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## Statutory Requirements of Criminal Justice Agencies in Northern Ireland regarding Victims and Witnesses

### 1 Introduction

This paper has been prepared to assist the Justice Committee in its inquiry on victims and witnesses in the criminal justice system. This briefing paper provides information on each of the criminal justice organisations and outlines the statutory requirements on criminal justice agencies in Northern Ireland with regards to victims and witnesses, where appropriate.

The paper also draws on other non- statutory sources which provide information on how victims and witnesses should expect to be treated by criminal justice organisations. In particular, the paper provides information on the Department of Justice Code of Practice for Victims of Crime which sets out the role of statutory criminal justice organisation (and some voluntary organisations) and the standards which victims and witnesses should expect.<sup>1</sup> The Code of Practice is a guide however and does not confer legal rights on victims.<sup>2</sup> The Department of Justice has indicated

<sup>1</sup> The paper only focuses however on the requirements of statutory criminal justice organisations as there are a number of voluntary organisations which provide services of victims of crime, particularly Victim Support NI and the NSPCC

<sup>2</sup> Department of Justice Northern Ireland "Code of Practice for Victims of Crime" March 2011. 7

that it will place the Code of Practice on a statutory footing.<sup>3</sup> The Department plans to place the requirement for a Code in legislation whilst leaving the provisions non statutory. The rationale for this approach is to enable the provisions to be reviewed and updated as the Department seeks to raise the standards and commitments in the initial code without going through the lengthy process of changing legislation.<sup>4</sup>

## 2 Police Service Northern Ireland

Section 32 (1) of the Police (NI) Act 2000 describes the functions of the police in Northern Ireland which are:

- To protect life and property;
- To preserve order;
- To prevent the commission of offences; and
- Where an offender has been committed, to take measures to bring the offender to justice.

This provision also requires the police to carry out their functions in co-operation with, and with the aim of securing the support of the local community.<sup>5</sup> In discharging his/her functions, a police officer is required to uphold the human rights of all individuals, according to the declaration made upon attestation as a constable.<sup>6</sup>

Section 52 of the Police (NI) Act 2000 requires that the Northern Ireland Policing Board will issue a Code of Ethics which will lay down the standards and conduct of police officers and make them aware of their obligations arising from the European Convention on Human Rights under the Human Rights Act 1998. The Code of Ethics requires police officers to treat victims of crime with sensitivity and dignity and to consider any particular needs, vulnerabilities or concerns victims may have. Furthermore the Code of Ethics, subject to the rules regarding confidentiality, requires the police to update victims on the progress of relevant investigations.<sup>7</sup> The police are also required in the provisions of the code to take account of the particular needs of witnesses.<sup>8</sup> There are procedures for dealing with breaches of the Code of Ethics. Different procedures exist to deal with alleged misconduct and the origins of the allegation. Minor cases dealt with someone within the Police Service may be dealt with by a supervisor by way of advice or guidance. However cases resulting from a

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<sup>3</sup> Committee of Justice Official Report "Department of Justice Briefing to the Justice Committee on planned Justice Legislation" 16/06/11

<sup>4</sup> Department of Justice "Summary of Responses to the Public Consultation on Code of Practice for Victims" [http://www.dojni.gov.uk/index/public-consultations/archive-consultations/consultation\\_on\\_a\\_code\\_of\\_practice\\_for\\_victims\\_of\\_crime.htm](http://www.dojni.gov.uk/index/public-consultations/archive-consultations/consultation_on_a_code_of_practice_for_victims_of_crime.htm)

<sup>5</sup> Section 32 (5) of the Police (NI) Act 2000

<sup>6</sup> Section 38 of the Police (NI) Act 2000

<sup>7</sup> PSNI Code of Ethics 2008, Art 2, para 2.3

<sup>8</sup> PSNI Code of Ethics 2008, Art 2, para 2.4

complaint by a member of the public about an officer's conduct, if not already referred to the Police Ombudsman, must be referred immediately to the Police Ombudsman.<sup>9</sup>

The legislation does not make statutory provision for services which the Police Service of Northern Ireland (PSNI) should provide to victims. However the PSNI has published a policy on dealing with victims and witnesses.<sup>10</sup> The policy states that:

2 (1) (a) The Police Service of Northern Ireland's (PSNI's) Policy is to deal with all victims and witnesses to criminal offences in accordance with the provisions of the Criminal Evidence (NI) Order 1999 and the Achieving Best Evidence guidance.

