Northern Ireland Assembly

Research and Information Service Briefing Paper

Paper 76/26 02 November 2026 NIAR 264-26

Review of Costs: Victims and Witnesses of Crime Bill

RaISe – Public Finance Scrutiny Unit

Seeking to support Northern Ireland Assembly scrutiny, this Review of Costs addresses key potential "public purse" implications arising from the Victims and Witnesses of Crime Bill, if enacted and implemented as introduced. The Bill seeks to create a "*more victim-and witnesses-centred, transparent and protective criminal justice system*", by strengthening prevailing statutory rights and support available to victims and witnesses of crime. The Paper relies on the Bill's accompanying Explanatory and Financial Memorandum and other relevant sources; and should be read alongside RaISe Bill Paper NIAR 197-2026 (dated 30 October 2026), which addresses policy considerations arising from the Bill.

This information is provided to Members of the Legislative Assembly (MLAs) in support of their duties, and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as professional legal advice, or as a substitute for it.

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Key Points

- The Victims and Witnesses of Crime Bill seeks to create a "*more victim- and witnesses-centred, transparent and protective criminal justice system*", by strengthening prevailing statutory rights and support available to victims and witnesses of crime, including placing the existing Commissioner for Victims and Witnesses of Crime for Northern Ireland on a statutory footing.
- This Review of Costs addresses key potential "public purse" implications arising from the introduced Bill. See RaISe Bill Paper NIAR 197-2026 (dated 30 October 2026), for discussion about key policy considerations arising from the introduced Bill.
- The Bill's Explanatory and Financial Memorandum (EFM) states, most of the (introduced) Bill would be implemented using existing resources. The Department of Justice (DoJ) therefore describes the Bill's anticipated financial impacts to be "limited".
- The principal identifiable recurring cost of the Bill – as stated in the EFM - would concern the Office of the Commissioner for Victims and Witnesses; and some of that cost already incurs through existing victims and witnesses administrative arrangements.
- At the Bill's Second Stage debate, (30 June 2026), The Minister of Justice *stated that the Bill The Bill establishes an overarching principal aim to direct the commissioner's functions, namely, to promote the interests of victims and witnesses.* She specifically highlighted:
    - *Part 1 provides for the establishment, appointment and functions of a statutory Commissioner for Victims and Witnesses of Crime for Northern Ireland. The commissioner's office will become an arm's-length body (ALB) of the Department of Justice, in line with other Northern Ireland commissioners' offices. Although my Department will make the appointment, the commissioner will operate independently in the discharge of their statutory functions. The Bill deliberately separates appointment from functions, duties and powers, and the commissioner is free to scrutinise, challenge and advise the Department and others without interference.*

- The EFM further states a number of the specified new statutory duties and functions for criminal justice organisations would be expected to be managed within current budgets.
- Some of the Bill's provisions, including those relating to support for victims of hate crime and legal representation in certain sexual offence proceedings, could incur relatively modest direct costs, dependent on operational demand.
- Moreover, it is important to note that the introduced Bill further specifies a number of delegated powers, which would require further legislation to be enacted and implemented. Potential public purse implications arising from any such legislation cannot be fully assessed at this time because the detail of any such legislation are unavailable at present. Future scrutiny of those legislative proposals would be required to assess any potential costs arising from them.

Introduction

This Review of Costs aims to support Northern Ireland Assembly Members in their plenary, committee and constituency capacities, when scrutinising key "public purse" implications that could arise from the Victims and Witnesses of Crime Bill – as introduced into the Northern Ireland Assembly by the Minister of Justice on 22 June 2026. The Bill seeks to create a "*more victim-and witnesses-centred, transparent and protective criminal justice system*[1]", by strengthening prevailing statutory rights and support available to victims and witnesses of crime, including placing the existing Commissioner for Victims and Witnesses of Crime for Northern Ireland on a statutory footing.

The Paper relies on sources available to the Public Finance Scrutiny Unit (PFSU) within the Assembly's Research and Information Service (RaISe) at the time of writing. Those include: the introduced Bill; its accompanying Explanatory and Financial Memorandum (EFM); Department of Justice (DoJ) public consultations; the Bill's Second Stage debate; and, RaISe-PFSU engagement with DoJ. Its contents are not intended to be exhaustive and are structured as follows:

1. Recap of introduced Bill;
2. Public finance context in Northern Ireland;
3. Key potential "public purse" considerations; and,
4. Concluding remarks.

Any discussion in the Paper about the prevailing law, including existing legislation, is not intended to provide legal advice or opinion. Instead, it seeks to orientate the Paper's discussion. Please note that the identified key potential "public purse" considerations are not intended to be exhaustive. Included throughout are potential scrutiny points in blue boxes, which Members, including those in the Committee for Justice, may wish to draw on.

[1] victims-and-witnesses-of-crime-bill---efm---as-introduced---fpv.pdf

For wider social or policy considerations relating to the Bill, refer to RaISe Bill Paper NIAR 197-2026 (dated 30 October 2026), which addresses policy considerations arising from the Bill, as introduced.

