



EQUALITY COMMISSION FOR NORTHERN IRELAND

Response to Call for Views:

**Department of Justice: Victims and Witnesses
Strategy**

November 2024

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Executive Summary

- i. The Commission welcomes the opportunity to input into the Call for Evidence on the Victims and Witnesses Strategy.
- ii. We recommend that public policy and service provision should meet the specific needs of Northern Ireland, reflect international human rights standards and take account of best practice, including any lessons from Great Britain, Ireland or wider relevant jurisdictions. Provision should consider the needs of specific equality groups, including any relevant barriers and enablers.
- iii. The Commission has a number of cross-cutting recommendations that it considers important to see implemented across a range of Government strategies, programmes and plans.
- iv. We have outlined a range of other recommendations in response to the Call for Evidence's questions, including:
 - Ensuring support for victims of hate crime
 - Addressing the under-reporting of hate crime
 - Raising awareness of hate crime
 - Taking a gender specific (non-gender neutral) approach to tackling the specific nature and impact of domestic violence on women and men, including issues faced by those with specific multiple identities
 - Giving consideration to a range of Strategies and other work, including the Social Inclusion Strategies
- v. We have also pointed to a range of other evidence which will be relevant to the Department's ongoing considerations, including a report on Progress Towards the Implementation of UNCRPD in Northern Ireland.
- vi. We have also advised that consideration of compliance with Windsor Framework Article 2 is necessary in the development of the Victims and Witnesses Strategy.

1 Introduction

- 1.1 The Equality Commission for Northern Ireland ('the Commission') is an independent public body established under the Northern Ireland Act 1998¹.
- 1.2 The Commission welcomes the opportunity to input into the Call for Evidence on the Victims and Witnesses Strategy. In general, we would welcome any potential contribution that the Strategy can make to furthering equality and avoiding the emergence or widening of inequality.
- 1.3 We understand that this Call for Evidence is high-level to assist with prioritisation, and will be followed by further consultation. It is therefore difficult to provide detailed views at this stage. Our intention is to provide information which will assist in the further development of the Strategy.
- 1.4 In general, we **recommend that public policy and service provision should meet the specific needs of Northern Ireland, reflect international human rights standards and take account of best practice**, including any lessons from Great Britain, Ireland or wider relevant jurisdictions. Provision should consider the needs of specific equality groups, including any relevant barriers and enablers.
- 1.5 The Commission's existing public policy positions in this area have often related to hate crime, and domestic abuse. However, the recommendations we have made in relation to these issues may be relevant to victims of other crimes, and should be considered in that context.
- 1.6 The Department will also wish to consider the Commission's Communities are Welcoming and Inclusive: Summary Report², which includes data relating to equality of opportunity within the criminal justice system and within communities when people experience and access justice matters.

¹ For further information, see www.equalityni.org/AboutUs

² ECNI (2024) [Commission Statement on Equality in Northern Ireland Communities are Welcoming and Inclusive: Summary Report](#)

Cross-cutting Policy Recommendations

1.7

There is need for action to address a number of recommendations that the Commission considers important to see implemented across a range of Government strategies, programmes and plans, including:

- **Targeting Interventions, Tracking Impacts:** We recommend that all key measures are not only tracked in aggregate, but also for the impact on individuals from across the full range of equality grounds. Including comprehensive equality metrics will facilitate the targeting and delivery of interventions across the full range of equality groups.
- **Equality Data:** Improving the collection and sharing of comprehensive equality data will better underpin the targeting and tracking of equality impacts. Key datasets should contain comprehensive equality data to facilitate full equality analysis. Making such information more accessible will assist a wide range of decision makers and stakeholders.
- **Leadership:** Leadership should promote positive attitudes, challenge stereotypes and discrimination and ensure that options to advance equality are considered at the earliest point and across the lifecycle of law, public policy and service delivery.
- **Stakeholder Involvement:** We recommend full and routine stakeholder involvement and co-design. To benefit from their expertise and experience, key stakeholders from across the equality grounds should be fully involved in the design, delivery and review of law, public policy and service delivery.
- **Implementation Friendly Design:** When drafting policy and legislation, it is important to consider and provide for implementation – including via prioritised, measurable, time-bound and resourced actions.
- **Resources:** Appropriate and sufficient resourcing is a key element of successful implementation. The Equality Commission and/or stakeholder organisations should be appropriately resourced to support individuals, organisations, and/or Government / Departments as relevant.

