



# Victims Policy

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## Document Control Sheet

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1.0	2011	Original Policy
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1.2	26.11.14	Re-formatted in line with revised policy Template
1.3	January 2015	Version 6 of draft policy incorporating feedback received during consultation period

### Alternative Formats

This documentation can be made available in alternative formats such as large print, Braille, disk, audio tape or in an ethnic-minority language upon request. Requests for alternative formats can be made to the Probation Board using the following contact information:

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## 1. Introduction

- a) The Probation Board for Northern Ireland (PBNI) approved a policy on Victims in September 2005. This was reviewed, updated and approved by the Board in March 2011. The content of the policy was further reviewed during 2014 and updated accordingly.
- b) PBNI recognises that victims have needs at all stages in the criminal justice system, including post-sentence, and understands the effect that crime can have on victims and the wider community.
- c) The Criminal Justice (NI) Order 2005 put in place the legislation for the provision of information to victims. PBNI is responsible for providing information to registered victims where the offender is subject to probation supervision.
- d) The Criminal Justice (NI) Order 2008 included legislation on public protection sentences, where release from prison is determined by Parole Commissioners. The Parole Commissioners' Rules, (2009), provided for information to be submitted to Parole Commissioners (PCNI) in relation to victims/victims' families. In respect of life sentences this information has been provided by PBNI Victims Unit since November 2009. Information is also provided to PCNI in respect of the victims of Public Protection sentences who consent to their views being shared.
- e) The Criminal Justice Inspectorate for Northern Ireland (CJINI) published an inspection report; 'The Care and Treatment of Victims and Witnesses in the Criminal Justice System in Northern Ireland' (December 2011) and recommended that the three post-conviction Victim Information Schemes (PBNI, NIPS and the DOJ scheme for victims of mentally disordered offenders) should be amalgamated under the supervision of PBNI. In 2012 the three post conviction schemes co-located under the management and supervision of PBNI.
- f) The report also recommended that each Criminal Justice Agency appoint a Victims Champion following which PBNI appointed a Deputy Director to ensure that the victim's perspective is incorporated into all relevant areas of PBNI's business both internally and externally.
- g) PBNI have also established a Victims Reference Group in order to ensure that 'victims' are consulted in relation to relevant strategies and developments within PBNI and partner organisations, particularly NIPs and the DOJ given the co-located arrangements.
- h) In December 2014 the Department of Justice published the Victim Charter. The Charter includes PBNI's roles and responsibilities in relation to working with victims.

## **2. Policy Statement and Principles**

- a) PBNI recognises the crucial role of victims in the criminal justice system and the effect that crime can have on victims and the wider community.
- b) PBNI is committed to playing a key strategic role in the provision of services to victims.
- c) PBNI will seek to ensure that the victim's perspective is incorporated into all work with offenders.
- d) PBNI staff will have access to appropriate training to enable them to be skilled both in offender/victim awareness work and, where appropriate, in direct contact with victims.
- e) PBNI will meet the requirements of the Criminal Justice (NI) Order 2005 in relation to the provision of information to victims. PBNI will provide information in relation to offenders subject to PBNI supervised sentences in a timely manner. PBNI will also provide information in relation to the concerns of victims/victims' families to Parole Commissioners.
- f) PBNI will ensure, where resources permit, that restorative interventions are available for registered victims of offenders subject to probation supervision where both parties consent. Further, PBNI will endeavour to offer restorative interventions to all victims of crime, where for example an offender has completed a letter of apology, even if the victim is not registered.

## **3. Policy Aim**

To ensure that victims' perspectives are considered in all work undertaken by PBNI. This includes direct services to victims and also in the management of offenders, from assessment to supervision, in order to reduce further victimisation.

## **4. Policy Scope**

This policy is to underpin work delivered by PBNI staff working in the PBNI Victim Information Unit and all PBNI staff working with offenders.

## **5. Policy Outcomes**

- a) The victim perspective will be considered in the delivery of all work with victims and offenders.