1 Recap of introduced Bill

As noted in the Bill's EFM, the introduced Bill:

> *… gives effect to the Minister of Justice's desire to create a more victim- and witness- -centred, transparent and protective criminal justice system where victims and witnesses are supported, represented and safeguarded through the criminal justice system. At its core are five key aims, which are to:*
>
> *a) establish a statutory Commissioner for Victims and Witnesses of Crime for Northern Ireland;*
>
> *b) improve transparency, accountability and performance in victim- and witness- related services by requiring mandatory provision of statistics to the Commissioner;*
>
> *c) strengthen protections for those affected by hate crime through extending special measures and prohibiting cross-examination by defendants;*
>
> *d) enhance privacy, dignity and protection for complainants in serious sexual offence cases by providing a right to pre-trial independent legal representation and to strengthen safeguards around disclosure of records for which complainants could have a reasonable expectation of privacy in relation to; and*
>
> *e) ensure procedural fairness and integrity in criminal proceedings with provisions that apply to defendants in cases involving the death or serious physical harm of a vulnerable person.*

The introduced Bill contains 30 clauses, arranged in 3 Parts and 2 Schedules. **Table 1** below highlights those clauses with key potential "public purse" implications[2].:

Table 1: Summary of Clauses with Potential "Public Purse" Implications

Part	Clause	Effect of Clause, if enacted and implemented as introduced
Part 1	1	**Establishment:** Provides for the establishment of a statutory Commissioner for Victims and Witnesses of Crime for Northern Ireland (the Commissioner), who would be appointed by the DoJ.
	3	**General Duties:** Sets out the general duties of the Commissioner, including that the Commissioner **must**: (i) promote an understanding of the rights of victims and witnesses and an awareness of matters relating to the interests of victims and witnesses; (ii) keep under review the adequacy and effectiveness of the law and practice relating to victims and witnesses; advising Departments and the Northern Ireland Executive on matters concerning the interests of victims and witnesses; and, (iii) ensure that victims and witnesses are aware of the functions of the Commissioner.
	4	**General Powers**: Specifies the Commissioner's general powers, including that they **may**: (i) undertake or commission research or educational activities concerning the interests of victims and witness (and publish the outcomes of this research); and, (ii) make representations or recommendations to any body or person concerning the interests of victims and witnesses.

[2] "Public purse" is defined below at sub-section 2.1

	5	**Review of the Victim and Witness Charter**: States the Commissioner **must**: (i) review the operation and effectiveness of the Victim and Witnesses Charter (the Charter) at least every three years; and, (ii) prepare a report on the review and consult with the Department and other persons, as the Commissioner considers appropriate.
	6	**Guidance:** Permits the Commissioner to issue guidance on best practice in relation to any matter concerning the interests of victims and witnesses. However, *"nothing in this section permits the Commissioner to issue guidance to a court or tribunal".*[3]
	7	**Advisory Groups:** Permits the Commissioner to establish one or more advisory groups to give advice and information to the Commissioner on matters relating to the Commissioner's functions.
	16	**Strategic Plan**: Requires the Commissioner to prepare a strategic plan setting out the Commissioner's objectives and priorities; how the Commissioner intends to achieve them.
	17	**Business Plan:** Requires the Commissioner to send an annual business plan to the DoJ, setting out how the Commissioner proposes to carry out the Commissioner's functions**.**
Part 2	24	**Special measures in cases involving aggravation by hostility:** Amends the Criminal Evidence (Northern Ireland) Order 1999 ("the 1999 Order"), by inserting a definition of "*an offence involving aggravation by hostility"* and thereby making witnesses eligible for assistance in cases addressing offences that involve aggravation by hostility.
	26	**Protection of complainants in proceedings for sexual offences:** Provides complainants in sexual offence cases with rights to participate in proceedings relating to access to private records and sexual history evidence, including rights to legal representation and attendance at hearings.

[3] victims-and-witnesses-of-crime---as-introduced---fpv.pdf

Schedule 1	3	**Commissioner for Victims and Witnesses of Crime for Northern Ireland:** Specifies: (i) the Commissioner's remuneration, allowances and pension arrangements; and, (ii) enables the Commissioner to employ staff with DoJ approval.
	11	**Accounts**: Requires the Commissioner to: (i) maintain proper accounts; (ii) prepare a statement of account for each financial year; and, (iii) send copies of the statement of account to the DoJ and the Comptroller and Auditor General.

Source: EFM

2 Public finance context in Northern Ireland

To provide wider framing for subsequent discussion about the Bill's key potential public purse implications, key definitions and the challenging Northern Ireland public finance context are set out below.

2.1 "Public purse" defined

In Northern Ireland, the "public purse" encompasses the Northern Ireland Block Grant from His Majesty's (HM) Treasury; revenues raised regionally; and other funding sources. The Northern Ireland Executive is responsible for allocating those monies through the Executive Budget, which it is to do so in line with the financial arrangements under current devolution, including requirements specified in the Executive's Budget Sustainability Plan and the accompanying Budget Improvement Plan Roadmap, along with Transformation Plans, which collectively aim to improve Northern Ireland public finances, while seeking to balance numerous competing priorities and demands for limited available funding.

If the introduced Bill would be enacted, the DoJ then would be responsible for covering costs arising when implementing the Bill, including the specified statutory duties. At the given time, the DoJ would do so using its budget and/or seeking additional monies from the Executive.

2.2 Budgetary context – central and devolved

The central and devolved budgetary contexts remain challenging across the United Kingdom, due to a number of contributory factors that are relevant to Assembly consideration of this Bill. **Table 2** below summarises the most significant developments from February 2024 to the time of writing.