Section 75

- 1.8 This response primarily relates to the Commission's public policy recommendations.
- 1.9 We are also available to provide advice in relation to Section 75 requirements. Public Authorities in carrying out their functions relating to Northern Ireland are required by Section 75 statutory duties to have due regard to the need to promote equality of opportunity between the nine equality categories and have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.
- 1.10 It is important that Public Authorities use the assessment of policies for impact on equality of opportunity, including screening and equality impact assessments, as part of their development process, rather than as an afterthought when the policy has been established.

2 Call for Views: Questions

- 2.1 Our response to this Call for Views does not consider all areas raised, but rather focusses on areas where the Commission has established key policy positions or advice.

Taking account of the needs of specific groups of victims

- 2.2 It is welcome that the call for views specifically considers how the Department can take account of the needs of specific groups of victims, referencing women; men; LGBTQIA+ individuals; minority ethnic communities; children and young people; older people; and those with a disability.
- 2.3 We **recommend that actions are targeted appropriately to meet the specific needs and address barriers** across the range of equality grounds. It is important to note that the experience of a person facing multiple inequalities is different from those facing inequality on a single ground.

- 2.4 The importance of specific measures, including support, for particular equality groups was recognised by the CJINI³. It found that ‘additional difficulties and the need for extra support during the criminal justice process were also identified for victims from particular groups, for example, older victims, children, male victims, LGBT victims, Black and Ethnic Minority victims and victims with disabilities’. It also highlighted that ‘the need for tailored support for individuals from particular groups to ensure barriers to reporting are reduced is clear’⁴.
- 2.5 For instance, when considering how best to ensure that victims feel confident to report domestic and sexual abuse, barriers to participating in the justice system are reduced and justice responses are effective, it will be important to consider the specific barriers and any reasons for current lack of confidence, faced by different individuals and equality groups.
- 2.6 As above, the Commission **recommends full and routine stakeholder involvement and co-design**. Government and Public Authorities should fully and routinely involve key stakeholders in the design, delivery and review of law, public policy and service delivery, so as to benefit from their expertise and experience.
- 2.7 The Commission has previously recommended⁵ additional **action to support victims of hate crime**, including by providing additional support to vulnerable victims; and improving measurement of victim’s satisfaction levels with services.
- 2.8 Likewise, we have highlighted that **women and men’s experience of domestic violence and abuse may be different**, and the necessary action, services and support to meet needs may also be different.
- 2.9 DoJ will wish to consider how such issues may be relevant to wider victims.

³ Criminal Justice Inspectorate NI Report (2019), [Thematic Inspection of the handling of domestic violence and abuse cases by the Criminal Justice System in NI](#).

⁴ Criminal Justice Inspectorate NI Report (2019), [Thematic Inspection of the handling of domestic violence and abuse cases by the Criminal Justice System in NI](#), page 11.

⁵ ECNI (2020) [Hate Crime in Northern Ireland: Policy Recommendations and Supporting Rationales Full Report](#), paras 3.92-3.102.

Support vulnerable victims

- 2.10 Aligned to the requirements set out in the Victims Charter⁶, we **recommend effective support to meet the needs of vulnerable hate crime victims**; for example, children and young people, and disabled people with particular forms of disability.
- 2.11 The NI Policing Board in its thematic review of race hate crime (2017)⁷ highlighted the importance of tailored support by the PSNI for all victims of hate crime that meets their specific needs.
- 2.12 In our 2017 parallel jurisdictional report to the UN Committee on the Convention on the Rights of Persons with Disability (UNCRPD), the Commission, along with NI Human Rights Commission (NIHRC), highlighted that the Northern Ireland Court of Appeal identified a need to develop awareness of the Equal Treatment Bench Book which, inter alia, sets out adjustments to court or trial procedures that may be required to accommodate the needs of disabled people⁸.
- 2.13 Measures to support vulnerable victims of hate crime is consistent with the recommendation of the UNCRPD Committee; which in its Concluding Observations on the UK (2017), recommended measures to ensure equal access to justice and to safeguard persons with disabilities, particularly women, children, intersex people and elderly persons with disabilities from abuse, ill-treatment, sexual violence and/or exploitation⁹.
- 2.14 In the event that the hate crime legislation is extended to cover additional equality grounds, we **recommend robust support services in place to meet the needs of victims** protected under those equality grounds, particularly vulnerable victims. In particular, we have highlighted the Hate Crime Advocacy Service (HCAS) below.

