



Victims and Witnesses of Crime Bill

CONSULTATION RESPONSE BY

WOMEN'S AID NI

SEPTEMBER 2026

Women's Aid Federation Northern Ireland
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WOMEN'S AID – INFORMATION & STATISTICS

Women's Aid NI is the lead voluntary organisation challenging and addressing domestic abuse in Northern Ireland. WAFNI is the umbrella body of the seven Women's Aid groups across NI. WAFNI promotes regional collaborative working across all Women's Aid groups and provides a regional lead in areas of training development, preventative education, strategic development of children and young people's services, policy response and advocacy.

We work collectively across Northern Ireland to:

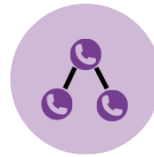
- engage with women, children and young people; to give them a voice and ensure they inform all aspects of service development and delivery.
- provide trauma informed specialised services to women, children and young people who have experienced domestic abuse.
- deliver preventative education programmes in schools and community settings to promote healthy non-abusive relationships and share key safeguarding messages.
- educate and inform the public, private, voluntary, statutory and community sectors of the context and impact of domestic abuse.
- provide quality assured education and training to a wide audience, to increase capacity to respond to domestic abuse.
- monitor, influence and respond to government policy and legislation as a Subject Matter Expert, giving a voice to survivors of domestic abuse.
- Work in partnership, sharing our expertise with all relevant agencies to ensure a joined-up response to domestic abuse.

Throughout this response, the term “Women's Aid” refers to the overall Women's Aid movement in Northern Ireland, including our local groups and Women's Aid Federation.

WOMEN'S AID NI SERVICES IN 2024/25



524 WOMEN
stayed in our refuges
throughout NI



8,393
Referrals made to
Women's Aid Services



364 CHILDREN
stayed in refuge
with their mum



5,810 WOMEN
received support whilst
staying in their homes



6 BABIES
were born whilst their
mum was in refuge



5,354 CHILDREN
had mums supported in
Women's Aid services



304 WOMEN
who were pregnant
received support from
Women's Aid



**66 WOMEN
& 52 CHILDREN**
with no recourse to public
funds stayed in our refuges



55 LANGUAGES
Spoken in Women's
Aid Services



36 - 40 YEARS OLD
The most common age
range of women supported
by Women's Aid



88%
of Women's Aid clients
have been abused by a
partner or ex-partner



**66 WOMEN
& 52 CHILDREN**
with no recourse to public
funds stayed in our refuges

INTRODUCTION

Every year in Northern Ireland, thousands of people are affected by different types of crime, many of whom will have no previous experience of engaging with the criminal justice system.

As the largest support service for women, children and young people experiencing domestic abuse in Northern Ireland, Women's Aid knows that, for many of those we support, the prospect of engaging with the criminal justice process can be daunting and overwhelming. For those who have experienced domestic abuse, navigating the criminal justice system can also be re-traumatising, particularly where processes do not adequately take account of the trauma they have experienced.

We are making steady progress towards a more victim-centred criminal justice system, and Women's Aid welcomes a number of recent developments. These include the more widespread use of Remote Evidence Centres (RECs) in cases involving domestic abuse and stalking, stronger links between support services and the court process, and legislative changes aimed at tackling serious offences, including offences that are, unfortunately, perpetrated against some of the women, children and young people we support.

Against this backdrop, we welcome the opportunity to respond to this important Bill. We believe it has the potential to further improve the experiences of victims and witnesses and to address some of the barriers that continue to prevent victims and survivors from engaging confidently with the criminal justice process.

Every year, Women's Aid supports thousands of victims and survivors of domestic abuse across Northern Ireland. For a range of reasons, some do not report their experiences to the authorities. Where victims and survivors do choose to report, it is essential that they can have confidence that the criminal justice system will provide a genuinely trauma informed response, with appropriate safeguards in place to minimise further distress and re-traumatisation.

We particularly welcome proposals that seek to remove some of the specific barriers within the court process that can negatively affect victims and survivors of domestic abuse, stalking and sexual violence. These include limitations on cross-examination of witnesses by an accused person, the wider use of special measures to support

victims and witnesses to give their best evidence, and the ability for victims to make legal representations at the application stages of serious sexual offence trials.

Since the beginning of this decade, a number of significant legislative changes have been introduced, including legislation addressing coercive control, non-fatal strangulation and stalking, alongside a number of recommendations arising from the Gillen Review. These developments have contributed to a more victim-centred approach to justice, which Women's Aid strongly welcomes.

However, we must maintain this momentum if we are to achieve the further systemic change needed. Significant barriers remain for victims and survivors, particularly those experiencing domestic abuse, stalking and sexual violence. The focus must now be on ensuring that legislative and policy developments translate into meaningful improvements in practice, creating a criminal justice system that is fair, accessible, trauma-informed and genuinely centred on the needs and rights of victims and witnesses.

CONSULTATION RESPONSE

Clause 1 establishes the Commissioner for Victims and Witnesses of Crime for Northern Ireland, who will be appointed by the Department of Justice. It introduces Schedule 1 which relates to the constitution and operation of the Commissioner and the office. Do you agree with Clause 1 and Schedule 1 of the Bill?

YES	X
NO	

Please provide information to support your answer here:

Since the appointment of the Victims of Crime Commissioner (VOCC) in 2022, Women's Aid has worked closely with the Commissioner's Office to ensure that the voices of the thousands of women, children and young people affected by domestic abuse each year in Northern Ireland are heard, particularly in relation to their experiences of accessing justice and rebuilding their lives.

We welcome the key research undertaken by the Office since its establishment, including work examining the impact of domestic abuse on victims and survivors in Northern Ireland, as well as research relating to the [Family Courts](#) and [Non-Molestation Orders](#). This work has provided valuable insight into the experiences of victims and survivors and has helped to highlight areas where improvements are needed.

We also welcome the Office's role in providing oversight of the criminal justice system in Northern Ireland. Too often, victims and survivors of domestic abuse tell us about the barriers they face when navigating the criminal justice process, including unnecessary distress and re-traumatisation. The establishment of the Office has therefore provided an important mechanism through which victims and survivors can raise concerns about failings, identify what is working well, and help to prevent unnecessary distress for others.

While the Commissioner is appointed by the Department of Justice, it is essential that the independence of the Office is respected and protected. This is fundamental to ensuring that victims and survivors have confidence in the Office's ability to hold the justice system to account. The Office must also be provided with sufficient resources to fulfil its statutory duties effectively and to ensure that the voices and experiences of victims and survivors continue to inform its work. We would therefore call for ring-fenced funding for survivor engagement work, to enable the Commissioner to carry out meaningful advocacy on behalf of victims and survivors of horrific crimes, including domestic abuse and sexual offences. This work cannot be undertaken effectively without meaningful and sustained engagement with survivors. Women's Aid Federations across the UK have undertaken significant work in this area and have highlighted examples of best practice that could inform the Office's approach.

As far as we are aware, the Office does not currently have a dedicated survivor forum. Establishing such a forum could provide survivors with a more formal and accessible mechanism through which to share their experiences and contribute to the Commissioner's work, rather than relying on individuals to contact the Commissioner directly. We would also call for the appointment of a dedicated policy and survivor engagement worker within the Office, with specialist knowledge and experience of domestic abuse, coercive control, stalking and all forms of violence against women

and girls. This role would help ensure that engagement with victims and survivors is undertaken sensitively, consistently and in a trauma-informed manner, while also providing the Commissioner with specialist expertise to inform policy and advocacy.