Table 2: Challenging budgetary context - Contributory factors dating from February 2024 to present

Implementation of Political Agreements (February 2024 - Present)
Since the restoration of the Executive in February 2024, Departments have been undertaking work to facilitate the Executive's implementation of political and financial agreements – such as the Interim Fiscal Framework (May 2024), the Budget Sustainability Plan (October 2024) and the accompanying Budget Improvement Plan Roadmap (December 2024), as well as the establishment of Interim Transformation Board (March 2025). These measures have been broadly targeted to improve the position of Northern Ireland's public finances

Budget Information Gathering Exercise (August-September 2024)
The Department of Finance (DoF) undertook a 2025-28 Budget Information Gathering Exercise, requesting returns from all Northern Ireland Departments, marking the start of the planning stage in the 2025/26 Northern Ireland Executive Budget cycle. The DoF found that "Departments identified a reported £767 million of unfunded pressures", as reported to the Assembly on 23 September 2024.

UK Autumn Budget 2024 (October 2024)
The Chancellor's Autumn Budget 2024 set out some of the multi-year competing pressures facing the United Kingdom Government, potentially adversely impacting the Government's spending power in certain areas, along with other decisions relating to social security - see RaISe Briefing Paper 47/24 entitled "Chancellor's Autumn Budget 2024: initial considerations for Northern Ireland".

Departmental Bids Exceed Budget Allocation (December 2024)

Northern Ireland Departmental bids for 2025/26 resource and capital expenditure exceeded the Northern Ireland Budget allocated by the United Kingdom Government to the Executive. Later that month, the 2025/26 Draft Executive Budget and accompanying Written Statement by the Minister for Finance highlighted ongoing "pay and inflationary pressures" and "growing demands" on public services.

UK Spring Statement 2025 (March 2025)

The Chancellor's 2025 Spring Statement updated the House of Commons on the United Kingdom economy and public finances. Her Statement was accompanied by an Economic and Fiscal Forecast from the Office for Budget Responsibility (OBR). It also announced a number of policy decisions, which included reforms to the welfare system, increased defence spending and a £3.25 billion (b) "Transformation Fund" to reform public services. (Important to note this central government development, as the Northern Ireland Executive Budget is a sub-cycle within the United Kingdom Government's Budget cycle.) DoF officials thereafter explained during the Assembly Finance Committee meeting that:

> *…. on the allocations out of that fund, it will depend on which Whitehall departments get allocations from it so we don't get it on the £3.25 billion we'll get it on the allocations*

Executive Agrees 2025/26 Budget (3 April 2025)

The Executive agreed the 2025/26 Executive Budget, which the Finance Minister described as "sets out a direction of travel" which "clearly prioritises its Programme for Government priorities".

US Trade Tariffs (4 April 2025)

The American President announced substantial international trade tariffs, resulting in: significant declines in global equity markets; volatility in bond market; the

subsequent 9 April 90-day pause on some new US tariffs; other countries' similar pauses; further consideration of retaliatory tariffs on the US; and an international trade war arising between the US and China.

US-UK Trade Deal (8 May 2025)

A non-binding trade deal was agreed by between the US and UK Governments. The general terms of the new trade deal where subsequently published in the UK-US Economic Prosperity Deal (EPD); the deal non-binding, meaning on-going further negotiations to work through the detail of the deal.

Executive Spending Plans Published (24 June 2025)

The DoF published its 2025-26 Budget Factsheet, setting out the Executive's spending plans for the one-year period from 1 April 2025 to 31 March 2026.

Finance Minister Written Statement (3 October 2025)

The Executive's Finance Minister provided a Written Ministerial Statement detailing Treasury Funding Available 2026-2029/30.

UK Autumn Budget 2025 (26 November 2025)

The Chancellor's Autumn Budget 2025 detailed the United Kingdom Government's resource spending plans up to 2028/29 and capital plans up to 2029/30.

NI Draft Multi-Year Budget (6 January 2026)

The Finance Minister published the Draft Budget 2026-2029/30 (not Executive agreed) and announced an eight-week public consultation on the proposals.

Treasury Agrees £400m Reserve Claim (11 February 2026)

HM Treasury agreed a reserve claim for the Northern Ireland Executive, to provide £400 million for 2025/26, which is to be repaid over three years. The Finance

Minister confirmed in a written statement that same day that the £400 million would be allocated as follows, as agreed by Executive:

- Department of Education - £214.6 million
- Department of Health - £185.4 million

UK Spring Forecast 2026 (3 March 2026)

The Chancellor delivered her 2026 Spring Forecast. Later that day, in an Oral Statement to the Assembly, the Finance Minister confirmed additional £390 million Barnett consequentials over the next three-year period, consisting of £380 million RDEL and £9 million CDEL.

Update on Multi-Year Budget Discussions (16 April 2026)

Speaking publicly following a meeting of Executive Ministers, the deputy First Minister stated that the Executive wanted a multi-year Budget agreed *as quickly as we can*. She added:

> *...but the reality is that there is a very, very significant shortfall...the moment that Budget would be agreed, unless we secure additional resource from the Treasury, would simply lead to significant cuts and massive impacts in terms of our public services and on the people that we are here to serve.*

The Finance Minister echoed these sentiments, stating that "to achieve the ambition of the Budget is going to take an injection of investment from the British Government."

