

FROM THE OFFICE OF THE JUSTICE MINISTER



Department of

Justice

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Our ref: COR/29/2013



Mr Barry Flynn
Democratic Services Officer
Belfast City Council
Belfast City Hall
BELFAST
BT1 5GS

) February 2013

Dear Mr Flynn

Thank you for your letter of 8 January advising me of the content of a Notice of Motion relating to domestic violence which was passed unanimously by Belfast City Council at its meeting of 7 January 2013.

I am pleased to note the launch of the Council Workplace Policy on Domestic Violence and Abuse and I would like to take this opportunity to commend the Council for embracing this initiative. I believe that it is important for businesses and employers within our community to adopt such policies and to help raise awareness of the support services available to victims of domestic violence.

Such Services are provided by Women's Aid and other voluntary and statutory organisations. I fully endorse, therefore, the Council's appreciation of the work of Women's Aid; an organisation that works tirelessly to provide much needed support and services to victims living with or escaping from domestic violence.

The Motion recognises that domestic violence and abuse is not a gender issue and can affect anyone. My Department, together with the Department of Health, Social Services and Public Safety, has joint policy lead for tackling domestic violence through the 'Tackling Violence at Home' Strategy and associated action plan which are gender neutral.

I note that the Motion calls upon me to examine how the Public Prosecution Service (PPS) handles cases involving domestic violence and abuse and the impact it has on victims. You will wish to note that the Justice (Northern Ireland) Act 2002 established the PPS as a fully independent body post devolution. Therefore it is not within my remit to accede to the content of the Motion. I would suggest that concerns about how the PPS handles cases relating to domestic violence and abuse, including their decision making process, should be raised directly with the Director of Public Prosecutions at the following address:

Mr Barra McGrory
Director of Public Prosecutions
Public Prosecution Service
Belfast Chambers
93 Chichester Street
Belfast
BT1 3JR

It may be helpful, however, to inform you of the role of Criminal Justice Inspection Northern Ireland (CJINI), which is an independent, statutory inspectorate established in 2003 under s.45 of the Justice (Northern Ireland) Act 2002. CJINI has the responsibility for inspecting all aspects of the criminal justice system apart from the judiciary. Agencies which CJINI can inspect include the Police Service, Prison Service, Public Prosecution Service, Youth Justice Agency and the Courts and Tribunal Services.

In December 2010, CJINI published a report on the effectiveness of the criminal justice system in responding to, and handling cases of, domestic violence and abuse

which resulted in a number of recommendations for improvement across the criminal justice system. I have been informed that CJINI plans to conduct a follow up review of the recommendations during 2013.

You may also wish to note the positive developments in terms of the range and quality of services provided to victims of crime more generally. This includes the publication of a Code of Practice for Victims of Crime and a guide to Northern Ireland's criminal justice system. A handbook for adult victims of sexual violence has been published as well as practitioner guidance on achieving best evidence, aimed at ensuring that victims and witnesses are prepared to give their best evidence in court.

There are also a range of special measures available for vulnerable and intimidated witnesses. The upper age limit for being automatically eligible for special measures (support provisions at court) has been raised from 17 to 18 years, while young witnesses' views are now taken into account when a special measures application is being made. Adult complainants of sexual offences have an automatic entitlement to have a video recorded statement admitted as evidence in chief. In addition, restrictions have been relaxed on a witness giving additional evidence in chief after their video recorded statement has been admitted.

Currently a new five-year strategy for victims and witnesses of crime is being finalised and is due to be published at the end of March 2013. Included within this will be the progression of pilot Registered Intermediaries Schemes. These will provide assistance to those with communication difficulties, making the criminal justice process more accessible to some of the most vulnerable people. A Victims' Charter will also be introduced, setting out entitlements and the standard of service that can be expected. I also intend to give victims and communities a stronger voice in the criminal justice process, through the formalisation of victim personal statements and the introduction of community impact statements, allowing their views to be given on how the crime has impacted on them.

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I hope that this is helpful.

*Yours
David Ford*

DAVID FORD MLA
Minister of Justice