In this context, Women's Aid supports the formal establishment of the Victims of Crime Commissioner for Northern Ireland and recognises the important role the Office can play in strengthening accountability, improving victims' experiences of the justice system, and ensuring that their voices remain central to the development of policy and practice.

Clause 2 provides that the principal aim of the Commissioner is to promote the interests of victims and witnesses. Do you agree with Clause 2 of the Bill?

YES	X
NO	

Please provide information to support your answer here:

Unfortunately, over our many years of supporting women, children and young people impacted by domestic abuse, Women's Aid have been repeatedly told by many victims and survivors that the criminal justice system does not adequately recognise their experiences, trauma or take victims' needs into account.

A victim-centred approach must therefore be embedded throughout the criminal justice process, with every effort made to minimise the risk of further trauma. This is particularly important in cases involving domestic abuse, sexual offences and stalking, where the victim is frequently also the key witness and may be required to recount and relive deeply traumatic experiences during the court process.

Women's Aid has long advocated for changes to address the barriers that can prevent victims and survivors from remaining engaged with the criminal justice process. These barriers can include fear of the perpetrator, concerns about personal safety and wellbeing, and a lack of confidence that a conviction will result in a sentence that appropriately reflects the seriousness of the offending and the harm caused.

There are a number of practical measures that could help address these concerns and strengthen victims' confidence in the justice system including special measures,

introduction of Domestic Abuse Protection Orders and Notices, use of Stalking Protection Orders and Notices, use of the Remote Evidence Centre and more of these across the country so people have equal access to support services and should be within a reasonable distance to your postcode. These include reducing court delays; ensuring that protective measures, including Non-Molestation Orders and Occupation Orders, are effectively implemented and enforced; and ensuring that breaches of such orders are taken seriously and that perpetrators are held appropriately to account. Sentencing should reflect the seriousness of the offence and the impact that domestic abuse has on victims and survivors, including the physical and psychological harm, suffering and trauma caused.

The interests, safety and wellbeing of victims and witnesses must remain central to the criminal justice process. If we truly want to seek justice for victims and survivors, their interests must be at the heart of the entire process and must be promoted at all times. Access to justice should not come at the expense of their safety or wellbeing, and victims and survivors should be supported to participate in proceedings in a way that recognises the particular circumstances of domestic abuse.

A further priority should be access to specialist advocacy and support throughout the court process. Women's Aid believes that victims of domestic abuse should have access to specialist support within the criminal justice system, including dedicated criminal justice advocacy such as the service provided by Belfast & Lisburn Women's Aid. Specialist advocates can play an important role in helping victims and survivors understand and navigate the process, raise concerns, and ensure that their experiences and needs are appropriately recognised.

The Commissioner should have a role in identifying and promoting the interests of victims and witnesses at every stage of the criminal justice process, especially in relation to domestic abuse, including approaches that improve victims' experiences of the criminal justice system. We are therefore in support of Clause 2.

Do you have anything further to add on Clause 1 or 2 or Schedule 1 of the Bill?

YES	X
NO	

Women's Aid supports the establishment of a Commissioner role, while recognising that we have previously campaigned for a dedicated Domestic Abuse Commissioner. Given the significant volume of domestic abuse cases in Northern Ireland, alongside the introduction of new legislation and developments such as Domestic Homicide Reviews (DHRs), we believe there is a strong case for a dedicated Commissioner with specialist expertise to provide oversight and resources in this area and drive meaningful and lasting change.

However, in the absence of a dedicated Domestic Abuse Commissioner, Women's Aid recognises the importance of having the VOCC in place as an additional avenue for victims and survivors to raise concerns about systemic issues within the criminal justice system. The Commissioner has an important role to play in identifying issues that may otherwise go unaddressed and in helping to reduce unnecessary distress and trauma for victims and survivors as they engage with the criminal justice process.

Clause 3 provides that the Commissioner must:

- **promote an understanding of the rights of victims and witnesses and an awareness of matters relating to their interest**
- **keep the law and practice relating to victims and witnesses under review to ensure adequacy and effectiveness**
- **advise the Northern Ireland Executive or Departments on issues concerning victims and witnesses**
- **and must take steps to raise awareness of the role and functions of the Commissioner, encourage victims and witnesses to engage with their office and seek the views of victims and witnesses regarding the exercise of the Commissioner's functions.**

Do you agree with these as suitable for the general duties for the role of Commissioner?

YES	X
NO	

Please provide information to support your answer here:

Women's Aid agrees that the duties set out in Clause 3 are suitable and necessary for the role of the Victims of Crime Commissioner (VOCC). Taken together, these duties provide an appropriate framework for promoting the rights and interests of victims and witnesses, scrutinising the effectiveness of law and practice, advising Government, and ensuring that the experiences of victims and witnesses inform the Commissioner's work.

Many victims and survivors of domestic abuse supported by Women's Aid report that they do not feel that the criminal justice system is sufficiently centred around their experiences, trauma and needs. There is a need to ensure that all stages of the criminal justice process are trauma-informed and minimise the risk of re-traumatisation. This is particularly important in cases involving domestic abuse and sexual offences, where the victim is often also the principal witness and may have to repeatedly recount their experiences.

Women's Aid has long campaigned for improvements to address the factors that can lead victims and survivors to disengage from the criminal justice process. These include fear of the perpetrator, concerns about safety and wellbeing, court delays, inadequate support and advocacy, and concerns about whether the eventual outcome will provide meaningful justice. The VOCC should have a clear role in identifying and challenging these systemic barriers.

In particular, the VOCC should:

- review the impact of court delays and other procedural barriers on victims and witnesses
- Seek to have Survivor Engagement Forums and frameworks within the Office in place
- Dedicated engagement survivor engagement structures for children and young people impacted by crime
- consider the effectiveness and enforcement of protective measures, including Non-Molestation Orders and Occupation Orders
- scrutinise whether breaches of protective orders are dealt with effectively and perpetrators are appropriately held to account

- The Commissioner should review how criminal justice and family justice systems interact in domestic abuse cases and identify risks created by inconsistent responses across jurisdictions
- examine whether victims and witnesses receive appropriate support and advocacy throughout the criminal justice process
- promote good practice in relation to specialist advocacy for victims of domestic abuse
- ensure that the impact of offending on victims and survivors is properly considered within the criminal justice process.

There is existing good practice within Northern Ireland which the VOCC should consider when undertaking this work, including the Criminal Justice Worker model within Belfast & Lisburn Women's Aid. The Commissioner should review and promote effective practice across the region and advocate for appropriate funding and resources for specialist services supporting victims and survivors. Women's Aid strongly supports the proposed duty to keep the law and practice relating to victims and witnesses under review. This is essential to ensure that legislation, policy and practice remain effective in protecting victims and witnesses.

The VOCC should have a clear role in:

- **Assessing legal frameworks** - reviewing legislation relating to domestic abuse, sexual offences and victims' rights to ensure that it is comprehensive, effective and provides appropriate protection.
- **Monitoring implementation** - reviewing the practical impact of new legislation and policy following implementation, rather than assessing effectiveness solely at the point of introduction.
- **Identifying gaps in practice** - examining whether the police, courts and other criminal justice agencies are implementing legislation and relevant best practice effectively and upholding victims' and witnesses' rights.
- **Recommending reform** - making evidence-based recommendations where legislation, policy or practice is not delivering appropriate outcomes for victims and witnesses.

