

VICTIM INFORMATION UNIT

MEMORANDUM OF UNDERSTANDING

**The Northern Ireland Prison Service
(NIPS)**

**The Probation Board for Northern Ireland
(PBNI)**

**The Department of Justice
(DOJ)**

In respect of

**The Co-Located Post-Sentence
Victim Information Schemes**



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Introduction

This document is an agreed Memorandum of Understanding (MOU) to reflect co-operation between the Probation Board for Northern Ireland (PBNI), the Northern Ireland Prison Service (NIPS) and the Department of Justice (DOJ) in respect of the co-location of each organisation's Victim Information Scheme.

Background

2. In December 2011, the Criminal Justice Inspection Northern Ireland (CJINI) report "The care and treatment of victims and witnesses in the Criminal Justice system in Northern Ireland" made a number of recommendations of which one in respect of victims was the amalgamation of all post-conviction victim information schemes under the supervision of the Probation Board for Northern Ireland. This would include PBNI's Victim information scheme (VIS), the NI Prison Service Victim Information scheme (PRVIS) and the Mentally Disordered Offenders Scheme (MDO) administered by the Department of Justice.¹

3. A project group was established, following this recommendation, to oversee the amalgamation of the three schemes. The project group comprised, the Assistant Director (Prisons) PBNI, Head of Licensing and Legislation Branch (NIPS), Area Manager (PBNI VIS), Head of PRVIS, representative from PBNI Business and Planning, and a representative from the DOJ (Operations Branch).

Rationale

4. The CJINI inspection report identified the need for an amalgamation as a way to avoid any confusion for victims arising from the existence of 3 separate information schemes and the "victim's desire for the one stop shop seamless service" The report also noted that "if victim information systems are to operate effectively, there needs to be a considered approach and lead for planning and other purposes so as to ensure that victims needs are adequately met". The report recommended that this amalgamation comes under the "supervision of PBNI".

¹ The Care and Treatment of victims and witnesses in the criminal justice system Northern Ireland Dec 2011, page 65 paragraph 5.65
2013.3.8. Version 2.1 RM/AD

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5. The report also stated that “it would appear that there is no legal impediment to an amalgamation of the schemes”

6. Having all three schemes based in one central physical location and accessible to victims, should make it easier for victims to register post sentence.

Current position

7. The current legislative position of each of the three schemes is as follows:

- **PRVIS** is a statutory scheme which has been operational since July 2003. It is administered by the Northern Ireland Prison Service, and provides information to victims in relation to temporary and final release. It applies to adult prisoners sentenced to six months or more or permanently transferred from prisons outside Northern Ireland to serve their sentence in Northern Ireland.² Participation in the scheme is voluntary on an opt-in basis. Victims can register either via an application sent to them by the PSNI, or by contacting PRVIS direct.
- **PBNI’s VIS** is a statutory scheme and was introduced in October 2005. It is administered by the Probation Board for Northern Ireland. It provides information to victims post-conviction. It is a voluntary ‘opt in’ scheme and initial contact with the victim is made via the Police who inform the victim of the scheme and how to apply to the scheme. Victims can also contact the PBNI VIS directly.
- **The Mentally Disordered Offenders Scheme (MDO)** is a statutory scheme which came into operation in December 2008. It is administered by the Department of Justice and provides a service for victims of offences committed by mentally ill offenders who are held for treatment in hospital in Northern Ireland under a hospital order and a restriction order. Participation in the scheme is voluntary on an ‘opt-in’ basis. Victims receive information on how to apply to the scheme via PSNI.

² Only those persons under 18 years of age who are convicted of serious offences in the Crown Court, which results in their being in prison beyond their 18th birthday are included in the Scheme.

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Summary of proposal

8. PBNI already works in partnership with the NI Prison Service (NIPS) when an offender is sentenced to both custody and community supervision, in providing information to victims. As an initial step in the amalgamation of the three victim information schemes, it is proposed that the PRVIS scheme be co-located with PBNI's VIS currently at Victims Unit, Imperial Buildings, 72 High Street, Belfast, BT1 2BE.

9. To assist in the co-location, PRVIS took over responsibility for the DOJ scheme in January 2012 and will continue to have this responsibility when co-located with PBNI VIS.