⁶ [Victims Charter](#) (2015),

⁷ Northern Ireland Policing Board (2017) [Thematic Review of Policing Race Hate Crime](#). The report recommended that 'in considering the recommendations of HMIC the PSNI should address specifically the vulnerability of victims of hate crime'. See page 88.

⁸ IMNI (2017), [UNCRPD Parallel Jurisdictional Report, Working Paper](#)

⁹ UNCRPD (2017), Concluding Observations on the UK.

Improve measurement of victim satisfaction levels

- 2.15 We have **called for the monitoring of satisfaction levels of victims of hate crime** with regards to the effectiveness of the measures in place¹⁰. Capturing the views of victims on levels of satisfaction with services on a regular basis, enables their views to be taken into account, enables trends to be monitored, and identifies areas of improvement.
- 2.16 The need to improve the measurement of the views of victims of hate crime and their satisfaction levels with services was highlighted by the NI Policing Board in 2017 in its thematic review of race hate crime¹¹.

Linkages and interdependencies with other strategies and policies

- 2.17 We note that the call for views refers to a range of other strategies and policies.
- 2.18 The Department will also wish to consider the planned **Executive Social Inclusion strategies (Anti-Poverty, Disability, Sexual Orientation, and Gender Equality)**, including how it can contribute to these Strategies.
- 2.19 The Department's own **Adult Restorative Justice Strategy** will also likely be of relevance. In relation to hate crime, the Commission has highlighted¹² that restorative justice can provide opportunities to engage with perpetrators and to challenge their prejudicial attitudes and behaviour. It also has the potential to help victims of hate crime, reduce reoffending, and give victims a greater voice in the criminal justice system.
- 2.20 However, it is important that the restorative justice approach is only adopted where it is appropriate to do so. We have recommended that the process should be a voluntary process for the victim and must not result in further harm to the victim. Appropriate safeguards and supports should be put in place to protect victims of hate crime.

¹⁰ ECNI (2017), [Policy Briefing, CJINI report, An inspection of the criminal justice system's response to hate crime in Northern Ireland](#)

¹¹ Northern Ireland Policing Board (2017) [Thematic Review of Policing Race Hate Crime](#), p. 29.

¹² ECNI (2020) [Hate Crime in Northern Ireland: Policy Recommendations and Supporting Rationales Full Report](#), paras 3.125-3.132

- 2.21 The Northern Ireland Policing Board is currently consulting on its **Policing Plan 2025-2030**¹³, which includes a proposed outcome that the 'PSNI is victim focused'. DoJ will wish to consider how this Strategy may align with the work of the Policing Board and the PSNI, particularly if this outcome is retained in the final Policing Plan.
- 2.22 Likewise, DoJ will want to consider how the Victim and Witnesses Strategy will interlink with **PSNI Strategies and Action Plans**, for example, the Violence Against Women and Girls Action Plan¹⁴ and the planned Race and Ethnicity Action Plan¹⁵, which is currently being consulted on.

Improving service provision or support

- 2.23 The below exemplifies some specific areas where the Commission has previously made comment, or has published relevant research, in relation to areas where service provision or support could be improved or strengthened further for victims or witnesses.
- 2.24 It is not exhaustive, and there will likely be other areas where service provision needs strengthened for particular equality groups, and engagement with these groups will help identify such issues.
- 2.25 The Department will also wish to consider research undertaken by other organisations. For example, TEO has commissioned a range of research¹⁶ relating to the VAWG Strategic Framework, and the Commissioner Designate for Victims of Crime has recently published research¹⁷ on Male Experiences of Intimate Partner Violence.