(b) The PSNI will treat victims and witnesses according to their particular needs both as victims and witnesses and as individuals.

(c) The PSNI will take account of vulnerable victims and witnesses and will consider a range of issues such as their cultural, racial, religious, and sexual identities, and any disability including sensory disability.

(d) The PSNI will update and liaise with victims of crime by keeping them informed of the progress and status of their particular investigation.

(e) The PSNI will make appropriate referrals to both voluntary and statutory agencies in an effort to provide enhanced support to victims and witnesses.

The policy acknowledges the importance of the role of the victim in the investigation of a crime and emphasises that victims are more likely to press charges and give evidence in court if they are treated properly by the police.<sup>11</sup> The policy also sets out procedures and guidance on communicating with victims and addressing the needs of specific victims. The policy also sets out commitments on support for victims and the procedures for referral to Victim Support NI. The policy provides that if the investigating officer becomes the subject of the complaint by a victim, they must ensure they inform their supervising officer and ensure someone else assumes the responsibility for updating the victim on their behalf. The policy states that failure to comply with this can render the investigating officer open to disciplinary action.

The PSNI also has published Policing Commitments which set out the standards which the public including victim can expect from the police. Some of the commitments include:

- We will treat you fairly and make sure you can use our services at a time that is reasonably suitable for you. When we speak to you, we will always give you an opportunity to discuss your concerns;

<sup>9</sup> PSNI Code of Ethics 2008, pg 28.

<sup>10</sup> PSNI Policy Directive on Dealing with Victims and Witnesses PD05/06

<sup>11</sup> PSNI Policy Directive on Dealing with Victims and Witnesses PD05/06, para 2 (d)

- If you have been a victim of crime, we will update you within 10 days on what we are doing to investigate the crime. If it is appropriate we will give you further updates (and agree with you when these updates will be);
- If you phone 999, we will try to answer your call within 10 seconds. We will let you know when we expect to arrive at the scene of the emergency. We will answer nonemergency calls promptly. If there is not an emergency and we need to come out to you or if you are calling about an agreed community priority in your area, we will aim to be with you within 60 minutes;
- If appropriate, we will make an appointment at a time that suits you to discuss your problem or any other issues that you are concerned about. We will also give you advice on how to prevent the problem from happening again. If we cannot deal with the problem, we will try and put you in touch with someone who can.

The Code of Practice for Victims of Crime, published by the Department of Justice in 2010 provides information services victims should expect from the police. This includes:<sup>12</sup>

- Deal with victims and witnesses in a polite and fair way;
- Provide victims with an information leaflet;
- Pass contact details to Victim Support if the individual agrees;
- Write to victims within five days of reporting the crime to give the contact details of the investigating officer;
- Inform victims when someone has been arrested, been charged and the details of the defendant's first court of appearance;
- If after 3 months, and no-one has been identified for the crime, the police will contact the victim;
- In the case of murder or manslaughter or road death a Family Liaison Officer will be appointed to manage communication between the victim and the police investigation team;
- In the case of victims of child abuse or rape, the case will be investigated by a specialist team;
- Pass information on needs to the Public Prosecution Service in cases of vulnerable or intimidated witnesses to ensure continuation of support;
- Give necessary information to the Compensation Agency and issue certificates as soon as possible if applying for compensation.