- **Gathering evidence and feedback** - drawing on the experiences of victims, survivors, witnesses, specialist organisations, legal professionals and other relevant stakeholders.

This scrutiny should include consideration of relevant recommendations made by Criminal Justice Inspection Northern Ireland (CJINI), with appropriate mechanisms to monitor progress against those recommendations.

Women's Aid supports the proposed duty to advise the Northern Ireland Executive and Departments on issues concerning victims and witnesses. The VOCC should be able to use its independent position to identify where legislation, policy or practice is failing victims and survivors and to make recommendations for improvement.

This is particularly important where new or amended legislation and policy may have unintended consequences for victims and witnesses. The Commissioner should be able to identify such issues, raise concerns with relevant Departments and recommend changes where necessary.

The ability to scrutinise law and policy is fundamental to promoting and protecting the rights of victims and witnesses. The Commissioner's remit should therefore include emerging issues as well as established areas of concern. We also particularly supports the proposed duty to encourage victims and witnesses to engage with the VOCC's office and to seek their views in relation to the exercise of the Commissioner's functions.

Meaningful survivor engagement is a core principle of Women's Aid's work. The voices, views and lived experiences of women, children and young people are central to understanding the impact of domestic abuse and developing effective responses. Victims and survivors may find it difficult to come forward for support or engage with public bodies, particularly where they have already experienced a negative or traumatic interaction with the criminal justice system. It is therefore essential that the VOCC creates safe, accessible and supportive opportunities for victims and witnesses to share their experiences and we would sign post women to the Commissioner's Office on a semi regular basis within Women's Aid.

The Commissioner should ensure that engagement does not result in victims and survivors being repeatedly asked to recount traumatic experiences without a clear purpose or evidence that their contributions will inform change.

Women's Aid, together with sister organisations in England, Scotland and Wales and Imkaan, has developed guidance on meaningful survivor engagement which identifies important principles for engaging with victims and survivors of domestic abuse and other forms of violence against women and girls. These principles are directly relevant to the proposed duty.

Meaningful engagement must also be appropriately resourced. Victims and survivors should not be financially disadvantaged by participating in engagement activities, and appropriate support and aftercare should be available. It is also important to stress at this point that there should be a specific budget within the Commissioner's Office for Survivor Engagement. Whilst the criminal justice system is beginning to recognise the importance of meaningful survivor engagement, there must be dedicated resourcing to effectively provide for this and it is often a consideration that is not prioritised when assigning resources.

It is also important to highlight that whilst Women's Aid supports the Commission's function, we have concerns about the breadth of the VOCC's remit. As the Committee will be aware, domestic abuse is approximately 20% of all recorded crime¹ in Northern Ireland, however the Commissioner is responsible for promoting the needs of victims of crime generally, rather than having a specific remit relating to domestic abuse. There is therefore a risk that the particular experiences and needs of victims and survivors of domestic abuse could become diluted within the wider remit.

Domestic abuse requires specialist understanding, including coercive and controlling behaviour, ongoing risk from perpetrators, repeat victimisation, the relationship between victim and perpetrator, and the impact of abuse on children and young people. It is therefore essential that the VOCC has sufficient specialist expertise, resources and capacity to ensure that domestic abuse remains a meaningful area of focus. The breadth of the role should not come at the expense of adequate attention to particular groups of victims who face distinct barriers and risks.

¹ [Trends in Domestic Abuse Incidents and Crimes Recorded by the Police in Northern Ireland 2004/05 to 2024/25](#)

Women's Aid agrees that the duties set out in Clause 3 are suitable and necessary. The effectiveness of these duties will, however, depend on the Commissioner having sufficient independence, resources, specialist expertise and appropriate mechanisms for meaningful engagement with victims and survivors.

The VOCC should be able to promote victims' rights, scrutinise law and practice, advise and challenge government, identify systemic gaps, recommend reform and ensure that the lived experience of victims and survivors informs the exercise of the role. These functions are particularly important in ensuring that the criminal justice system in Northern Ireland becomes more trauma-informed and victim centred, and that the specific experiences and needs of victims and survivors of domestic abuse are properly recognised and addressed.

Clause 4 provides the general powers of the Commissioner including the power to conduct, fund or support research or education activities; to compile information; provide advice and information; publish any matter concerning the interests of victims or witnesses of crime; and to make representations and recommendations to anybody or person concerning the interest of victims or witnesses. Do you agree with the general powers as outlined in Clause 4?

YES	X
NO	

Please provide information to support your answer here:

The effectiveness of the VOCC does depend significantly on the powers available to the Office to enable it to work in the best interests of victims and witnesses. These powers are essential to enabling the Commissioner to represent and advocate for the rights of victims and witnesses across Northern Ireland, scrutinise the criminal justice system and identify where improvements are required. It is important that the Commissioner has sufficient powers to fulfil these functions effectively and to reduce unnecessary distress for those seeking justice and redress.

As referenced earlier in this submission, since the introduction of the VOCC Designate in Northern Ireland, we have seen several key pieces of research published by the Office that have helped shine a light on serious issues that need to be addressed if we

are to create a more victim-centred criminal justice process. The Commissioner being able to compile information concerning the interests of victims and witnesses is an important part of the role. It helps highlight systematic issues being experienced by victims, survivors and witnesses, measure the severity of the problem and provide evidence of these issues – for example, the research the Office published in June 2026 highlighting systematic issues around Non-Molestation Orders in Northern Ireland.

Transparency around these issues, through the publication of findings, advice and research, is also vital, particularly in ensuring that victims' voices are being listened to; but also that the Commissioner is able to hold organisations to account if they are failing to uphold the rights of victims and witnesses. We welcome the work the Office has done so far on a number of key pieces of research, and we will continue to work with the Office on issues that help promote the rights and wellbeing of victims and survivors.

The ability to undertake, commission or support research would allow the Commissioner to explore issues raised through their work in greater depth, establish whether concerns are isolated or indicative of wider systemic problems, assess the impact on those affected and identify potential solutions. This evidence base should then inform the Commissioner's advice to Government and the development of best practice guidance.

Women's Aid would emphasise, however, that any research involving victims and survivors must be undertaken in an ethical, supportive and trauma-informed way. In 2020, the Women's Aid Federations across the United Kingdom developed the '*Research Integrity Framework*' guidance ² in response to concerns about how research involving victims and survivors of domestic abuse was being conducted.

The principles set out in this framework should be considered in any research commissioned, supported or undertaken by the VOCC. Research must recognise the potential impact of asking victims and survivors to revisit traumatic experiences and should be designed around their safety, wellbeing and individual needs. It should also take account of the barriers that may affect their ability or willingness to participate. The Commissioner should also recognise the expertise and contribution of the

² [Research Integrity Framework - Women's Aid - 2020](#)

voluntary and specialist sector when developing its research programme. Organisations such as Women's Aid have extensive experience of working directly with victims and survivors and can provide valuable insight into the issues affecting them and the barriers they encounter.

The Commissioner's ability to make representations or recommendations to any body or person concerning the interests of victims and witnesses is also of great importance. Any limitation on this ability could create a barrier to essential scrutiny of the criminal justice process, limit public confidence in the ability of the Office to carry out its duties effectively, and restrict its ability to engage with those who need to be involved in promoting the rights of victims and witnesses, particularly in tackling systematic issues.