Parties Meet SoSNI on Budget Progress (2 July 2026)

Speaking after the meeting, Hilary Benn MP said they had 'agreed a programme of work' that will 'look, first of all, at the pressures that the Executive's finances are facing'.

He said the work would also look at the Executive's plan for "fiscal sustainability, efficiencies and public service transformation".

Budget Act Deadline Passes (31 July 2026)

As the Executive were unable to pass a Budget by this deadline, an automatic departmental expenditure limit of 95% of last year's funding was triggered under prevailing legislation.

Executive Writes to PM on Financial Pressures (13 August 2026)

The Executive collectively wrote to PM Andy Burnham, calling for a 'fair funding envelope'. The letter said the current funding from Westminster 'does not provide a sufficient basis to fund public services' in NI.

SoSNI Statement on Budget Impasse (24 August 2026)

SoSNI Sir Chris Bryant MP said the Executive will have to engage in 'self-help' and look at revenue raising to resolve Northern Ireland's budget issues. He further added "I understand the financial pressures that there are in Northern Ireland, and I'm very happy to take them very seriously."

PM confirms SoSNI talks on the Budget (2 September 2026)

In response to a question at PMQs, the PM stated:

> *Our first responsibility is to get Stormont government up and running and functioning properly with a budget. I have empowered the Northern Ireland Secretary to go into talks to resolve that issue, and we can continue the conversation on the broader issues about reform once we have got that in place*[4].

SoSNI (2 September 2026)

Following discussions with the Executive parties the SoSNI offered a financial package of £350 million per year over the next three years. In response the

[4] House of Commons Debate, 2 September 2026, c166

Executive parties stated that the package did not meet the Executives funding requirements and negotiations would continue.

SoSNI updated funding offer (24 September 2026)

Following discussion with Executive parties, the SoSNI announced a further funding package. The package addresses issues raised in discussions, and includes:

- £1.25 billion extra funding for the Executive over three years £150 million for transformation of public services
- £100 million for social housing
- £75 million to address fraud and error in the benefit system.

The SoSNI set a deadline of the 1 October for Executive parties to accept the offer.

Transformation Funding – Head of the Northern Ireland Civil Service (HOCS) briefing to Finance Committee (30 September 2026)

The HOCS appeared before the Finance Committee to brief the Committee on the Public Sector Transformation Fund. Several issues were discussed including; progress on tranche 1 projects, funding for tranche 1 projects, spending profile for all transformation projects, governance matters and scrutiny of transformation projects.

Budget Negotiations with the Secretary of State (22 October 2026)

The SoS held further meetings with Northern Ireland Executive parties, where it was reported that he emphasised that no additional funding was available beyond the £1.5bn already offered over the next three years.

UK Autumn Budget 2026 (28 October 2026)

The Chancellor's Autumn Budget 2026 detailed the United Kingdom Government's spending plans to provide "breathing space" in response to continuing cost of living and doing business challenges.

2.3 Draft Budget 2026-29/30 - DoJ allocations

This sub-section provides additional context to further highlight the extent of financial pressures facing individual Executive departments. It, however, does not comment on the sufficiency or otherwise of proposed departmental budgets, as provided in the Draft Budget 2026-2029/30 public consultation document - published by the Northern Ireland Finance Minister on 3 January 2026 (and closed on 3 March 2026). That document set out departments' proposed Resource Departmental Expenditure Limits (RDEL) and Capital Departmental Expenditure Limits (CDEL), as well as previous Executive commitments.

As the identified lead department to implement this Bill if enacted and implemented as introduced, this sub-section highlights the proposed DoJ budget allocations provided in the Draft Budget 2026-2029/30, both Resource and Capital Departmental Expenditure Limit (RDEL and CDEL) allocations. The January 2026 Draft Budget 2026-2029/30 public consultation document - published by the Northern Ireland Finance Minister, as outlined below.

Table 3. Draft Budget Outcome 2026-2029/30 – DoJ allocations

£ millions

Allocation	2026-27	2027-28	2028-29
Resource DEL*	1,575.4	1,497.2	1,525.7
Capital DEL	118.2	116.5	113.5

Source: DoF Draft Budget 2026-2029/30

*this excludes additional earmarked Resource DEL of £144.8M (2026-27) which is allocated to the PSNI Data Breach and PSNI Workforce Recovery.

At the time of writing, the Draft Budget for the specified period remains unagreed by the Executive. Nonetheless, the Justice Minister has a duty to balance DoJ's budget using allocated resources, whilst supporting the Executive in delivering its shared Programme for Government priorities, the

Budget Improvement and Sustainability Plans, as well as Transformation, as do all departmental ministers.