The Code also sets out information on the Police Ombudsman in respect of complaints about the services received from the PSNI.<sup>13</sup>

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<sup>12</sup> Department of Justice "Code of Practice for Victims of Crime", March 2011, 15

### 3 Public Prosecution Service

The Public Prosecution Service (PPS) in Northern Ireland was established under the Justice (NI) Act 2002 (the 2002 Act). Section 31 of the Act sets out the core function of the PPS as the principal prosecuting authority in criminal proceedings instituted on behalf of the police. The 2002 Act does not specify services that the PPS should provide to victims however there is a requirement for Director of Public Prosecutions to prepare a Code of Practice for Prosecutors.<sup>14</sup> However the Code does not lay down any rule of law.<sup>15</sup> The Code of Practice for Prosecutors contains information on the services to be provided to victims. They include:

- Information provision- delivery of information at key milestones in the progress of a case including prosecutorial decision, notification of major changes to a case, etc;
- Court attendance- arranging and providing information in support of attendance of victims and witnesses at court, for example ensuring witness availability; and
- Support services-providing specialist support services to victims and witnesses as the case progresses through partnerships with Victim Support and the NSPCC, for example to those persons who are vulnerable, intimidated or have particular requirements.

The Code of Practice also contains a Code of Ethics for Prosecutors. The Code of Ethics provides that in order to ensure the fairness and effectiveness of prosecutions, prosecutors shall fulfil their responsibilities to victims and witnesses.<sup>16</sup> The Code of Ethics also states that, in accordance with the requirements of a fair trial, the prosecutor shall consider the views and legitimate interests, privacy and concerns of victims and witnesses when their interests are, or might be, affected and seek to ensure that victims and witnesses are informed of their rights; and similarly seek to ensure that any aggrieved party is informed of the right to recourse to some higher authority or court where that is available.<sup>17</sup> Failure by prosecutors to adhere to the Code of Ethics may result in disciplinary proceedings or in the case of independent counsel instructed by the PPS may result in the PPS not availing of services of that particular counsel in the future.<sup>18</sup>

The Code of Practice draws attention to the possibility of compensation for victims under the Criminal Justice (NI) Order 1994. The prosecutor will have responsibilities under Article 14 (2) of the Criminal Justice (NI) Order 1994 to make representations regarding compensation on behalf of the victim where appropriate.

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<sup>13</sup> Department of Justice "Code of Practice for Victims of Crime", March 2011,15

<sup>14</sup> S 37 of the Justice (NI) Act 2002

<sup>15</sup> Public Prosecution Service "Code of Practice for Prosecutors" Revised 2008,1

<sup>16</sup> Public Prosecution Service "Code of Practice for Prosecutors" revised 2008, 37

<sup>17</sup> Public Prosecution Service "Code of Practice for Prosecutors" revised 2008, 38

<sup>18</sup> Public Prosecution Service "Code of Practice for Prosecutors" revised 2008, 38

The Code of Practice for Victims of Crime published by the Department of Justice also sets out services provided by the PPS, reflecting the services set out in the Code of Practice for prosecutors. The Code of Practice explains that the PPS is committed to ensuring victims' interests are taken into account as far as possible although they cannot represent them in the same way in which a solicitor would represent a client. The Code of Practice also specifies that the PPS will provide information to victims on when they have received a file from the police, when they have made a decision whether or not to prosecute and information about going to court to give evidence and the role of the PPS providing a Victim Impact Statement to the court if the victim has prepared one. The Code of Practice provides that, where appropriate, the PPS will apply to court for particular orders such as compensation orders or a sexual offences protection order. The Director of Public Prosecution may also refer unduly lenient sentences to the Court of Appeal. The Code of Practice also provides information on how people can make complaints to the PPS if they are unhappy with the services provided.<sup>19</sup>

#### 4 The Northern Ireland Courts and Tribunals Service

The Northern Ireland Courts and Tribunals Service was formerly known as the Northern Ireland Court Service which was established as a unified and distinct civil service under the Judicature (NI) Act 1978. Its main functions were:<sup>20</sup>

- to facilitate the conduct of the business of the Court of Judicature, county courts, magistrates courts and coroners' court;
- to give effect to judgements to which the Judgement of Enforcement (NI) Order 1981 applies;

The Northern Ireland Court Service (Abolition and Transfer of Functions) Order (Northern Ireland) 2010 abolished the Northern Ireland Court Service and transferred its functions to the Department of Justice. The Northern Ireland Courts and Tribunals Service (NICTS) became an executive agency of the Department of Justice.