Clause 5 stipulates that the Commissioner must review the operation and the effectiveness of the Victim and the Witness Charters at least every 3 years or as directed by the Department; prepare a report and, in doing so, consulting the Department and any other person the Commissioner considers appropriate; and publish a report. Do you agree with the provisions at Clause 5?

YES	X
NO	

Please provide information to support your answer here:

The power to monitor compliance with the Victim and Witness Charters is incredibly important and must be used to ensure that Criminal Justice Partners are doing all they can to respect and uphold the rights of victims and witnesses. However, Women's Aid services regularly hear from victims and survivors of domestic abuse who are unaware of either Charter, the rights and protections they provide, or what action can be taken when those rights are not upheld. This lack of awareness can be particularly significant for those who have already experienced difficulties or negative treatment within the criminal justice system, and for victims of domestic abuse who may find themselves engaging with the criminal justice process as both a victim and a witness.

Therefore, there should be dedicated resources to raise awareness of the Charters among the general public, with particular focus on those who are engaging with the

criminal justice system. Organisations such as the PPS and PSNI should be required to provide clear information about Charter rights at the earliest point of contact with victims and witnesses, and at key stages throughout the criminal justice process. Information should be provided in accessible formats and clearly explained, rather than simply being given as written documentation.

The Commissioner should also undertake regular public awareness campaigns and victim and witness awareness surveys to assess levels of understanding of Charter rights and identify groups who may be less likely to be aware of or able to exercise those rights. The findings should be used to inform future awareness-raising activity, identify gaps in implementation and support improvements in practice. Awareness of, and access to information about, Charter rights should be embedded throughout the criminal justice process, rather than relying solely on victims and witnesses to seek out information themselves. Victims and survivors should receive clear reminders of their Charter rights at key stages, including following a charge, court listing, adjournment and case conclusion. Information about Charter rights should also be routinely shared through specialist support services, including local Women's Aid services, to ensure that victims and survivors have repeated opportunities to understand their rights and how they can be upheld.

Particular attention should be given to vulnerable groups, including victims and survivors of domestic abuse and all forms of VAWG, children and young people, people with disabilities, migrant women and those living in rural areas. The effectiveness of the Victim and Witness Charters should not be measured solely by compliance with procedural requirements, but by whether victims and witnesses are aware of their rights, understand how to exercise those rights and feel confident that those rights will be upheld in practice.

The Commissioner has an important role in overseeing compliance with the Charters and ensuring that the rights set out within them are being upheld in practice. Monitoring compliance would also provide an opportunity to identify recurring shortcomings and ensure that victims' rights are considered throughout their engagement with the criminal justice system, rather than only after problems have occurred.

Reviewing the operation and effectiveness of the Victim and Witness Charters is an essential component of the Commissioner's role in effectively promoting the interests

and wellbeing of victims and witnesses. This can only be done effectively through routine examination. Reviewing the operational reality of both Charters every three years would provide a practical way for the Commissioner to monitor changes and trends in their effectiveness, while also providing the option for the Commissioner to be directed by the Department to undertake a review if anything of pressing concern emerges between the three year periods.

We unfortunately know, through our support of thousands of victims and survivors of domestic abuse every year, that confidence in the criminal justice system could be greatly improved. Given this, the requirement to publicly publish any reviews of the implementation of both Charters should be mandatory to ensure transparency and effective scrutiny of those responsible for upholding the Charters in practice. Failure to publish such reports could undermine public confidence in the independence and effectiveness of the VOCC Office.

Are there any other powers that you believe the Commissioner should have?

YES	X
NO	

If yes, what should they be?

Women's Aid recognises the important role the VOCC can play in identifying and highlighting systemic issues experienced by victims and witnesses as they navigate the criminal justice process and seek redress for the trauma and harm caused by perpetrators. Having an independent body that victims and witnesses can approach when they feel they have nowhere else to turn is extremely important and can provide an essential avenue for raising concerns about how they have been treated.

However, while the powers outlined above provide an important foundation for the VOCC's work, Women's Aid believes that one additional power is necessary if the Commissioner is to be able to fully advocate for the rights and interests of individual victims and witnesses: the ability to take on and advocate in individual cases.

There is already precedent for this approach within Northern Ireland. Other Commissions, including the Children's Commissioner, the Equality Commission and the Human Rights Commission, have powers that enable them to become involved in

individual cases where the rights of those within their remit may not have been upheld. This can provide an important route to redress for individuals, while also helping to reinforce and promote good practice in relation to their rights.

Women's Aid therefore supports the VOCC having a formal ability to advocate in individual cases. This would strengthen the Commissioner's ability to support victims and witnesses where their rights have not been upheld and would provide an important mechanism for ensuring that the obligations set out in the Victim and Witness Charters are being meaningfully applied in practice.

Clause 5 stipulates that the Commissioner must review the operation and the effectiveness of the Victim and the Witness Charters at least every 3 years or as directed by the Department; prepare a report and, in doing so, consulting the Department and any other person the Commissioner considers appropriate; and publish a report.

Do you agree with the provisions at Clause 5?

YES	X
NO	

Please provide information to support your answer here:

The power to monitor compliance with the Victim and Witness Charters is incredibly important and must be used to ensure Criminal Justice Partners are doing all they can to respect and uphold the rights of victims and witnesses.

However, what is important to stress here is that many victims and survivors of domestic abuse will regular tell Women's Aid services that they are not aware of either Charter or the rights and protections they provide. This lack of awareness can be particularly significant for those who have already experienced difficulties or negative treatment within the criminal justice system.

The Commissioner should therefore have an important role in overseeing compliance with the Charters and ensuring that the rights set out within them are being upheld in practice. Monitoring compliance would also provide an opportunity to identify recurring shortcomings and ensure that victims' rights are considered throughout their

engagement with the criminal justice system, rather than only after problems have occurred.

Clause 6 provides that the Commissioner may issue guidance on best practice in relation to any matter concerning the interests of victims and witnesses and that this must be taken into regard by persons exercising public functions; and makes provision in respect of revision, consultation and publication of the guidance. It also prohibits the Commissioner from issuing guidance to a court or tribunal. Do you agree with Clause 6 of the Bill?

YES	X
NO	

Please provide information to support your answer here:

Clause 6 of this proposed legislation gives the VOCC an important mechanism to promote consistent and effective practice in relation to the treatment of victims and witnesses. The ability to issue best practice guidance would enable the Commissioner to identify areas where improvements are needed and set out clear expectations for how victims and witnesses should be supported across the justice system.

The requirement for those exercising public functions to take the guidance into account also provides an important means of ensuring that the interests and rights of victims and witnesses are properly considered when decisions are made and services are delivered. This could help to identify gaps or inconsistencies in existing practice and encourage greater consistency across organisations.

The VOCC should also provide a clear and accessible point of contact for individuals and organisations to raise concerns about the experiences of victims and witnesses. This would help to effectively scrutinise and shine a light on practices that are not working in the best interests of victims and witnesses, while identifying areas where improvements may be needed. The ability to use those concerns to inform guidance would allow the Commissioner to contribute to meaningful scrutiny and encourage improvements in practice, ultimately helping to create a more consistent and victim centred system.

Clause 7 grants the Commissioner the power to establish advisory groups to provide support and information to the Commissioner on matters related to the Commissioner's functions. The Commissioner will determine membership of the group(s) and how expenses will be reimbursed. The Commissioner may also determine the procedure of any advisory group. Do you agree that the Commissioner should have the power to establish advisory groups?

