



Rape Crisis NI Response to:
Northern Ireland Assembly's Consultation on the Victims and Witnesses of Crime Bill
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This response was prepared by:



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Rape Crisis NI:

In 2019, the Women's Support Network (WSN) led the establishment of Rape Crisis Northern Ireland (Rape Crisis NI), an autonomous organisation providing high-quality support and advocacy services to survivors of rape and sexual violence. The organisation was created in response to a significant gap in crisis support, highlighted by the high-profile Belfast rape trial involving Ulster Rugby players. This case underscored the urgent need for accessible, specialist support services for survivors, regardless of when the violence occurred. Since our creation, we now provide gender-sensitive, trauma-informed support & information to survivors of sexual violence as well as advocating for systemic change by challenging societal norms that perpetuate sexual violence.

Introduction:

Rape Crisis NI (RCNI) welcomes the development of the Victims and Witnesses of Crime Bill and the positive measures it contains to improve the experiences of victims and witnesses engaging with the criminal justice system.

RCNI supports the submission made by the Women's Policy Group and wishes to highlight several issues of particular relevance to survivors of sexual violence.

Drawing on our experience supporting survivors of rape and sexual violence across Northern Ireland, we believe there is an opportunity to strengthen the Bill further to ensure that victims of sexual offences can engage safely and confidently with criminal proceedings.

Key recommendations include:

1. Strengthen protections relating to counselling and support records

RCNI welcomes the Bill's provisions regarding disclosure of complainants' private information in serious sexual offence cases. However, we remain concerned about the impact that requests for counselling and therapeutic records can have on survivors. Many survivors report anxiety that seeking specialist support may result in highly personal information being disclosed during criminal proceedings. RCNI recommends that the legislation provide stronger safeguards to ensure disclosure requests are necessary, proportionate and genuinely relevant to matters in dispute, rather than speculative in nature.

2. Ensure Independent Legal Representation is accessible and comprehensive

RCNI welcomes the pre-trial Independent Legal Representation for complainants in serious sexual offence cases. The Committee should ensure that survivors are informed of this right at the earliest possible stage and that representation extends to applications involving counselling notes, social media content and other highly personal records where privacy and dignity rights are engaged.

RCNI also recommends that the Bill address the use of good character references in cases involving sexual offences. The use of such references can be deeply distressing for survivors and risks reinforcing harmful assumptions about who is capable of sexual violence. We support appropriate legislative safeguards to limit their use in serious sexual offence cases,

particularly in serious sexual offence cases and encourage the Committee to consider this issue as part of the Bill.¹

3. Strengthen accountability and monitoring

RCNI supports proposals relating to publication of victim information and compliance with victims' rights. To understand whether reforms are improving the experiences of survivors of sexual violence, reporting should include: victim withdrawal rates; delays in serious sexual offence cases; use of disclosure applications; uptake of Independent Legal Representation; use of special measures. Without meaningful data, it will be difficult to assess whether victims' rights are being realised in practice.

4. Ensure the Commissioner reflects the experiences of survivors of sexual violence

RCNI welcomes the establishment of a statutory Commissioner for Victims and Witnesses. The Commissioner should have a clear role in monitoring the experiences of victims of sexual violence and should engage regularly with specialist violence against women and girls organisations, including rape crisis services, to identify systemic barriers and opportunities for reform.

RCNI supports the overall direction of the Bill and the recommendations put forward by the Women's Policy Group. We believe the above recommendations would strengthen protections for survivors of sexual violence and contribute to a more trauma-informed and victim-centred justice system. We would welcome further engagement with the Committee to support the development of legislation that places victims' rights, dignity and wellbeing at its centre.

¹ See Rape Crisis NI's *Abolish Good Character References* campaign, which has received over 2,000 signatures - <https://my.actnowni.org/petitions/abolish-good-character-references-in-rape-trials>