In July 2026, the Justice Minister released a statement regarding draft Departmental allocations, noting that additional funding was required to deliver existing DoJ

> *Whilst there has been some modest increase in the DoJ budget over the last three years, it does not in any way address the historic levels of under-funding. This lack of investment has hindered the progress of reform and transformation, impacting on my department's ability to maximise the benefits and opportunities for efficiencies to ensure a sustainable justice system.*
>
> *Allocations in the proposed Draft Budget do nothing to reduce that historic funding gap and this will continue to impact on a range of areas such as policing, prisons, legal aid, courts and probation.*
>
> *There is very limited further action that my department can take in terms of savings measures. Our proportional budget strength has declined while demand on the justice system has risen starkly, meaning that we have continually had to make efficiencies each year. My department has now reached the point where all reasonable options have been exhausted.*
>
> *If the draft budget is implemented, without additional funding being provided to meet our inescapable pressures, this will result in a further and unacceptable slowing down of the justice system, compromising its ability to preserve life, protect the public and keep people safe.*

On 28 September 2026, the Minister of Justice highlighted the significant financial pressures facing the justice system, noting a potential departmental overspend of up to £100 million in 2026-27. The Minister also emphasised that unplanned operational demands (such as the Garvaghy Road stand-off) continue to place additional strain on resources. In this context, the PSNI Chief Constable announced on 1 October 2026 that the policing operation associated with the Garvaghy Road stand-off had incurred additional costs of approximately £3 million. This further illustrates the constrained fiscal

environment within which the Department of Justice is considering new policy and legislative commitments.

This Review of Costs does not comment on the sufficiency or otherwise of the funding provided to individual Executive departments, including the DoJ. Rather, the above context-setting is intended to frame the extent to which financial pressures face the Executive as a whole and individual departments such as DoJ.

Potential scrutiny point:

1. Facing serious budgetary challenges and competing pressures, how would the Justice Minister ensure that there would be appropriate resourcing to fully implement the Bill if enacted as introduced, while also helping to ensure the Executive's agreed Budget Improvement and Sustainability Plans, along with Transformation, would be met?

3 Key potential "public purse" considerations

To address the Bill's key potential public purse considerations, this section draws on the introduced Bill, its accompanying EFM[5], the related consultation[6] on the policy proposals and the Bill's Second Stage debate in the Assembly. It also highlights some "knowns" and apparent "unknowns" at the time of writing, from which reasonably foreseeable public purse implications could arise if the Bill would be enacted and implemented as introduced. The section is presented as follows:

3.1 Bill's Second Stage debate

3.2 Second Stage Debate

[5] Victims and witnesses of crime EFM

[6] Consultation on Proposals for Inclusion in a Victims and Witnesses of Crime Bill.pdf

3.3 EFM – financial effects of the introduced Bill

3.4 Commissioner-related costs

3.5 Other potential costs

3.6 Future potential secondary legislation costs

3.1 Second Stage debate

The Bill's Second Stage was completed on 30 June 2026. During the debate, the Bill Sponsor offered a further detail on the policy context and rationale underpinning the proposed legislation[7]. During the debate members broadly agreed on the need to strengthen support for victims and witnesses of crime. It was also noted that a Commissioner designate has been in post since 2022 and since then she has been a *critical friend to the Department,* and that there is a need to *put that office on a statutory footing.* The potential financial implications of the Bill was not debated at this stage.

3.2 Public Consultation on the proposed Bill

The report on the public consultation on the proposed Bill noted high levels of support for the Bill in general and *overwhelming support for the Commissioner's remit.*

The paper did not discuss the potential cost of the proposed Bill, however, it does note:, several respondents raised additional concerns, regarding funding and budgets:

> *Proper and appropriate funding to ensure victims have adequate support*
>
> *The Commissioner must have both the independence and budgetary resources to ensure that the office is operating within a legally compliant framework.*

[7] Official Reports

3.3 EFM – financial effects of the introduced Bill

The financial effects of the introduced Bill are considered at paragraphs 32 and to 33 of the Bill's accompanying EFM:

> *In terms of financial effects, the Bill as a whole will primarily be delivered within existing resources.*
>
> *Some provisions, including the office of the statutory commissioner for victims and witnesses of crime will be the subject of individual costs and benefits analysis and subsequent proportionate business case requiring appropriate approvals, which will be requested from the Department of Finance as required by individual policy and business areas as and where appropriate.*

At the outset, it therefore is important to distinguish between costs that are already incurred and any new costs that could arise if the Bill would be enacted and implemented as introduced. The EFM states the Commissioner Designate and associated office already are operational and funded by the DoJ. Accordingly, many of the costs that would be associated with the proposed statutory Office of the Commissioner for Victims and Witnesses of Crime would be *delivered within existing resources*, as noted in the introduced Bill's EFM. The key consideration therefore is whether the Bill's provisions would create additional financial commitments beyond current arrangements.

3.4 Commissioner-related costs

Whilst the EFM states that the financial effects of the introduced Bill would be delivered within existing resources, it also notes that some elements of the Bill would be the subject of a business case to the Department of Finance - mainly including those when implementing the statutory provisions relating to the Office of the Commissioner for Victims and Witnesses.

The following sub-sections consider key potential "public purse" arising from various elements of the introduced Bill:

3.2.1 Establishment of the statutory Commissioner

3.2.2 Functions of the statutory Commissioner

3.4.1 Establishment of the statutory Commissioner

Clause 1 of the introduced Bill states:

> *The Commissioner for Victims and Witnesses of Crime for Northern Ireland is established ("the Commissioner").*

The Commission was established and the Commissioner designate took up post in June 2022. The operating costs of the Commission, including staff costs are not noted in the EFM. In September 2026, the DoJ, in correspondence with RaISe-PFSU confirmed the Commissioner (designate) is supported by 5 members of staff, explaining by November 2023, there were five staff within the Commission, plus the Commissioner, as follows:

- Chief of Staff (grade 7/Principal)
- Deputy Principal (Policy and Research)
- Deputy Principal Policy and Research Officer (DSA and Hate Crimes)
- Deputy Principal Communication and Engagement Officer; and
- Executive Officer (II) Complaints and Office Manager.