Domestic Abuse

- 2.26 As above, the Commission has recommended¹⁸ a **gender specific (non-gender neutral) approach to tackling the specific nature and impact of domestic violence on women**

¹³ NIPB (2024) [Draft Policing Plan 2025-2030: Consultation Document](#)

¹⁴ PSNI (2022) [Tackling Violence Against Women and Girls Action Plan](#)

¹⁵ PSNI (2024) [Race and Ethnicity Action Plan 2025 - 2027 Consultation](#)

¹⁶ For example, TEO (2023) [Research Publication: 'It's Just What Happens' Girls and Young Women's Views and Experiences of Violence in Northern Ireland](#)

¹⁷ Commissioner Designate for Victims of Crime (2024) [Male Experiences of Intimate Partner Violence: The ME-IPV Study](#)

¹⁸ ECNI (2016) [Gender Equality: Policy Priorities and Recommendations](#), para 10.17.

and men, including issues faced by those with specific multiple identities.

- 2.27 We have also recommended¹⁹ steps, including through the delivery of effective strategies, to tackle the nature and specific impact of gender based violence on women and men and due to a person's gender identity; to tackle cultural and stereotypical attitudes, including through education, aimed at raising awareness of, and tackling, gender based violence; and to ensure effective resources and services for those who are subject to gender based violence.
- 2.28 Such resources and services should reflect the needs of those from across the equality grounds. For instance, our commissioned research report on the Impact of Brexit on Minority Ethnic and Migrant People in Northern Ireland highlighted the experiences of some migrant women including cases whereby all household documentation was in a male partner's name. This could be particularly problematic for women experiencing domestic abuse who may not have access to documents and therefore lack the ability to submit their own immigration applications²⁰.
- 2.29 The Commission has previously highlighted that victims of domestic and sexual violence, mainly minority ethnic women, can be left financially dependent on their abuser, whether partner, other family member, employer or trafficker. We have **recommended improved access to social protection, including for the subjected to domestic violence with no recourse to public funds**²¹.
- 2.30 We have previously highlighted that the PSNI does not publish data on the levels of domestic abuse incidents/crimes by disability, sexual orientation or gender identity, despite publishing equality-related statistics in relation to hate crime. The collection and publication of the levels of domestic violence experienced, for example, by disabled people in Northern Ireland, would assist in monitoring trends in disability domestic violence incidents and crimes.

¹⁹ ECNI (2016) [Gender Equality: Policy Priorities and Recommendations](#), para 10.17.

²⁰ ECNI (2023) [Impact of Brexit on Minority Ethnic and Migrant People in Northern Ireland](#), p.72.

²¹ ECNI (2016) [Gender Equality: Policy Priorities and Recommendations](#), paras 13.6-7, 13.11.

2.31 Further to the above, in our response to the consultation on the **Domestic and Sexual Abuse Strategy**²², the Commission highlighted some of the particular issues faced by different equality groups, including men and women, LGBT+ people, disabled people, those of different ages and people from minority ethnic communities. Although these points are particularly relevant to domestic and sexual abuse, **DoJ officials may benefit from also considering our response to that consultation.**

UNCRPD

2.32 The Equality Commission NI and the NI Human Rights Commission are jointly designated as the Independent Mechanism for Northern Ireland (IMNI) to promote, protect and monitor implementation of UNCRPD, and report on this to the UN Committee. The Equality and Human Rights Commission and Scottish Human Rights Commission fulfil this role in Great Britain, and together we form the UK's Independent Mechanism (UKIM).

2.33 Article 13 of the UNCRPD requires State parties to ensure that d/Deaf and disabled people have effective access to justice on an equal basis with others. This includes procedural and age-appropriate accommodations to participate in legal proceedings. The Article also requires that provision of training for all relevant personnel involved in the administration of justice.

2.34 Research²³ undertaken by Disability Action for the Commission raised a number of concerns around d/Deaf and disabled people's access to justice, including:

- barriers with respect to reporting crime and accessing legal advice and representation;
- barriers with respect to giving evidence in court and assistance to participate in legal processes;
- a lack of knowledge within the legal system of how to book sign language interpreters, and the role of interpreters;

²² ECNI (2023) [Response to consultation: The Departments for Justice and Health – Domestic and Sexual Abuse draft Strategy](#) pp. 8-14.

²³ Disability Action (2022) [Progress Towards the Implementation of the UNCRPD in Northern Ireland](#), pp. 283-301.