There is no specified requirement in these pieces of legislation for the NICTS to provide services to victims and witnesses. However the NICTS has a victims and witnesses policy which provides a summary of what victims and witnesses can expect during the court process. These include:<sup>21</sup>

##### Before Court

- The opportunity to visit the court before coming to give evidence;

<sup>19</sup> Department of Justice "A Code of Practice for Victims of Crime" March 2011, 27-30

<sup>20</sup> Judicature (NI) Act 1978

<sup>21</sup> Northern Ireland Court Service "Victims and Witnesses Policy" March 2006, 7-8, [http://www.courtsni.gov.uk/en-GB/Services/Support2VictimandWitnesses/Documents/fe73341cb36a48d18dc1d3a119678428p\\_ucs\\_victimswitnesses.pdf](http://www.courtsni.gov.uk/en-GB/Services/Support2VictimandWitnesses/Documents/fe73341cb36a48d18dc1d3a119678428p_ucs_victimswitnesses.pdf)

- Contact information for voluntary agencies and support services;
- Information about the court building and the process.

#### **At Court**

- Separate waiting rooms on request;
- Information about progress on the day and waiting time;
- Courteous and sensitive treatment by court staff;
- Reduction in unnecessary formality in court;
- Use of interpreters if necessary;
- Explanation of the process;
- Clean and comfortable waiting rooms and refreshment facilities

#### **Post Court**

- Information about the verdict and sentence, however this may be restricted due to legislative restrictions;
- Use of an interpreter to explain the results after a court hearing;
- Opportunity to provide feedback on the process.

The policy also provides information about how to find the complaints procedure about the NICTS.

The Code of Practice for Victims and Witnesses published by the Department of Justice in 2010 reflects much of the information contained within the NICTS policy on victims and witnesses regarding services. The Code of Practice also provides that it is possible in cases to be heard in the Crown Court that the victim might be able to transfer venue if the original venue is difficult to attend. The Code of Practice also provides guidance on how to make a complaint. If individuals are still not happy, they can complain to a complaints co-ordinator in the Communications Group in the NICTS.<sup>22</sup>

## **5 The Northern Ireland Prison Service**

The main statutory duties of the Northern Ireland Prison Service are set out in the Prison Act 1953. This legislation does not specify services for victims however the Prison Service does have a role in relation to victims. The Department of Justice is required to establish a Victim Information Scheme that provides information about the

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<sup>22</sup> Department of Justice "Code of Practice for Victims of Crime", March 2011.<sup>34</sup>

discharge and temporary release of prisoners.<sup>23</sup> The Northern Ireland Prison Service administers the Prisoner Release Victim Information Scheme (PRVIS). An information booklet has been published by PRVIS, informing victims on how they can be involved in the scheme and the types of information they can receive under the scheme. In order to be eligible, a person must be the actual victim of the offence for which the offender was imprisoned, next of kin or immediate family member or has a close relationship with the person who had died as a result of the crime; or is acting on behalf of a victim who is unable to act on their own behalf.<sup>24</sup> The scheme applies to adult prisoners (over the age of 18 years) sentenced or permanently transferred to serve their sentence in NI. Young offenders are only included in the scheme in certain circumstances. They must have been:

- given the equivalent of a life sentence;
- convicted of a grave offence; or
- sentenced to detention in a young offenders centre in the crown court

The young offender will only become part of the scheme when they reach the age of 18.

The scheme also only applies to prisoners who have been imprisoned to periods of six months or more

A victim can receive information on the prisoner's discharge which includes:

- the month and year in which a prisoner is expected to be discharged;
- any conditions of release to be imposed;
- any breaches of those conditions which result in the prisoner's return to custody;
- in the case of life sentence prisoners:
  - the minimum number of years which the life prisoner must serve;
  - when the life prisoner is being considered for discharge; and
  - the opportunity to contribute to the consideration of the life prisoner for final release.