Table 4: Victims and Witnesses Commission Budget

Year	Base funding	Other funds	Total Budget £'s
2023/24	354,000	83,277	437,277
2024/25	401,000	142,958	543,958
2025/26	435,000	120,590	555,590

Source: Annual Report 2025/26 | Commissioner for Victims of Crime Northern Ireland

Whilst the Office's 2025/26 Annual Report notes that the 2025/26 budget was £555,590, September 2026 correspondence from the DoJ to RaISe-PFSU noted that the final budget in 2025/26 was £574,000, with £462,000 staff costs and £112,000 running costs. The advertisement for the role of Commissioner for Victims and Witnesses notes that the post will be a Northern Ireland Civil Service Grade 5, with a salary in the range of £88,268 to £97,070.

While the EFM indicates these costs largely are incurred under existing arrangements, the operation of the Commissioner's Office would continue to require recurring annual expenditure. As such, the associated costs could remain a relevant consideration when assessing the longer-term financial implications of placing the Office on a statutory footing via the enactment and implementation of the introduced Bill.

Based on the current annual cost of the Commissioner Designate's Office of £555,590, it appears cumulative expenditure over a ten-year period could range from approximately £6.8 million to £9.2 million, depending on the rate of growth in operating costs. A central scenario using an annual uplift of 3.5% suggests cumulative expenditure of approximately £7.3 million over the period. These figures **do not represent forecasts and are intended solely for illustrative purposes to highlight key potential long-term financial implications** associated with the statutory Office.

Table 5: Indicative future statutory Commission costs

Year	Low (2%)	Medium (3.5%)	High (5%)
2025/26 – current*	£555,590	£555,590	£555,590
2026/27	£566,702	£575,036	£583,370
2027/28	£578,036	£595,162	£612,538
2028/29	£589,597	£615,993	£643,165
2029/30	£601,389	£637,553	£675,323
2030/31	£613,417	£659,867	£709,089
2031/32	£625,685	£682,963	£744,543
2032/33	£638,199	£706,867	£781,770
2033/34	£650,963	£731,607	£820,859
2034/35	£663,982	£757,213	£861,902
2035/36	£677,262	£783,715	£904,997
2036/37	£687,589	£800,460	£926,607

*Source: : Annual Report 2025/26 | Commissioner for Victims of Crime Northern Ireland

Note that the above figures assume no material changes to the designate Commissioner's statutory functions, staffing complement or wider organisational structure. It also should be noted that the introduced Bill's EFM does not note the designate Commissioner's ongoing annual operating costs, it simply states, *the financial affects of the Bill as a whole will primarily be delivered within existing resources*.

3.4.2 Functions of the statutory Commissioner

Promoting understanding and awareness

Whilst Clauses 1 and 2 place the establishment of the Commissioner on a statutory footing, Clauses 3 to 8 set out the general duties and responsibilities of that Commissioner: each could have resource implications as explained in the following paragraphs.

Clause 3 states that the Commissioner *must* promote:

> (a) an understanding of the rights of victims and witnesses, and
>
> (b) an awareness of matters relating to the interests of victims and witnesses.

For example, the specified duties and responsibilities would require activities to be undertaken to implement them, such as advertising, digital communications, stakeholder engagement, publications and outreach events. Each activity could have resource implications.

The EFM, however, makes no reference to any potential costs relating to awareness raising activities. It therefore is unclear whether the EFM accounts for potential costs arising from the Bill if enacted and implemented as introduced within the Commission's overall running costs figure for all.

Potential scrutiny point:

2. If the Bill would be enacted and implemented as introduced, the Committee for Justice may wish to ask the DoJ whether any resources have been set aside for awareness raising activities?

Educational activities

Clause 4 of the Bill, as introduced, sets out that the:

> *Commissioner may undertake, commission or provide financial or other assistance for research or educational activities concerning the interests of victims and witnesses or the exercise of the Commissioner's functions.*

In September 2026 correspondence with RaISe-PFSU, the DoJ[8] noted that since 2023 the Commissioner contracted external providers to deliver six research studies, at a total cost of £179,382.47. The DoJ further explained that the costs for research have been included in the Commission's annual budget, but the EFM has not highlighted that. It also noted two further research studies were completed internally at no additional cost.

Review of Victims and Witness Charters

Clause 5 states the statutory Commissioner:

> … *must review the operation and effectiveness of the Victims Charter and the Witness Charter –*
>
> a) at least every three years, and
> b) at such times as the Department may direct.

Furthermore, its specifies the Commissioner *must consult with the Department and such other persons as the Commissioner considers appropriate* in preparing a report on the review and that the report must be published as soon at as reasonably practicable.

The DoJ website notes that the existing Victim Charter was last updated in February 2024, (originally published in 2015); and the current Witness Charter was published in 2017, without updated to date. If the Bill would be enacted and implemented as introduced, that would mean both Charters must be reviewed in 2027. That could have resource implications for the statutory Commission. However, the EFM did not specifically indicate any resources associated with the completion of these reviews.

