

Joanne Bunting MLA
Chair of the Northern Ireland Justice Committee
Via email

Dear Joanne,

I welcome the opportunity to respond to this call for views on amendments to the Justice Bill.

General Comments

In my appearance at the Justice Committee in November 2024, I made the point that our approach to the criminal justice system needs to shift and we need to see all questions through a victim's lens.

While on the surface many of these amendments may seem to have minimal impact on victim's rights, the reality is that in each instance we must make sure we are asking the question of how this can improve the experience of victims of crime in Northern Ireland.

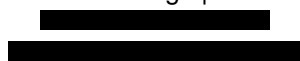
Amendment 1 – Biometrics

I would like to highlight to the committee the issue of photographs. There have been a number of cases where there has been confusion amongst the media about the PSNI's policy regarding the release of custody photographs. I believe that the release of these photographs can help improve victim's confidence in our system by showing justice being done and I have previously called for the PSNI to provide clarity on the process for releasing these images.

I raise this issue only to identify an issue that might be encountered in the future. Could an issue arise custody photographs are treated as biometric data preventing their release? If so then the impact on victims who have called for their release in the past should be considered, particularly where there is not a more recent photograph.

Amendment 2 – Restorative Justice

Restorative justice offers significant benefits for victims of crime and has the ability to be incredibly powerful when it is chosen freely by victims of crime and managed by skilled and appropriately trained restorative practitioners.



I welcome the aim of this amendment to correct the legislative oversight which means that powers governing the ability to add, remove or inspect schemes from a register of organisations formally accredited to deliver restorative justice services in Northern Ireland currently sit with the Secretary of State for Northern Ireland rather than the Minister of Justice.

On a point of principle, I support the devolution of justice and this move seems eminently sensible. I welcome any move which helps to support the ongoing progress of the adult restorative justice strategy, which must be adequately resourced.

Amendment 3 – Rehabilitation of Offenders

Victims of crime often tell me their primary motivation is that they don't want this to happen to anyone else. By rehabilitating offenders and giving them a future we can create a safer society, however we must not forget the understandable sensitivities this issue can raise for victims. The Executive must be prepared to explain their thinking behind this move to make sure it is fully understood by victims impacted.

Safeguards and exemptions are vitally important to make sure those who have been found guilty of certain crimes are prevented from working with children and vulnerable people.

I welcome the move to align across jurisdictions with England and Wales, I note however that the Department has chosen not to make serious sexual, violent and terrorist offences disclosable regardless of the passage of time as in the case in England and Wales. It is important that the rationale behind this approach is clearly understood by victims and the public.

Amendment 4 – Repeal of Vagrancy

I support the move to repeal this law. It is important that with the repeal of this legislation that other methods can be used to protect individual victims of crime from harassment, aggressive begging and other crimes and anti-social behaviour.

Amendment 5 – Serious Organised Crime

I strongly support any moves to tackle serious organised crime and the aim of this amendment to introduce legislation to allow for the prosecution of an individual who directs or is involved in criminal conduct linked to serious organised crime in Northern Ireland.

These gangs create victims within their communities, acting as an oppressive and cruel millstone weighing down the people who are day in, day out, tortured by them.

I would point you to Professor Aisling Swaine's research published last September by the Family Justice Centre in Foyle highlighting how paramilitaries are coercively controlling women today.

Not long after I took up this role I had a meeting with a woman who was a victim of domestic abuse. Her partner was a member of a paramilitary gang and having been found guilty of an offence was sentenced to time in prison. Even while he was in prison, he would use his connections to the gang he was a member of to control and harm her. He would call her and ask her why she hadn't put her blinds up in the morning. The implication of this is chilling. He was telling her that even though he was in prison, he could get to her, he could hurt her. He was able to do this because he was in a paramilitary gang. This story indicates the horrendous grasp these organisations have on so many communities here.

Anything we can do to tackle serious organised crime gangs in Northern Ireland should be welcomed.

Amendment 6 – Access NI Filtering

The purpose of this amendment is to provide clarity on AccessNI Filtering Scheme, better explaining the list of serious and violent offences that cannot be filtered from AccessNI Standard and Enhanced disclosures and replace the current complex legislative provisions with less complicated arrangements.

I welcome any move that makes it easier for victims of crime to understand our criminal justice system and the impact on people convicted of crimes.

I am a strong proponent of simplifying our criminal justice system to make it easier for victims, perpetrators, and everyone in Northern Ireland to understand.

Amendment 7 – Live Links (Courts and Tribunals)

I support moves to make it easier for victims and witnesses of crime to attend court virtually, where they choose to do so. I welcome the duty included in this amendment to place a requirement for the court or tribunal to hear the views of the parties and/or the witness on the matter of the use of live links.

I also welcome the retention of live link provision which is ordered by a court or tribunal as a special measure and the commitment to no diminution of current entitlements.



I welcome the fact that the use of live links will be placed on a more solid legislative footing. When looking at our criminal justice system through a victim's lens we must be ready to innovate to best meet their needs.

Yours sincerely,



Geraldine Hanna

Commissioner Designate for Victims of Crime Northern Ireland