YES	X
NO	

Please provide information to support your answer here:

Given the broad remit of the VOCC to advocate for victims and witnesses of all types of crime across Northern Ireland, Women's Aid considers the establishment of specialist advisory groups to be an important mechanism for ensuring that the Commissioner can draw on relevant expertise, experience and specialism in different areas. Bringing together those with knowledge of a particular area, including those working directly with victims and survivors, can help ensure that the VOCC's work is informed by the realities faced by those accessing the criminal justice system and supports effective advocacy for their rights.

Since the Commissioner Designate took up her position, Women's Aid has participated in several advisory groups, ensuring that the views, concerns and lived experiences of the women, children and young people we support are reflected in the development of the VOCC's work. This type of engagement is important in helping to identify what is working well, where improvements are needed and how the experiences of victims and witnesses can be improved when engaging with the criminal justice system.

We also wish to reiterate again the importance of ensuring that meaningful survivor engagement should be a focus of this Office and it must be resourced. Victims and survivors should not be left financially disadvantaged as a result of participating in engagement activities, and appropriate support, including aftercare, should be available where required. We would therefore recommend that the Commissioner's Office has a dedicated budget for survivor engagement, recognising that meaningful

participation requires both time and resources. While the criminal justice system is increasingly recognising the value of involving victims and survivors in shaping services and practice, this engagement must be supported by dedicated funding and should not be treated as an additional consideration when resources are allocated.

Do you agree that the Commissioner should have the power to determine the membership of advisory groups?

YES	X
NO	

Please provide information to support your answer here:

Since the establishment of the Commission in 2022, Women's Aid has engaged with the VOCC Office in a number of different capacities, including through the Domestic Abuse Advisory Group and the Family Court Pilot Task and Finish Working Group. This engagement has been welcome and has provided valuable opportunities to contribute to work aimed at improving outcomes for those impacted by domestic abuse.

The VOCC should therefore retain the ability to establish advisory groups and determine their membership based on the expertise, experience, perspectives, professional standing and suitability required for the particular area of work being considered. The ability to bring together individuals and organisations with relevant knowledge and experience can provide valuable insight, challenge and expertise, helping to ensure that the work of the VOCC is informed by those with a direct understanding of the issues affecting victims and witnesses.

This is particularly important in areas such as domestic abuse, where there is currently no dedicated Commissioner and the VOCC has an important role in ensuring that specialist voices and the experiences of those affected remain central to its work. Giving the Commissioner the ability to determine the appropriate membership of advisory groups would help ensure that these groups are purposeful, representative and able to provide meaningful advice and scrutiny.

Clause 8 provides that the Commissioner cannot become involved in an individual case or intervene in criminal or related proceedings. Do you support the restriction proposed in Clause 8?

YES	
NO	X

Please provide information to support your answer here:

As expressed earlier in this submission, Women's Aid believes that, if the Commissioner is to be able to fully advocate for the rights and interests of individual victims and witnesses, they should have the ability to take on and advocate for individuals in specific cases.

Other Commissions in Northern Ireland already have this power. The Children's Commissioner, Equality Commission and Human Rights Commission all have powers that enable them to become involved in individual cases where the rights of those within their respective remits may not have been upheld. This can provide an important route to redress for individuals, while also helping to reinforce and promote good practice in relation to their rights.

Women's Aid therefore supports the VOCC having a formal ability to advocate in individual cases. This would strengthen the Commissioner's ability to support victims and witnesses where their rights have not been upheld, and would provide an important mechanism for ensuring that the obligations set out in the Victim and Witness Charters are meaningfully applied in practice.

We recognise that there are limitations on taking on individual cases while criminal proceedings are ongoing, and we respect the independence of the court process in Northern Ireland. However, there may be circumstances following the conclusion of court proceedings where taking on an individual case to identify failings and highlight wider systemic issues would be particularly beneficial. Such an ability could help to improve the experience and circumstances of victims and survivors of domestic abuse, while also identifying opportunities for wider learning and improvement across the justice system.

Do you have anything further to add in relation to Clauses 3 to 8 of the Bill?

YES	
NO	X

Clause 9 lists the criminal justice agencies which are specified as "charter service providers". Do you agree with the list of bodies specified in Clause 9?

YES	
NO	X

Do you believe that there are any other criminal justice agencies that should be added to the list?

YES	
NO	X

Do you believe that any of the agencies listed should be removed from the list?

YES	
NO	X

Clause 10 requires the Commissioner to monitor compliance with the Victim Charter and enables the Commissioner to request information from a charter service provider. It requires charter service providers to comply with such a request as far as is practical. Do you agree with the purpose stated for Clause 10?

YES	X
NO	

Please provide information to support your answer here:

The ability of the VOCC to effectively monitor and scrutinise the effectiveness and operation of the Victim Charter is another important way in which we can progress towards creating a more victim centred criminal justice system in Northern Ireland.

When consulting with victims and survivors accessing Women's Aid services, an overwhelming and consistent response from women is that they are unaware of the Victim and Witness Charters, particularly when they have had a negative experience within the criminal justice process

This lack of awareness highlights the need for the Commissioner to be able to monitor compliance with the Charters and ensure that the rights of victims and witnesses are being upheld and appropriately advocated for throughout the criminal justice process. Effective monitoring can also help to identify gaps or inconsistencies in how the Charter is being implemented and where improvements may be required.

The ability to request information from Charter Service Providers, with those requests being complied with within a reasonable timeframe where practicable, is an essential tool in enabling the Commissioner to effectively monitor compliance. This is particularly important when information is held by organisations such as the Police Service of Northern Ireland or the Public Prosecution Service. The Commissioner should have the necessary powers to obtain relevant information from Charter Service Providers to properly scrutinise compliance and identify where further action or improvement may be required.

Clause 11 provides that charter service providers must collect and retain data in relation to the provision of services set out in the Victims Charter and to provide statistical information to the Commissioner. The Department must make regulations setting out how the particular statistics, or category of statistics to be provided to the Commissioner are to be determined. The Department must consult with the Commissioner and charter services providers it considers appropriate before making regulations, which will be subject to the draft affirmative procedure. Do you agree with the intent behind Clause 11?

YES	X
NO	

Please provide information to support your answer here:

For the Commissioner to effectively monitor compliance with the Victim Charter, there must be a clear and standardised framework for the consistent collection of adequate and relevant information.

In order to achieve this, regulations should establish clear and consistent requirements for the collection, recording and reporting of data by Charter Service Providers. This will help to ensure that the information provided to the Commissioner is of a consistent and sufficient quality to effectively assess the implementation and effectiveness of the Charters across different providers and areas of the justice system.

Without effective standardisation, it will be difficult to meaningfully compare data from multiple sources or identify wider trends and patterns across the justice system. The development and implementation of the regulations should therefore be undertaken in consultation with Charter Service Providers and the Commissioner, with appropriate training provided to those responsible for collecting and recording the data.

We would also like to take this opportunity to stress the importance of collecting data relating to Section 75 characteristics, alongside other relevant information, to build a better understanding of the needs and barriers experienced by victims and witnesses and to assess compliance with the Charters. This should include, where relevant:

- Domestic abuse flag
- Gender
- Disability
- Ethnicity
- Rurality
- Repeat victimisation
- Use of special measures
- REC usage
- Victim withdrawal data
- Court delay data

There should also be mechanisms for providers to routinely review their data collection practices and engage with one another to ensure consistency and identify any significant deviations or emerging issues. Regular monitoring would help to ensure that trends can be identified, concerns can be flagged at an early stage, and the data

collected continues to provide a meaningful picture of how effectively the Victim and Witness Charters are being implemented.