If a victim wishes to receive information from the scheme, they need to register by contacting the Victims Information Unit.<sup>25</sup> The Code of Practice for Victims published by the Department of Justice reflects much of the information provided in the PRVIS booklet and provides contact details on the Victims Information Unit if there are questions or complaints.<sup>26</sup>

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<sup>23</sup> The Justice (NI) Act 2002 as amended by the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010

<sup>24</sup> <http://www.nidirect.gov.uk/niprvis-information-booklet.pdf>

<sup>25</sup> Department of Justice "Code of Practice for Victims of Crime" 2010, March 2011, 37

<sup>26</sup> Department of Justice "Code of Practice for Victims of Crime" 2010, March 2011, 39

## 6 Probation Board Northern Ireland

The Criminal Justice (NI) Order 2005 requires the Government to make a scheme available for the Probation Board Northern Ireland (PBNI) to make information available to victims who wish to receive it about persons who are subject to supervision orders following conviction.<sup>27</sup> PBNI's scheme became operational in October 2005 and provides the victim with the opportunity to have explained to them the requirements of the sentence imposed on the offender who committed the offence against them.<sup>28</sup> The scheme is available to any person or agreed representative who has been the direct victim of a criminal offence for which the offender has received a Probation Supervised Sentence.<sup>29</sup> The Criminal Justice (NI) Order 2005 requires that the scheme must make the following information available:<sup>30</sup>

- the requirements or conditions of the relevant order or licence;
- the length of the period of supervision;
- extra conditions or variations to the relevant order or licence;
- further sentences given by the court where there has been a failure to comply with a condition or requirement with the relevant order or licence.

The Probation Board is not required to make information available under the scheme where it believes the information may adversely affect the well-being of the victim or threaten the safety of the victim.<sup>31</sup> The legislation does not specify sanctions in relation to failure to comply with the scheme.

PBNI has published a policy on victims and witnesses. The policy statement states the following:<sup>32</sup>

PBNI recognises the importance of victims in the criminal justice system and the effect that crime can have on victims and those close to them.

b) PBNI is committed to playing a key strategic role and linking with the range of bodies, both statutory criminal justice agencies and voluntary organisations, which have a role to play in providing services to victims.

c) PBNI will seek to ensure that staff include the victim's perspective in all work with offenders. This will be at the stages of risk assessment; supervision; programmes (including the development of a revised offender/victim awareness

<sup>27</sup> Art 25 of Criminal Justice (NI) Order 2005

<sup>28</sup> <http://www.pbni.org.uk/site/Content.aspx?x=U/6/W3TJDxk=&y=o/e2w3LLg4c=>

<sup>29</sup> <http://www.pbni.org.uk/site/Content.aspx?x=U/6/W3TJDxk=&y=o/e2w3LLg4c=>

<sup>30</sup> Art 25 (3) of the Criminal Justice (NI) Order 2005

<sup>31</sup> Art 25(6) of the Criminal Justice (NI) Order 2005

<sup>32</sup> PBNI Victims policy issued on 20<sup>th</sup> May 2011

<http://www.pbni.org.uk/archive/Guide%20to%20Information/Policies%20and%20procedures/Provision%20of%20Services/Victims/Victims%20Policy%201%200%20%282011%29%2023.05.11.pdf>

programme); victim reports to Parole Commissioners in relation to offenders on sentences of public protection; victim impact reports to courts.

d) PBNI staff will have access to appropriate training to enable them to be skilled both in offender/victim awareness work and, where appropriate, in direct contact with victims.

e) PBNI will meet the requirements of the Criminal Justice (NI) Order 2005 in relation to the provision of information to victims. PBNI will provide information in relation to offenders subject to Probation supervised sentences. PBNI will also provide information in relation to the concerns of victims/victims' families to Parole Commissioners

f) PBNI will ensure that restorative opportunities are available for victims of offenders on probation supervised sentences who consent to such opportunities.

g) PBNI will support and facilitate those victims who choose to engage in restorative practices, in order to help redress the harm caused to them by the offender.