- intermediaries are not widely used, and a significant proportion of vulnerable and intimidated witnesses have been excluded from the use of special measures

2.35 The Department will wish to consider the research²⁴, which includes a detailed chapter on Article 13 of the UNCRPD, when developing the Strategy.

2.36 The Department will also wish to consider the UNCRPD Committee's recommendations²⁵ in its concluding observation on the UK in 2017 that the State Party, in collaboration with Disabled People's Organisations:

- develops and implements capacity-building programmes among the judiciary and law enforcement personnel regarding the rights of d/Deaf and disabled people;
- design and implement a decision making regime with respect to the will and preferences of d/Deaf and disabled people within court proceedings;
- provide free legal aid for d/Deaf and disabled people in all areas of law and remove financial barriers in accessing court or tribunals;
- ensure that all d/Deaf and disabled people enjoy the right to justice with adequate procedural accommodation;
- enable deaf people to participate in jury proceedings through the use of sign language interpreters; and
- take measures to ensure d/Deaf and disabled people are empowered to work at all levels within the justice system with the provision of all necessary support

2.37 The research also reported²⁶ a lack of specialist services for d/Deaf and disabled people experiencing domestic violence and that many services are inaccessible. For example, d/Deaf

²⁴ Disability Action (2022) [Progress Towards the Implementation of the UNCRPD in Northern Ireland](#), pp. 283-301.

²⁵ Committee on the Rights of Persons with Disabilities (2017) [Concluding Observations on the Initial Report of the United Kingdom of Great Britain and Northern Ireland](#), UN: CRPD/C/GBR/CO/1, para. 33

²⁶ Disability Action (2022) [Progress Towards the Implementation of the UNCRPD in Northern Ireland](#), commissioned by ECNI, p. 32.

and disabled people who have communication challenges may experience barriers in accessing helpline support.

Hate Crime Advocacy Service

- 2.38 The Commission has **recommended²⁷ action to ensure adequate resources for hate crime advocacy support services**. We understand that funding for the Hate Crime Advocacy Service has been confirmed for 2025/26, with the potential for a year's extension in 2026/27. We understand the future of the service is unclear after that, and it is currently being funded solely by PSNI.
- 2.39 The Commission has previously highlighted²⁸ that hate crime advocacy support services have the potential to provide valuable specialist support and information to victims of hate crime; including through the work of hate crime advocates across organisations that provide support to individuals from across a range of equality categories.
- 2.40 The CJINI in its report on hate crime (2017), whilst recognising the valuable support provided to victims by the HCAS, recommended that consideration should be given to the source of funding for advocates, and highlighted that there was 'a risk that in the climate of diminishing budgets competing police priorities may result in loss or reduction of the advocacy service'²⁹.
- 2.41 Judge Marrinan's Review of Hate Crime Legislation found³⁰ that 'the HCAS provides a vital service for victims and their future well-being and also as a means of ameliorating some of the harmful effects of hate crime'. He recommended that HCAS be sustained on a permanent basis with appropriate levels of financial support.
- 2.42 We understand that the planned Sentencing Bill is due to allow for an expansion of protected characteristics under new statutory aggravation hate crime provisions³¹. The Commission

²⁷ ECNI (2020) [Hate Crime in Northern Ireland: Policy Recommendations and Supporting Rationales Full Report](#), para 3.92.

²⁸ ECNI (2020) [Hate Crime in Northern Ireland: Policy Recommendations and Supporting Rationales Full Report](#), paras 3.98-3.100.

²⁹ Criminal Justice Inspection Northern Ireland (2017), [Hate Crime an Inspection of the Criminal Justice System's response to Hate Crime in N.I.](#), at p.39.

³⁰ J Marrinan (2020) [Hate Crime Legislation in Northern Ireland: Independent Review](#), paras 12.60-12.61.

³¹ Department of Justice (09/09/2024) [Written Ministerial Statement: Hate Crime Legislation](#)

has previously called for protections to be expanded to cover include age, gender, gender identity, and intersex³². We have also recommended³³ that there is a specific reference to the term ‘sectarian’ within the hate crime legislation.

- 2.43 The Department will wish to consider what support will be needed for victims and witnesses of hate crime, if the protected characteristics are expanded.

