Services in Northern Ireland attempt to meet the needs of those who have lost loved ones to murder and manslaughter. It will also offer recommendations for action, as per Paragraph 2 of the Northern Ireland Assembly's Guide to Submitting Written Evidence to Assembly Committees.
3. The following paragraphs will deal, in turn, with the first four bullet points constituting the Terms of Reference of the Inquiry (the fifth, reporting to the Assembly is a matter exclusively for the Committee).
4. ***Review the effectiveness of the current approach and services provided by the criminal justice agencies to victims and witnesses of crime.*** SAMM NI has identified a serious flaw in the current approach; all the criminal justice agencies refer to the needs of victims and witnesses in their strategies, but there is no reference to the needs of families bereaved by murder and manslaughter. Unless a family member is being called as a witness the family has no role in the system. They are told repeatedly that they are not victims as the victim is dead. Louise Casey in her '*Review into the Needs of Families Bereaved by Homicide*' published in July 2011(page59) states: "the criminal justice system barely recognises that family, because they have no formal status." SAMM NI recommends that the needs of families should be acknowledged by all agencies they come in contact with during the investigation and court experience. Thought needs to be given on preparation for the family

about how a criminal trial proceeds; the language used; what the possible verdicts are; sentences imposed; and appeals procedure for too lenient a sentence.

5. ***Identify the key issues impacting on the experiences of victims and witnesses of crime of the criminal justice system and any gaps in the services provided.*** A key issue is the depth and extent of trauma suffered by those who have lost loved ones. A survey by our parent organisation, SAMM National, identified that over 80% of families suffered trauma-related symptoms, 75% suffered from depression, and 20% developed alcohol-addiction issues. The trauma suffered by families can often be exacerbated by the criminal justice services, e.g. accessing the body for burial, access to information about what happened, understanding the legal processes, and the sentence if applicable. SAMM NI would recommend (i) the Committee satisfies itself that enough is being done to ensure all criminal justice agencies are aware of, are trained in, and take account of, families suffering from trauma as they engage with the criminal justice system, and; (ii) scope the provision of trauma support provision, to ensure adequate reach, including an analysis across geographic and age group provision.
6. ***Identify and analyse alternative approaches and models of good practice in other jurisdictions in terms of policy interventions and programmes.*** SAMM NI recommends the Committee considers positive actions that would acknowledge and address the practicalities families suffer during bereavement. For example, homes may become crime scenes, forcing families to move; the victim may have been the wage earner; the victim may have dealt with the very issues that the family are now required to action, e.g. dealing with statutory agencies, paying bills, organising diaries. SAMM NI invites the Committee to study international best practice in the provision of liaison officers who act as “gatekeepers” for families; we also suggest consideration is given to the establishment of a fund targeted specifically at purchasing services on an individual need basis, including trauma support.
7. ***Consider what priorities and actions need to be taken to improve the services provided to victims and witnesses of crime.*** SAMM NI has concerns with the compensation process and the legislation around making a claim for the Fatal Award and/or psychological trauma for siblings of murder victims. Our experience has been that there is little or no understanding of the psychological impact a murder has on surviving parents, children or siblings nor the detrimental impact of engagement with the compensation process, through having to prove that they loved their murdered sibling; or a denial because the death of a son stated by The Compensation Agency as not a crime of violence despite PSNI still investigating a murder; or the claimant has not been referred for counselling by GP despite trauma counselling difficult to access. SAMM NI understands when claimants are unable to gather the strength to appeal these decisions despite being in financial hardship. SAMM NI is uncomfortable with the recent changes to the criteria and would recommend that the Committee reviews the compensation process and the legislation on the criteria for families bereaved through murder and manslaughter.

8. As the Committee has made clear it will take account of existing reports and research papers, SAMM NI draws the Committee Clerk's attention to our book of storytelling "Love is a Memory No-One Can Steal". Copies have previously been forwarded to the Chair and Deputy Chair of the Committee.
  
9. In conclusion, SAMM NI thanks the Committee for undertaking this important Inquiry, and would welcome an invitation to expand on this written submission in one of the Committee's evidence based sessions for victims and stakeholders.