The data collected should also be sufficiently detailed to identify any disparities in experiences or outcomes for particular groups of victims and witnesses. This would enable the Commissioner to identify where further investigation, engagement or improvements in practice may be required.

Clause 12 allows the Department to extend the provisions regarding the Victim Charter at Clauses 10 and 11 to the Witness Charter. Are you content with Clause 12?

YES	X
NO	

Please provide information to support your answer here:

As expressed in our previous responses, we are supportive of the provisions in Clauses 10 and 11 relating to the Victim Charter.

Witnesses should also benefit from effective monitoring and scrutiny of the standards and services they are entitled to receive, particularly as they may have been impacted by a potentially traumatising or distressing experience as a result of a crime. As highlighted earlier in this submission, many victims and survivors of domestic abuse may also be witnesses in criminal proceedings, creating particular and often overlapping sensitivities around their experiences and the support they require.

Extending these provisions would enable the Commissioner to identify gaps, inconsistencies or areas for improvement in the implementation of the Witness Charter and ensure that the experiences and rights of witnesses are appropriately considered.

Applying the same approach to both Charters would also support greater consistency in how compliance is monitored and how information is collected and assessed across the criminal justice system. We therefore support the extension of these provisions to the Witness Charter.

Clause 13 relates to co-operation with the Commissioner and states a charter service provider must comply or provide the reasons for non-compliance. Do you have any comments on Clause 13?

YES	X
NO	

Please provide information to support your answer here:

In order to effectively promote the rights, entitlements and wellbeing of victims and witnesses within the criminal justice system, Charter Service Providers must be honest, transparent and willing to engage effectively with the VOCC Office if we are to improve outcomes for those the Charters are intended to serve.

As expressed throughout this consultation, openness and transparency are essential for the Commissioner to effectively carry out their duties. This can only be achieved if Charter Service Providers are required to comply with reasonable requests from the Commissioner and, where they are unable to do so, provide clear and detailed reasons for their non-compliance.

We would hope that Charter Service Providers would engage freely and positively with the Commissioner's Office, and our experience to date has been of a practical and constructive working relationship between Providers and the Commissioner's Office, which we greatly welcome. However, enshrining this requirement in legislation is incredibly important in ensuring that the Commissioner has the necessary authority to hold Providers accountable, particularly where a Provider may be failing to address an issue that is to the detriment of victims and witnesses in Northern Ireland.

Clause 14 relates to the duty to record and report on complaints received in each financial year that relate to alleged breaches of Victim or Witness Charter entitlements and the outcome of each complaint. Do you agree with Clause 14 of the Bill?

YES	X
NO	

Please provide information to support your answer here:

If we are to ensure the meaningful implementation of the Victim and Witness Charters, it is important that victims and witnesses are aware of the rights and entitlements available to them. Many victims and witnesses involved in the criminal justice process in Northern Ireland may not know what their rights are under the Charters or that they are entitled to raise concerns about the treatment they receive. As mentioned earlier in this submission, many of the victims and survivors of domestic abuse supported by Women's Aid tell us that they are unfamiliar with the Charters when asked about them.

There is therefore a need for greater awareness of the Charters among victims and witnesses, as well as greater responsibility on Charter Service Providers and the Department of Justice to ensure that information about these rights is accessible and clearly communicated. This should include making clear how victims and witnesses can raise concerns or make a complaint where they believe their rights have not been upheld.

It would also be important to monitor emerging trends in relation to alleged breaches of the Charters and identify whether there are particular areas of concern, including in relation to geography, the agencies involved and the types of crimes associated with reported breaches. This could help to identify patterns or recurring issues that may require further investigation or action.

Alongside this, there must be effective mechanisms for identifying and addressing breaches of the Charters. Charter Service Providers, including the Police Service of Northern Ireland and the Public Prosecution Service, should be under a duty to adequately record all alleged breaches of the Charters and provide this information to the Commissioner in a timely and transparent manner.

As organisations that are Charter Service Providers, they must be forthcoming with the Commissioner to enable effective scrutiny of how the Charters are being implemented in practice, including identifying what is working well and where there are gaps or systemic failings across different organisations. This transparency would help to build public confidence and enable the Commissioner to identify trends, challenge poor practice and make recommendations for improvement.

The Commissioner must have access to this information without unnecessary impediment in order to effectively monitor and promote the rights of victims and witnesses. Without accurate and comprehensive information about alleged breaches, it will be difficult for the Commissioner to assess whether the Charters are being meaningfully implemented in practice or to identify areas where further action is required.

Clause 15 relates to the disclosure of information between charter service providers and the Commissioner if the information would assist or enable the Commissioner to carry out their functions. These disclosure powers are subject to restrictions set out in subsections (3) to (5) – namely, they do not override patient confidentiality, data protection legislation or prohibitions on disclosure in the Investigatory Powers Act 2016. The sharing of information does not affect any other power that exists to disclose information. Do you support the intention behind Clause 15?

YES	X
NO	

Please provide information to support your answer here:

It is important that there are clear lines of communication between the Commissioner's Office and Charter Service Providers to ensure that the interests and wellbeing of victims and witnesses are paramount.

Practical information sharing is a key component of this relationship, especially when trying to advocate for and uphold the rights of victims and witnesses, particularly where there are vulnerabilities. Allowing the Commissioner to access information on how victims and witnesses are being treated by Charter Service Providers is an essential part of this and should not be a barrier that prevents victims and witnesses who are not having their entitlements under the Charter upheld from seeking support. The balance that is needed here is that the Clause makes clear that confidentiality is being respected, particularly around not identifying the individual for fear of mistreatment or perceived repercussions, or sharing private information about their health. This is laid out clearly in the Clause and balances the importance of accessing important information with privacy safeguards in place.

Do you believe that there should be other restrictions to the disclosure of information other than those set out in subsections (3) to (5)?

YES	
NO	X

Do you have anything further to add in relation to Clauses 9 to 15 of the Bill?

YES	
NO	X

Clauses 16 requires the Commissioner to prepare a strategic plan setting out objectives and priorities, how they will be achieved and how the outcomes will be monitored. The Commissioner must specify groups of victims and witnesses to whom they will have particular regard and why. The Commissioner may review the strategic plan at any time during their tenure. Clause 17 requires the Commissioner to send an annual business plan to the Department of Justice setting out how they propose to carry out the Commissioner's functions. Do you agree with the provisions at Clauses 16 and 17?

YES	X
NO	

Please provide information to support your answer here:

The inclusion of a strategic plan with set objectives, priorities and effective monitoring is essential for any organisation to achieve its mission, and in this context, it provides a clear direction that can be used for transparency, monitoring and accountability to those the Commission seeks to serve.

Whilst we appreciate that finer details cannot always be included in a strategic plan, in the interests of transparency, clear objectives and timeline monitoring would be of benefit to all parties. This would help ensure that all is being done to protect and uphold the rights of victims and witnesses.

In relation to the engagement of groups of victims and witnesses to whom the Commissioner will have particular regard, Women's Aid has had an open and engaging relationship with the Commissioner's Office since its inception, and we wish to continue to do so as the largest support organisation for those impacted by domestic abuse in this jurisdiction.