Press reporting

- 2.44 We have **previously recommended³⁴ that action is needed to ensure that, in certain circumstances, press reporting on the identity of a complainant or witness in a hate crime is not permitted.** Such circumstances should include a consideration of whether the disclosure of a person’s identity will make the complainant or witness, due to an equality characteristic(s), more susceptible to victimisation or retaliation, or result in that characteristic, such as sexual orientation, being made public without their permission.
- 2.45 We recommend that each case should be decided on a case by case basis and should focus on the particular circumstances and nature of the hate crime, and the potential impact that disclosing the complainant’s (or witnesses’) identity will have on them.
- 2.46 Whilst we recognise that courts already have a general power to withhold the identity of a complainant³⁵ from the public, we consider it would be beneficial for there to be express provision for courts to make restrict press reporting in certain circumstances. Such a legislative provision could be underpinned by guidance for courts on the particular circumstances they should take into account. Such an approach would provide clarity and certainty both for the courts and for complainants, and witnesses.
- 2.47 In certain circumstances, we consider that a lack of anonymity for complainants or witnesses in hate crime cases, in terms of

³² ECNI (2020) [Hate Crime in Northern Ireland: Policy Recommendations and Supporting Rationales Full Report](#), paras 4.31-4.108.

³³ ECNI (2020) [Hate Crime in Northern Ireland: Policy Recommendations and Supporting Rationales Full Report](#), paras 4.189-4.194.

³⁴ ECNI (2020) [Hate Crime in Northern Ireland: Policy Recommendations and Supporting Rationales Full Report](#), paras 3.103-3.114.

³⁵ Contempt of Court Act 1981 (section 11).

press reporting, can act as a barrier to certain complainants to participating in court proceedings.

- 2.48 In particular, the disclosure of a complainant's, or witness's identity, and the fact that they belong to a particular equality group, may make them more vulnerable to victimisation or retaliation, or result in that equality characteristic being made public, without their permission.
- 2.49 For example, consideration should be given as to whether or not press reporting of the identity of a victim, who is LGB+ and has reported a homophobic hate crime, would result in the complainant being 'outed' as a result of the court proceedings.
- 2.50 Further, consideration should be given as to whether or not press reporting of the identity of a victim, who is a trans individual and has reported transphobic hate crime, would result in that person's gender identity being made public, in circumstances where they did not wish to publically disclose their gender identity.
- 2.51 In addition, consideration should be given to the fact that other complainants or witnesses due, for example, to their age or disability, or who experience multiple and intersectional prejudice, may be particularly targeted as regards victimisation or retaliation.
- 2.52 Further, there is already clear evidence of under-reporting of hate crime, including by LGBT individuals. It is important that fears due to lack of anonymity during and after court proceedings do not act as a barrier to LGBT people or other equality groups seeking, and being provided with, protection against hate crime.
- 2.53 It will be noted that research jointly commissioned by the Equality Commission and the Equality Authority entitled *Enabling Lesbian, Gay and Bisexual Individuals to Access their Rights under Equality Law*³⁶ (2008) identified that publicity attached to assertion of rights was seen as a major obstacle for access to rights for LGB people. It also notes that the Commission (and the EA) had faced difficulty in encouraging sexual orientation complaints in situations where LGB

³⁶ J. Walsh, C Conlon, B Fitzpatrick and U Hansson, (2008), [Enabling Lesbian, Gay and Bisexual Individuals to Access their Rights under Equality Law](#).

complainants must compromise their privacy³⁷. The report recommended provisions to secure anonymity on the grounds of sexual orientation and other 'sensitive' claims before tribunals and in the wider court system.

2.54 Barriers associated with reporting of hate crime by LGB and trans people due to a lack of anonymity were also highlighted in research in GB (2016) which found that one of key themes to emerge was that both victims and witnesses would be more inclined to report hate crime if they could do so anonymously³⁸.

2.55 This recommendation is consistent with our longstanding recommendation that there is an express power for tribunals to make a register deletion Order, a restricted reporting Order and/or a restricted attendance Order in circumstances where the applicant would otherwise be deterred from proceeding with his or her case³⁹.

Proposed Vision and Mission Statement

2.56 We note the proposed Strategic Vision for 2025-2030 is "Supporting all victims and witnesses and improving confidence in the criminal justice system", and the proposed Mission Statement "Working to ensure that victims and witnesses are central to a fair and effective criminal justice system".