The policy states that complaints will be dealt with in accordance with the Probation Board's complaints policy.

The Code of Practice for Victims published by the Department of Justice in 2011 also gives guidance on the services provided by PBNI and the types of information victims will receive. The Code also outlines information on how victims can make complaints if they are not satisfied with the services they receive.<sup>33</sup>

## 7 Youth Justice Agency

The aim of the Youth Justice Agency is to reduce youth crime and build confidence in the youth justice system.<sup>34</sup> The Justice (NI) Act 2002 gives the Youth Justice Agency statutory authority to include victims in the youth justice process in a number of ways.<sup>35</sup> Article 3A of the Criminal Justice (Children) (Northern Ireland) Order 1998 (as amended by Section 57 of the Justice (NI) Act 2002) provides that the victim of an offence or an individual representing the victim is entitled to participate in any meeting constituting any part of a youth conference. Art 3C provides that a child may be required to apologise or make reparation to a victim of the offence or another person

<sup>33</sup> Department of Justice "Code of Practice for Victims of Crime", 44.

<sup>34</sup> [http://www.youthjusticeagency.cyni.gov.uk/about\\_us/](http://www.youthjusticeagency.cyni.gov.uk/about_us/)

<sup>35</sup> Youth Justice Agency "Victims Charter" 2006-07, 3  
[http://www.youthjusticeagency.cyni.gov.uk/document\\_uploads/YJA\\_Victims\\_Charter.pdf](http://www.youthjusticeagency.cyni.gov.uk/document_uploads/YJA_Victims_Charter.pdf) ,

affected by it as part of a youth conference plan. The legislation does not specify other services that are provided to victims and witnesses. However the Youth Justice Agency has published a Victims' Charter in 06/07. The Charter contains information on services provided by the Youth Justice Agency, which provides information and updates in the following ways:<sup>36</sup>

- Victims who have been contacted by a Youth Conference Co-ordinator to participate in a youth conference referred by the Court or Public Prosecution Service will be informed of the outcome decision of the Public Prosecution Service or the Court.
- Victims who have been contacted to participate in a youth conference will be informed of the outcome when the conference has been completed satisfactorily or has been breached.
- Victims who did not consent to participate will be informed when a plan is completed satisfactorily or breached and the outcome, if requested.
- Victims who have participated in a Reparation Order will be informed of satisfactory completion or breach and outcome.
- Victims contacted in relation to a programme of the Juvenile Justice Centre will be informed of completion of the programme.
- The Youth Justice Agency will produce information leaflets for victims on any specific services which it provides.

The Charter also gives guidance to services available to vulnerable victims. Where victims are under 18 or have a mental or physical impairment, the Agency will identify a responsible adult or suitable support person. Victims who do not have English as a first language will be offered the support of translator services. Victims who have suffered hate crime will be offered support from an appropriate support person with a background of common interest acceptable to the victim. The agency will also make referrals to specialist support agencies where appropriate.<sup>37</sup> The Charter also sets out a 4 step complaints procedure.<sup>38</sup> The procedure allows for complaints to be dealt with internally within the Youth Justice Agency, however if dissatisfied with the outcome, the victim may write to the Independent Complaints Reviewer in London.

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<sup>36</sup> Youth Justice Agency "Victims Charter" 2006-07, 6  
[http://www.youthjusticeagencyni.gov.uk/document\\_uploads/YJA\\_Victims\\_Charter.pdf](http://www.youthjusticeagencyni.gov.uk/document_uploads/YJA_Victims_Charter.pdf)

<sup>37</sup> Youth Justice Agency "Victims Charter" 2006-07, 6-7  
[http://www.youthjusticeagencyni.gov.uk/document\\_uploads/YJA\\_Victims\\_Charter.pdf](http://www.youthjusticeagencyni.gov.uk/document_uploads/YJA_Victims_Charter.pdf)

<sup>38</sup> Youth Justice Agency "Victims Charter" 2006-07, 9-10  
[http://www.youthjusticeagencyni.gov.uk/document\\_uploads/YJA\\_Victims\\_Charter.pdf](http://www.youthjusticeagencyni.gov.uk/document_uploads/YJA_Victims_Charter.pdf)

The Code of Practice for Victims of Crime published by the Department of Justice in 2010 provides guidance on the services provided by the Youth Justice Agency.