Potential scrutiny point:

3. The Committee for Justice may wish to ask the DoJ if there would be sufficient resources within the Commission to

[8] DoJ correspondence with RaISe-PFSU, dated September2025

conduct reviews of both the Victim and the Witness Charters, in addition to the Commission's other duties.

Guidance, advisory groups and individual cases

Clauses 6, 7 and 8 of the introduced Bill set out other functions that the Commissioner *may* undertake; each with potential resource and cost implications:

- Clause 6 states the *Commissioner may issue guidance on best practice in relation to any matter concerning the interests of victims and witnesses.*
- Clause 7 states the *Commissioner may establish one or more advisory groups to give advice and information to the Commissioner about matters relating to the Commissioners functions.*
- Clause 8 notes that whilst the Commissioner *may not exercise any function in relation to an individual case,* [this], *does not prevent the Commissioner considering individual cases and drawing conclusion about them for the purposes of, or in the context of, considering a general issue.*

Each of the functions set out in Clauses 6,7 and 8 would have resourcing and/or cost implications, if enacted and implemented as introduced. For example:

- Under Clause 6 (4), if the Commissioner chose to issue guidance they *must consult such persons as the Commissioner thinks appropriate*.
- Under Clause 7, *the Commissioner may reimburse the members of an advisory group for such expenses as the Commissioner may determine.*

Potential scrutiny point:

4. The Committee for Justice may wish to ask the DoJ if there would be sufficient resources within the statutory Commission's annual operating budget to undertake the functions set out in Clauses 6, 7 and 8, if the introduced Bill

would be enacted and implemented – and the statutory Commissioner would deem them necessary?

Monitoring compliance

Clause 10 of the introduced Bill notes that the *Commissioner must monitor compliance with the Victim Charter by any charter service provider specified in it*[9]. Here, it is worth noting the Commissioner's 2025/26 Annual Report, which notes:

> *To date, my office has developed and shared key performance metrics aligned to the entitlements in the Victim Charter against which each criminal justice agency should be measured*.

That Annual Report goes on to note:

> *When the Victims and Witnesses Bill is passed, I anticipate that criminal justice organisations will be legally required to provide data to measure how effectively they are implementing the Victim Charter.*

The above appears to suggest that the required resources to monitor performance against the Victim Charter are accounted for within the existing operating resources.

Strategic plans, business plans and annual reports

Clauses 16, 17 and 18 of the introduced Bill note that the Commissioner *must* prepare a strategic plan, business plan and annual reports. Specifically, these clauses note:

- Clause 16: *The Commissioner must prepare a strategic plan as soon as reasonably practicable after the Commissioner's appointment*
- Clause 17: *The Commissioner must prepare and send to the Department a business plan in respect of each financial year; and*

[9] The current version of the Victim Charter lists 13 service providers, including Police Service of Northern Ireland, Northern Ireland Prison Service, Youth Justice Agency and Victim Support Northern Ireland.

- Clause 18: *As soon as reasonably practicable after the end of each financial year, the Commissioner must prepare and publish an annual report on the exercise of the Commissioner's functions.*

To date, the Commissioner designate has prepared:

- Both a Strategic Plan for 2022-25 and a consultation document for the 2025-30 Strategy,
- Correspondence from the DoJ to RaISe-PFSU has confirmed annual business plans have been prepared and sent to the DoJ; and
- Annual Reports for 2023/23, 2024/25 and 2025/26.

The ongoing preparation and completion of these governance documents suggest the Commissioner designate budget has sufficient resources, albeit not specified in the Bill's EFM.

3.5 Other potential costs

In addition to the costs associated with the establishment and operation of the Commission for Victims and Witnesses, Part 2 of the introduced Bill concerns criminal evidence and procedure, with potential public purse implications, as discussed below.

Clause 24 amends the Criminal Evidence (northern Ireland) Order 1999, creating a legislative assumption that victims of hate crime are eligible for special measures, whilst giving evidence. September 2026 correspondence from the DoJ to RaISe-DoJ explained Article 6 of the 1999 Order specifies the special measures available to a witness eligible for assistance on grounds of fear or distress about testifying by virtue of Article 5, as set out below:

- *Screening witness from accused (Article 11)*
- *Evidence by live link (Article 12)*
- *Evidence given in private (Article 3)*
- *Removal of wigs and gowns (Article 14)*
- *Video recorded evidence in chief (Article 15); and*
- *Video recorded cross-examination or re-examination (this special measure is not yet commenced) (Article 16).*

> *The examination of witness through an intermediary (Article 17) and aids to communication (Article 18) are not measures available to witnesses eligible for special measures on the grounds of fear and distress*

In its September 2026 correspondence RaISe-PFSU[10], the DoJ also highlighted a:

> *…relatively small number of files received by PPS involving aggravation by hostility and the special measures available, the Department considers that this will primarily be delivered within existing resources with minimal additional cost however this issue will be kept under review as implementation progresses.*

As set out in the EFM, Clause 27(g) of the introduced Bill provides for the right for a complainant to make representations to the Court about the application of witness summons, to attend the application hearing and have the right to legal representation at the hearing.