2.57 It may be helpful if the Vision and Mission Statements made an explicit commitment to supporting victims and witnesses from across the equality grounds, and to tackle key inequalities.

Proposed strategic priorities for the new strategy

Strategic Priority 1: An improved understanding of the needs, interests and experiences of victims and witnesses

2.58 We note that the key objectives for the priority include to 'Improve victims' experiences by understanding if there are

³⁷ Ibid p139.

³⁸ Professor Neil Chakraborti and Dr Stevie-Jade Hardy, University of Leicester, commissioned by EHRC. (2016), [LGB&T Hate Crime Reporting Identifying Barriers and Solutions](#), at page 31.

³⁹ ECNI (2014), [Response to the Department for Employment and Learning's consultation on resolving workplace disputes](#).

specific barriers that can make it hard for particular groups to access services and reach support’.

2.59 It would be helpful to make clear that such consideration of barriers will include the range of equality groups.

2.60 It will be important that victims from across the equality groups are able to have their voices heard, in order to inform the development, delivery and monitoring of the Strategy.

Strategic Priority 2: Ensuring victims and witnesses receive the emotional and practical support they need.

2.61 Overlapping with Strategic Priority 1, the Strategy should give consideration to the specific emotional and practical support needed by victims and witnesses, including where particular equality groups may have particular needs.

2.62 For instance, the Commission has previously highlighted⁴⁰ that women and men’s experience of domestic violence may be different, and the necessary action to meet needs may also be different. As above, we have **recommended a gender specific (non-gender neutral) approach to tackling the specific nature and impact of domestic violence on women and men**, including issues faced by those with specific multiple identities.

2.63 **Emotional and practical support should be accessible to all equality groups**, including consideration of language barriers, and the needs of d/Deaf and disabled victims and witnesses.

2.64 There has likely been learning from challenges presented during the COVID-19 pandemic and adapting to new ways of working e.g. remote support for victims and witnesses where appropriate. It will be important to carry any learning forward throughout the Strategy and to take action to identifying and addressing key emerging or exacerbated inequalities

Strategic Priority 3: Increasing organisational focus on victims and witnesses.

2.65 In increasing the organisational focus on victims and witnesses, we recommend **guidance and training for criminal justice**

⁴⁰ ECNI (2016) [Gender Equality: Policy Priorities and Recommendations](#), paras 10.1-10.17

agencies, including the PSNI, PPS and judiciary, which should include training on equality rights, awareness of the particular needs of equality groups, and on tackling prejudicial attitudes.

- 2.66 This training and guidance should include awareness of the rights of equality groups, as well as the need to address the particular needs of equality groups, including older people, LGB+ and trans people, minority ethnic people, and disabled people. It should also include tackling negative stereotypes and prejudice towards certain equality groups, as well as promoting positive attitudes towards these groups. This will increase awareness and understanding of these issues and the barriers equality groups' experience.
- 2.67 We draw attention to the UNCRPD's Committee Concluding Observations on the UK (2017) which recommended that the UK Government: 'Develop and implement capacity building programmes among the judiciary and law enforcement personnel, including judges, prosecutors, police officers and prison staff, about the rights of persons with disabilities'.
- 2.68 We endorse the recommendation of the NI Policing Board in its *Thematic Review of Policing Race Hate Crime* (2018) that called for training on equality and human rights for police officers⁴¹. This training should include training relating to all equality grounds that may be covered in a revised hate crime framework.
- 2.69 Increasing guidance and training for criminal justice agencies, including the PSNI, PPS and judiciary, including on equality issues, will improve awareness and understanding of the particular needs of, and the impact of hate crime on, different equality groups, and will better ensure an effective response to hate crime.
- 2.70 It will be noted that the NI Policing Board (2017)⁴² made clear that: "While hate crime currently comprises only a small proportion of the cases dealt with by a police officer (recognising however significant under-reporting), unless equipped to recognise those cases and respond appropriately, it is likely that when such cases do arise, the aggravating feature will not be recognised. If hate crimes are not recognised

⁴¹ Northern Ireland Policing Board (2017) , [Thematic Review of Policing Race Hate Crime](#)

⁴² Northern Ireland Policing Board (2017) , [Thematic Review of Policing Race Hate Crime](#)

or not properly addressed by the criminal justice system, both the victim and the wider community may lose confidence in the justice process”.