It is important that any group with which the Commissioner publicly aligns is engaged with in the best interests of victims and witnesses and has a credible reputation and professional approach, to ensure that the reputation and work of the Commission are not brought into dispute. Faith in the integrity of the Commissioner's Office is paramount, and these factors must be taken into account to meaningfully advocate for victims and witnesses.

Clause 18 requires the Commissioner to produce an annual report and sets out what it must include. Do you agree with Clause 18?

YES	X
NO	

Please provide information to support your answer here:

Annual Reports are an excellent resource for monitoring progress, highlighting good practice and providing an overview of statistics and developments over the year. The requirement for the Commissioner to produce an Annual Report would therefore be welcome in the interests of transparency and accountability.

the Commissioner's Office in achieving its strategic objectives, recommendations on improving experiences of the criminal justice process, highlighting emerging issues and trends and providing valuable data on issues directly impacting victims and witnesses within the criminal justice process in Northern Ireland. It would also provide an opportunity to identify areas where further work or improvement may be required.

The Annual Report could also be a valuable opportunity to increase public awareness and understanding of the Commissioner's role in promoting and protecting the rights and entitlements of victims and witnesses, particularly in relation to the Victim and

Witness Charters. It could also provide an overview of communications, awareness-raising campaigns and other work undertaken by the Commissioner's Office, as well as the impact these activities are having among the general public.

Clause 19 places a duty on charter service providers to respond to recommendations made in the Commissioner's annual report and state how they will be addressed, or provide reasons why a charter service provider does not propose to act on a recommendation. The response must be published within 56 days of the publication of the Commissioner's report. Do you agree with the intent and purposes of Clause 19 of the Bill?

YES	X
NO	

Please provide information to support your answer here:

As expressed repeatedly throughout this submission, transparency and accountability are vital components of the integrity of the Commissioner's Office and are essential to maintaining public confidence in the criminal justice process.

The Commissioner's recommendations are made in the interests of victims and witnesses and should help to promote a criminal justice system that better meets their needs, while also providing a mechanism to hold Charter Service Providers to account where these expectations are not being met. The public reporting of recommendations and the responses from Charter Service Providers is therefore important for transparency, scrutiny and accountability. We would see the benefit in reporting of how the recommendations have been implemented by the Providers and if not, further explanation as to why this hasn't taken place.

In these circumstances, requiring a response within 56 days of publication is a reasonable and proportionate requirement. It provides Charter Service Providers with a clear timeframe within which to demonstrate how they intend to respond to recommendations, or to explain why they do not propose to act on them. This transparency is important in ensuring that recommendations are not simply made, but are meaningfully considered and publicly accounted for.

Do you have anything further to add on Clauses 16 to 19 of the Bill regarding strategic plans, business plans and annual reports?

YES	
NO	X

Clause 20 provides that publications made by the Commissioner under the Act are privileged and exempt from challenge under the law of defamation. Do you support Clause 20 of the Act?

YES	X
NO	

Please provide information to support your answer here:

Women's Aid recognises the importance of this proposed privilege, which is already available to other Commissions within this jurisdiction. The possibility of defamation proceedings should not create a barrier to the Commissioner's ability to scrutinise and challenge poor practice where this has an impact on the rights of victims, survivors and witnesses.

For the Commissioner to effectively advocate on behalf of victims and witnesses, they must be able to identify and raise concerns about failures to uphold their rights without unnecessary barriers. In this context, Women's Aid has no objection to this Clause.

Clauses 21 sets out the meaning of "victim" for the purposes of Part 1 of the Bill. Do you agree with Clause 21?

YES	X
NO	

Clause 22 defines the terms used in Part 1; and Clause 23 introduces Schedule 2 which makes minor and consequential amendments in connection with Part 1 of the Bill. Do you have any comments to make on Clauses 22 or 23?

YES	
NO	X

Do you have anything further to add in relation to the supplementary provisions at Clauses 20 to 23 of the Bill?

YES	
NO	X

Clause 24 of the Bill provides that witnesses are eligible for assistance with giving evidence in cases dealing with an offence involving aggravation by hostility. It inserts into the Criminal Evidence (Northern Ireland) Order 1999 Order that the definition of “an offence involving aggravation by hostility” means an offence of any kind in respect of which an allegation that the offence is aggravated by hostility is specified alongside the offence in accordance with section 33(1) of the Criminal Justice (Sentencing etc) Act 2027 [see more information]. Do you agree with the provisions in Clause 24?

YES	X
NO	

Please provide information to support your answer here:

As the largest support organisation for those impacted by domestic abuse in Northern Ireland, Women’s Aid has greatly welcomed the more routine use of special measures in recent years and recommends the automatic consideration of Remote Evidence Centres (RECs) in all domestic abuse cases.

Those we have supported who have used special measures when giving evidence in cases involving domestic abuse, stalking and sexual offences have overwhelmingly told us that these measures have helped to minimise distress and re-traumatisation.

For many, there is also a significant sense of relief in knowing that they are less likely to encounter their perpetrator within the court building. Ensuring that victims and witnesses can access appropriate special measures as early as possible in the court process is therefore an important means of supporting their safety and reducing anxiety during proceedings.

There should also be greater monitoring of the use of special measures in cases involving domestic abuse, stalking and sexual offences, including consideration of why appropriate measures are not always granted. The fear of encountering a perpetrator can cause significant distress and may contribute to victims disengaging from the criminal justice process. Understanding where and why barriers to accessing special measures arise would help to identify opportunities to improve their use.

Within this context, Women's Aid particularly welcomes the use of RECs for victims and witnesses giving evidence in cases involving domestic abuse, sexual offences and stalking. RECs provide an important option for victims and survivors to give evidence away from the traditional court environment and can help to create a safer and more trauma-informed experience of the criminal justice process.

Offences aggravated by hostility can involve the use of power, control and intimidation by a perpetrator against their victim. Of the thousands of victims and survivors supported by Women's Aid every year, many live in fear of their perpetrator, and encountering them in person can cause significant distress and further trauma. For those who have been able to give evidence through RECs, this option has been described as a significant positive change in enabling them to participate in proceedings while feeling safer and more supported.

Women's Aid recently consulted with practitioners and clients on the use of RECs, and the feedback we received reinforces the importance of making this option available more consistently:

“Court is very nerve wrecking for victims and can put them off proceeding with their case. Giving evidence from a neutral venue would be helpful.”

“I was not informed as a dv witness of any of my rights, such as providing evidence through a centre or video link. I found this out through a fellow dv witness and made

the arrangements myself. Absolutely shocking. We need an advocate to guide us through the process.”

“We would welcome expansion of remote evidence centres outside of urban areas as a keyway to increase attrition rates. In Fermanagh, 25% of women identify support through the criminal justice process as a key need at their first assessment with less than half identifying a satisfactory outcome at the end of the process.”

Women’s Aid staff, victims and survivors have told us that expanding access to RECs across Northern Ireland would be a positive step towards creating a truly trauma-informed criminal justice system. This is particularly important where victims and witnesses may be required to give evidence against a perpetrator whom they fear or with whom they have experienced abuse, control or intimidation.

It is within this context that Women’s Aid welcomes the introduction of Clause 24. Ensuring that victims and witnesses in cases involving offences aggravated by hostility have access to appropriate assistance and special measures when giving evidence is an important part of creating a criminal justice system that recognises the impact of trauma and supports victims and witnesses to participate safely in proceedings. Women’s Aid would therefore encourage the routine and early consideration of RECs as part of the measures available to victims and witnesses under these provisions.