In September 2026 correspondence to RaISe-PFSU[11], the DoJ explained the potential cost impact of legal representation, stating:

> *The Department envisages that legal representation for complainants, in all but the most exceptional cases, will be provided by an extension to the role of the Department funded Sexual Offences Legal Adviser (SOLA) scheme and therefore not require legal aid. The scheme costs approximately £217k per year to run. The SOLA scheme is a pilot and is undergoing an evaluation which will inform recommendations to be made to the Minister on options for models for a permanent service. The evaluation is expected to be completed in early 2027. Officials have sought statistics on how many such applications are dealt with per year and how many might fall into the 'exceptional legal aid 'category. Statistics taken from court records show that, on average, over the last ten years there have been approximately 159 applications per year for third party*

[10] Correspondence between DoJ and RaISe-PFSU, dated 18 September 2026.

[11] Correspondence between DoJ and RaISe-PFSU, dated 18 September 2026.

material disclosure and to admit previous sexual history evidence. We also know that approximately six cases since 2021 have been granted exceptional legal aid. Whilst we don't have figures for how much the cases granted exceptional legal aid cost, we expect the figure to be low.

Potential scrutiny point:

5. The Committee for Justice may wish to seek assurances from the DoJ that there is sufficient capacity within the current SOLA scheme to support any additional complainants that would require representation as a result of the Bill's enactment and implementation as introduced.

3.6 Future delegated legislation costs

If the Bill would be enacted and implemented as introduced, a number of its provisions would require the future enactment and implementation of delegated legislation.

When scrutinising the introduced Bill, bear in mind key potential public purse implications that could arise from such future legislation; albeit costs typically cannot be estimated until the detail of that legislation would become available.

Also bear in mind the specified Assembly resolution procedure by which the future delegated legislation would be considered, as said procedure bears a relationship to the scrutiny that the Assembly would apply to that delegated legislation[12].

Each type of resolution procedurally requires different things , so the type of resolution naturally would impact the level of that future Assembly scrutiny[13].

Table 6 below highlights future delegated legislation that would be needed to fully enact and implement the provisions specified in the introduced Bill - as set out in the Bill's Delegated Powers Memorandum.

Table 6: Proposed Delegated Legislation in the introduced Bill

Clause	Provision	Delegated legislation	How considered by the Assembly under its Standing Orders
Clause 9	"[Specify] *other criminal justice agency(ies) as a Charter service provider."*	Regulations	Negative Resolution (Clause 9(3))
Clause 11	"[Set] *out how statistics are to be provided to the Commissioner."*	Regulations	Draft Affirmative Resolution - Draft laid before and approved by a resolution (Clause 11(7))
Clause12	"[Extend] *any provision that applies in relation to the Victim Charter to the Witness Charter."*	Regulations	Draft Affirmative Resolution - Draft laid before and approved by a resolution (Clause 12(3))
Clause 26	*"Rules of court – Complainant participation on application for a witness summons. In such cases as the rules may specify, require the service of notice of an application on the complainant, the manner in which service may be effected and the manner in which confidential or sensitive information is to be treated in connection with the application."*	Rules	Negative Resolution - Rules of Court, s.52 of the Judicature (Northern Ireland) Act 1978

Source: DoJ Delegated Powers Memorandum for introduced Bill July 2026.

In relation to any public purse costs arising from the future enactment and implementation of the delegated legislation set out in Table 6, insufficient evidence currently exists to quantify those costs and their potential impact on DoJ resources.

Potential scrutiny point:

6. If the Bill would be enacted and implemented as introduced, the Committee for Justice may wish to ask the DoJ for any costings it would compile when formulating any of the specified delegated legislation under this Bill, to ensure that the public purse implications of such future legislation would receive adequate Assembly scrutiny.

4 Concluding remarks

As introduced, the Victims and Witnesses of Crime Bill proposes a range of measures intended to strengthen support, representation and protections for victims and witnesses within the criminal justice system, including placing the Commissioner for Victims and Witnesses of Crime for Northern Ireland on a statutory footing and introducing new procedural rights in certain proceedings.

Whilst its accompanying EFM states that the Bill's provisions are expected to be delivered primarily within existing resources, a number of provisions could give rise to ongoing resource requirements for the DoJ and other criminal justice organisations, particularly in relation to the operation of the Commissioner, data collection and reporting arrangements, and the implementation of new statutory duties.

The available information at the time of writing suggests some costs associated with the Commissioner already are met through existing administrative arrangements. However, the long-term operating costs of a statutory office, together with any future expansion of functions or activities, may require continued monitoring and review.

Certain provisions in Part 2 of the introduced Bill, including those relating to special measures for victims of hate crime and legal representation for

complainants in sexual offence cases, are expected by the DoJ to have limited financial implications. Nevertheless, the extent of future demand and associated resource pressures would become clearer only after the Bill's enactment and implementation.

The Bill also contains delegated powers that would allow aspects of the legislative framework to be developed through future subsequent legislation. Depending on how those powers would be exercised, there could be additional administrative, operational and financial implications for relevant organisations, which are not fully quantifiable at this stage.

Assembly scrutiny of the Bill therefore may wish to focus not only on the immediate costs identified by the DoJ, but also on the longer-term affordability, sustainability and implementation of the proposed measures within a challenging public expenditure environment and the wider financial pressures currently facing the justice system.

Overall, whilst the financial implications identified to date appear relatively modest when considered against the DoJ budget as a whole, Assembly Members, including those in the Committee for Justice, may wish to seek further clarification regarding the assumptions underpinning those estimates, the availability of funding to support implementation, and the extent to which additional costs could emerge over time, as the Bill's provisions would be enacted and operationalised.