- b) Services to victims will be further developed and implemented through partnership working with other criminal justice agencies (via the Victims and Witnesses Steering Group) and victim organisations (via PBNI Victims Reference Group).
- c) Probation staff working with offenders will receive appropriate training, (including the use of the PBNI Victims toolkit and restorative interventions), to deliver effective services, taking account of the needs of victims.
- d) PBNI staff working within the co-located Victim Information Unit, Victim Liaison Officers (VLOs) will be appropriately trained to deliver effective services to registered victims.
- e) PBNI will endeavour to ensure that the victim's perspective will inform practice with offenders.

## 6. Definitions

- a) There is no one universally agreed definition of a victim. For the purpose of the Review of Criminal Justice 2000 the definition used was **“anyone who has suffered as a result of violation of criminal laws, regardless of whether a perpetrator has been identified or is being dealt with by the criminal justice system.”**
- b) PBNI includes (for the purposes of information provision to victims) those who were the actual victim of the offence; those who were directly affected by the offence, e.g. the next of kin or immediate family of a victim who has died as the result of an offence; or, where appropriate, a third party acting on behalf of a victim.

## 7. Costs

The review of this policy will not incur any additional cost.

## 8. Training & Communication Plan

As outlined above, under policy outcomes (sections 5 c & d) PBNI is committed to;

- Ensuring that Probation staff working with offenders are trained appropriately to deliver effective services taking account of the needs of victims, and;
- Ensuring that PBNI Victim Liaison Officers (VLOs) are appropriately trained to deliver effective services to registered victims.

All Probation Officers have been trained in the use of the PBNI Victims' tool kit. The tool kit has been revised, piloted in a number of teams and placed on the PBNI intranet for Probation Officer use.

PBNI will continue to deliver training to newly appointed staff in relation to Victims, during Induction training. Newly appointed Victim Liaison Officers will have the opportunity to shadow experienced colleagues and attend any bespoke training in relation to victims.

PBNI have also developed a Restorative interventions Strategy and remain committed to delivering restorative interventions in appropriate cases. PBNI operational staff will receive victim and restorative interventions awareness and skills training appropriate to their role to complement the social work training of Probation Officers.

Victims' issues will be promoted internally and externally and communicated within PBNI's communications strategy 2013-16.

## **9. Linkages**

This policy links to the following:

- a) Restorative Practice Strategy (2014);
- b) Health and Safety Policy (2011);
- c) Complaints Policy (2013);
- d) Domestic Violence Policy (2012);
- e) Hate Crime Policy (2005);
- f) Public Protection Arrangements for Northern Ireland (PPANI) (Introduced 2008)

The policy also links to PBNI's Best Practice Framework for assessment, management and supervision of offenders, and to standards and procedures for the operation of the PBNI Victim Information Scheme; the PBNI Victims Toolkit (2014); The Parole Commissioners' Rules (2009); The Victim Charter (2014); The EU Victims Directive; and the PBNI Corporate Plan (2014/17).

## **10. Equality, Human Rights and Freedom of Information**

This policy:

- a) Has been screened for Section 75 considerations
- b) Is deemed to be Human Rights compliant
- c) Is suitable for Public Disclosure in accordance with the Freedom of Information Act 2000

## **11. Monitoring & Evaluation**

This policy will also be kept under review to ensure it is in keeping with current legislation and good practice.

## **12. Policy Review**

This policy will be reviewed three years from the date of approval.

Interim reviews may also be prompted by feedback, and or identified changes in practice.

## **13. Complaints**

Complaints will be dealt with in accordance with the Board's Complaints Policy.

## **14. References**

- CJINI Inspection Report: 'The Care and Treatment of Victims and Witnesses in the Criminal Justice System in Northern Ireland' (December 2011)
- Review of Criminal Justice (2000)
- The Victims and Witnesses Steering Group (VWSG) and Action Plan (2012/15)
- The Victim Charter (2014)
- The EU Victims Directive: Directive 2012/29 EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime
- Public Protection Arrangements for Northern Ireland (PPANI): Manual of Practice (2012)