Clause 25 provides that no person charged with an offence involving aggravation by hostility may cross examine in person a witness, including a child, who is the complainant in connection with the offence or any other offence with which that person is charged in the proceedings. Do you support the inclusion of Clause 25 in the Bill?

YES	X
NO	

Please provide information to support your answer here:

When the Domestic Abuse (Civil Proceedings) Act (Northern Ireland) 2022 was passing through the Northern Ireland Assembly, Women’s Aid repeatedly stressed the

importance of removing the ability for an alleged perpetrator to directly cross-examine the victim or witness in domestic abuse cases, given the fear and distress this can cause to those seeking justice.

One Women's Aid practitioner summed up the concerns expressed by many of her colleagues:

“More victims would give evidence if they felt safe to do so. The fear of cross examination and being in the court stops many seeking justice.”

Women's Aid has decades of experience supporting victims and survivors of domestic abuse and knows that perpetrators can use a range of behaviours to maintain power and control over those they have abused. This can include choosing to represent themselves in court and directly cross-examining the person they have subjected to fear, intimidation or abuse, including through domestic abuse, stalking and sexual abuse.

This practice must be prohibited if we are to properly recognise the needs of victims and survivors and support them to seek justice. As expressed by our colleague above, if victims and survivors believe there is a possibility that they will have to directly communicate with or be questioned by their perpetrator, this may prevent them from coming forward to report what is happening or lead them to disengage from the criminal justice process if they later realise this is a possibility.

Many victims and survivors have already experienced significant impacts on their wellbeing as a result of the abuse they have experienced and may understandably seek to protect themselves from further distress wherever possible. Allowing an alleged perpetrator to directly cross-examine their victim in court is not trauma-informed and does not have a place within a criminal justice system that is genuinely committed to protecting the interests and wellbeing of victims and survivors.

Women's Aid therefore strongly welcomes the provisions set out in Clause 25 and believes they represent an important protection for victims and witnesses engaging with the criminal justice process. We also encourage similar protections should be consistently applied wherever domestic abuse victims engage with court processes, including family proceedings.

Clause 26 introduces provisions for complainants in sexual offence cases in the Crown Court, to make oral or written representations to the court, be legally represented and entitled to be present at any hearing of an application for documents or records which relate to the complainant and which they could have a reasonable expectation of privacy in relation to. It makes similar provisions in relation to applications made to the court relating to the complainant's sexual history. Do you agree with the inclusion of Clause 26 in the Bill?

YES	X
NO	

Please provide information to support your answer here:

Women's Aid support complainants being legally represented at hearings relating to pre-trial applications in these cases. Protecting the rights and interests of victims is essential, particularly as pre-trial hearings can involve difficult and sensitive issues, including the disclosure of personal information and questions around the admissibility of evidence.

Providing complainants with legal representation would help ensure that their interests are properly considered during what can already be an extremely stressful and traumatic process. For too long, victims who are also witnesses in criminal proceedings have had to navigate complex legal processes with limited understanding or support, leaving them particularly vulnerable during pre-trial hearings. Legal representation would help ensure that complainants understand their rights, are kept informed about decisions affecting them and have their interests appropriately represented, rather than decisions being made by legal teams without meaningful engagement with the complainant.

This could also help to reduce some of the additional trauma associated with navigating the legal process. However, Women's Aid would continue to advocate for access to specialist advocacy alongside legal representation, to provide appropriate support to women experiencing the emotional and psychological impact of the criminal justice process.

Women's Aid would also call for this protection and legislative provision to be extended to cases involving domestic abuse.

In both domestic abuse and sexual abuse cases, ensuring that complainants' rights and interests are protected and that they are appropriately represented can help support a fair process for all parties. Meaningful representation of victims within proceedings is an important part of addressing the barriers they face and improving their experience of the criminal justice system.

Clause 27 is a technical fix required for the forthcoming introduction of committal reform provisions. It provides that, in cases involving death or serious harm of a child or vulnerable person, charges cannot be dismissed unless the charge of an offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 is also dismissed. Do you agree with Clause 27 being included in the Bill?

YES	X
NO	

Women's Aid supports the inclusion of Clause 27. Domestic abuse frequently occurs within family settings and can have serious and, in some cases, fatal consequences for children and vulnerable adults. It is important that reforms to criminal procedure do not inadvertently weaken accountability where serious harm or death has occurred within a household setting. We have consistently advocated for greater recognition of the impact of domestic abuse on children and young people. Children are not merely witnesses to domestic abuse but can experience significant harm as a result of living within an abusive environment. Where serious harm or death occurs, the criminal justice system must have the ability to fully investigate the circumstances and hold those responsible to account

We therefore welcome measures that ensure offences under Section 5 of the Domestic Violence, Crime and Victims Act 2004 continue to receive appropriate scrutiny following the introduction of committal reform. Protecting vulnerable victims and survivors and maintaining access to justice in these cases must remain a priority.

This provision also highlights the importance of recognising the relationship between domestic abuse, child safeguarding and serious harm. Learning from Domestic Homicide Reviews and Serious Case Reviews has consistently shown the need for robust criminal justice responses where domestic abuse is present within a household. Women's Aid therefore supports measures that help ensure accountability and protect children and vulnerable adults from harm.

Do you have anything further to add on Clauses 24 to 27 of the Bill relating to Criminal Evidence and Procedure?

YES	X
NO	

Please provide information to support your answer here:

Women's Aid would also call for greater emphasis on victim- and trauma-informed training for legal professionals, particularly those working within the judiciary. Ensuring that judges, prosecutors and defence professionals understand the impact that trauma can have on victims and survivors, particularly in cases involving domestic and sexual abuse, is important in creating a more informed, respectful and effective legal environment.

This training should support legal professionals to respond appropriately to the individual needs of victims and survivors throughout court proceedings, while ensuring that their dignity is maintained and that the criminal justice process does not contribute to further trauma or distress. A greater understanding of trauma and its impact can help legal professionals recognise the barriers that victims and survivors may face when engaging with the justice system and ensure that these are appropriately considered throughout proceedings.

There should also be greater consideration of the preparation and use of victim impact statements and pre-trial briefings. Victims and survivors should be supported to prepare their statements and understand how they will be used within the criminal justice process. Victim impact statements provide an important opportunity for individuals to explain the emotional and psychological impact of an offence and the

harm they have experienced, helping the court to better understand the effect of the offending on the individual.

Given the importance of victim impact statements, they should be treated with appropriate care and consideration throughout the criminal justice process. Providing victims and survivors with adequate support and preparation would help them to communicate the impact of their experiences while reducing some of the additional stress associated with engaging with the legal process.

Women's Aid welcomes the Bill and its intention to strengthen victims' rights. However, meaningful change will depend on effective implementation, accountability, trauma-informed practice, meaningful engagement with victims and survivors, and adequate resourcing. Particular attention must be given to victims of domestic abuse, stalking and sexual violence, who continue to face significant barriers when engaging with the justice system. The success of these reforms should ultimately be measured by whether they result in a safer, more responsive and genuinely victim-centred justice process.

Clauses 28 to 30 provide for regulation making powers, the commencement of the parts of the Bill and the short title. Do you have any comments on Clauses 28 to 30 of the Bill?

YES	
NO	X

Do you have any other comments or views on the Victims and Witnesses of Crime Bill?

YES	
NO	X