**If there is to be a youth conference:**<sup>39</sup>

- The victim will be invited to attend or to take part by video link, by phone or from behind a two-way mirror;
- The victim can be supported by a family member, a volunteer from Victim Support Northern Ireland, or someone else you choose to bring with you for support; and
- the youth conference will be arranged at a time and place that suits the victim.

The conference will be led by a youth conference co-ordinator who will arrange to meet with you before the conference to help you prepare for it. The wellbeing of the victim is the priority at the youth conference.

**At the conference the victim:**

- can tell the offender and their family how the crime has affected them;
- will be given the opportunity to assess whether they think the young offender regrets what they did; and
- ask for the young offender to apologise, pay compensation or take action to make amends for the crime, or for there to be restrictions on their behaviour or movements.

The victim will be told when the young person successfully completes the Youth Conference Order, or if they have not kept to it.

The Code of Practice also gives details on where victims can get information on the Youth Justice Agency's Complaints Charter.<sup>40</sup>

## 8 Conclusion

This paper described the role of each of the criminal justice agencies in Northern Ireland in providing services to victims. The paper provided information on legislative and non-legislative sources which set out the services that the agencies provide.

The PSNI has a statutory requirement for constable to make a declaration to, among other matters, uphold human rights and there is a requirement for the Policing Board to issue a Code of Ethics for police officers. The Code of Ethics requires police officers to treat victims with sensitivity and dignity and update victims on the progress of their case. There are sanctions outlined in the Code of Ethics for breaches of the Code. The PSNI has also published a policy on Dealing with Victims and Witnesses. However

<sup>39</sup> The Department of Justice "Code of Practice for Victims of Crime" 47-48

<sup>40</sup> The Department of Justice "Code of Practice for Victims of Crime" 49

there are no statutory requirements for the police to provide specific services for victims.

There are no statutory requirements for the PPS to provide services to victims and witnesses of crime. However there is a requirement for the Director of Prosecutions to issue a Code of Practice for Prosecutors. This code specifies the type of information to be provided to victims and witnesses. The Code also contains a Code of Ethics which requires prosecutors to fulfill their responsibilities to victims and witnesses, consider their views and ensure they are informed of their rights. However this code is not intended to be legally binding. Prosecutors have a role in making representations to the court regarding compensation orders where appropriate.

There is no statutory requirement for the NICTS to provide services to victims and witnesses, however the court service has produced a policy outlining the services victims and witnesses can expect to receive.

The Department of Justice has a statutory requirement to make a Prisoner Release Victim Information Scheme (PRVIS). This scheme is administered by the Northern Ireland Prison Service and an information booklet for victims has been published to inform victims as to how they can be involved in the scheme and the type of information that they can receive.

The Criminal Justice (NI) Order 2005 requires the Government to make a scheme enabling the Probation Board Northern Ireland (PBNI) to make information available to victims who wish to receive it about persons who are subject to supervision orders following conviction. The legislation also specifies the type of information victims can receive and the circumstances in which the Probation Board is not required to make information available. The Probation Board has also issued a policy on victims and witnesses which outlines how it will work to meet the needs of victims.

The Youth Justice Agency has statutory authority to involve victims and witnesses in the youth conference process. The Youth Justice Agency published a Victims Charter in 2006-07 which sets out commitments from the Youth Justice Agency to victims including information on the range of services available.

The Department of Justice published a Code of Practice for Victims of Crime in 2010 which provides information on the services victims can expect to receive from criminal justice organisations and some voluntary organisations such as Victim Support NI and the NSPCC. The Code of Practice is not on a statutory footing as yet, however the Department has indicated it planned to place the requirement for a Code of Practice for Victims in legislation but the provisions of the code will remain non statutory.