10. Once the co-location has been completed, a period of adjustment will be followed by a review of operational delivery issues and identification of any operational costs. This review will lead to the development of an action plan to progress towards full legislative amalgamation of the schemes. In the meantime work will progress on the development of a single telephone contact point, a registration form and publicity material all of which should further assist in simplifying registration arrangements for victims. The combining of the three schemes' shared expertise and experience should ensure that victims are provided with relevant and timely information at appropriate stages post sentence.

Location

11. As an initial step it is proposed that a member of NIPS staff will be seconded to the PBNI Victim Unit based in High Street, Belfast. Thus all three Victim Information Schemes will operate from the same office location.

Systems

12. In this interim stage, both NIPS and PBNI will retain their individual information and recording systems. However this initial period will enable all staff to examine the systems and bring forward recommendations in relation to the merging/sharing of information. (This

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will entail reviewing the current protocol arrangements in place between PBNI and NIPS and the development of new protocols as deemed necessary).

Staffing

13. PBNI current staffing and structure will remain the same. One member of staff from NIPS will be seconded to PBNI.

Management

14. The co-located schemes will be managed by the PBNI VIS Area Manager (AM). The PBNI AM will be responsible for overseeing the day to day work of the NIPS secondee. Performance appraisals will be completed by the AM and countersigned by the Head of NIPS Life Sentence & Victims Unit. NIPS will retain all HR responsibilities for the secondee and will also be responsible for providing replacement staff in the event of any period of absence extending beyond 15 working days.

Process

15. At this stage the process of contacting victims will remain with the police in the first instance unless respective organisations are contacted direct. The co-located schemes will still operate on a voluntary opt-in basis. It is hoped that the current development of a Witness Care Unit (WCU) will enable more direct access to victims.

16. The response to victims' queries and registration will continue to be delivered by the respective schemes. However one aim of the co-located office will be to enable staff to become familiar with all three organisations' systems and procedures.

17. Where issues arise which are outside the remit of the victim information scheme but concern prisoners, NIPS staff from the Licensing and Legislation Branch will continue to take responsibility for dealing with such matters.

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Administration

18. PBNI will meet day-to-day administrative costs in relation to postage, information technology, printing and other related costs and invoice NIPS on a bi-annual basis for reimbursement of costs attributable to the operation of PRVIS and the VISMDO.

Oversight

19. Oversight of the co-located schemes will continue to be the responsibility of the current Project group, with representatives from the three agencies involved, working together to achieve the amalgamation of the three schemes.

Information Sharing Agreement (ISA) or Protocol

20. PBNI has a protocol for the exchange of information between relevant organisations for the provision of its information to victims, namely PBNI, Public Prosecution Service (PPS), Police (PSNI), NI Prison Service (NIPS) and Victim Support Northern Ireland. This is currently subject to annual review. It is proposed that a new protocol be drawn up to take account of the co-located Victim Information Schemes and agreed with all relevant parties.

21. This will cover areas such as legislative requirements including obligations under the Data Protection Act, privacy, security, retention and disposal of information, confidentiality and access to information.

22. A privacy impact assessment will also be carried out to address project risk and ensure good governance, in accordance with current Information Commissioner's Office guidance.

Developmental

23. This initial period of co-location will be used to pilot additional services to victims who register in relation to certain categories of prisoners with PRVIS. This may include home visits/interviews with victims registered in respect of offenders who have received a life sentence and those who have received an indeterminate custodial sentence. This

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development will be reviewed at the end of the first 6 months of implementation and may be used as a basis to extend this service to victims registered in respect of other categories of sentenced prisoners.

Communications

24. The co-location introductory phase will also be used to examine the content and design of new/joint information leaflets/publicity material in consultation with respective organisations' PR/Communication departments.

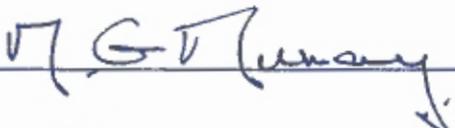
25. This phase will also be used to examine how the initial letter, which is sent by PSNI to the victims and other relevant correspondence, will be amended to clarify the new joint working arrangements and explain what victims need to do if they wish to register with the co-located schemes. The respective websites will reflect the new approach and links will be retained to all until the revised processes have been agreed.

Signatories

Northern Ireland Prison Service

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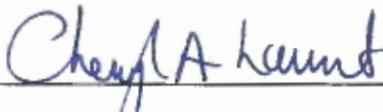
Signed:  Date: 27/3/13

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Probation Board for Northern Ireland

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