- 2.71 We note that the UK Government in its hate crime action plan (2018) has committed to improving training for police and the wider criminal justice system to recognise and respond to hate crime.

Strategic Priority 4: Victims and witnesses receive the services and information they need and are entitled to.

- 2.72 As above, we would highlight the importance of services like HCAS. It is important that services are accessible across the equality groups, including for disabled victims and witnesses, and those from minority ethnic communities.

Key issues facing victims and witnesses

- 2.73 We have discussed key issues facing victims and witnesses above, including in relation to the needs of particular groups, and areas where service provision or support could be improved or strengthened further.
- 2.74 We have **recommended action to address the under-reporting of hate crime by a range of equality groups**, including by:
- raising awareness of hate crime, the methods to report hate crime, the rights of individuals under hate crime legislation, and measures available to support victims, including amongst equality groups and the general public;
 - building trust and confidence in the criminal justice system/agencies amongst victims of hate crime, including by working in partnership with equality groups; securing prosecutions and improving outcome rates for hate crimes; ensuring appropriate training for police; ensuring criminal justice agencies are representative of the communities they serve; and improved engagement with victims;
 - removing barriers to particular equality groups reporting hate crime by, for example, ensuring reporting

mechanisms are accessible; and addressing fears of victims due to lack of anonymity.

- 2.75 This is particularly important in the context of raising awareness of any changes to the legislation following the hate crime legislation review. If new equality grounds are protected under the hate crime legislation, we recommend measures to raise awareness with individuals and representative organisations of those equality groups so as to raise awareness of hate crime, encourage reporting of hate crime, and to ensure these equality groups have the opportunity to engage, and work with criminal justice agencies on action to tackle hate crime.
- 2.76 We note that a range of criminal justice agencies, including the CJINI⁴³, the Northern Ireland Policing Board (NI Policing Board)⁴⁴, and the PSNI have recognised the issue of the under-reporting of hate crimes experienced by a range of equality groups, including by minority ethnic, LGB and Trans individuals.
- 2.77 In relation to homophobic hate crime, the 2013 *Grasping the Nettle report*⁴⁵ identified under-reporting of transphobic hate crime as an issue.
- 2.78 The UNCERD Committee⁴⁶, in its recent concluding observations, recommended measures to *'encourage the reporting of racist hate crimes by strengthening public trust in the police and the justice system, protecting victims from reprisals and intimidation and ensuring that the reporting procedure is transparent and accessible'*.

Raise awareness of hate crime

- 2.79 Raising awareness of hate crime, the methods to report hate crime, the rights of individuals under the hate crime legislation, as well as measures available to support victims, amongst

⁴³ The Criminal Justice Inspectorate NI reported (2017) that: 'Hate incidents are greatly under-reported so the rate of incidents perpetrated against people because they are perceived to be different in some way is much higher'. See Criminal Justice Inspection Northern Ireland (2017), [Hate Crime an Inspection of the Criminal Justice System's response to Hate Crime in N.I.](#)

⁴⁴ NIPB (2017), [Thematic Review of Policing Race Hate Crime](#)

⁴⁵ McBride, ICR (2013), [Grasping the Nettle: The Experiences of Gender Variant Children and Transgender Youth Living in Northern Ireland.](#)

⁴⁶ UNCERD (2024) [Concluding observations on the combined twenty-fourth to twenty-sixth periodic reports of the United Kingdom of Great Britain and Northern Ireland](#), CERD/C/GBR/CO/21-23, para 20(c)

equality groups, as well as the general public, will encourage reporting.

- 2.80 Actions, including raising awareness of hate crime, will be particularly important to take in the event that additional grounds, such as gender, gender identity, intersex and age, which we recommend are protected, are protected under the hate crime legislation.
- 2.81 We note, for example, that an evaluation of the Nottinghamshire police's policy of recording misogyny hate crime, published in June 2018, found that, while there was high public support for the policy once it was explained, there was little awareness of it and it had not improved the generally low rate of reporting by victims. As highlighted by the UK Parliament's Women and Equalities Committee in its Inquiry into sexual harassment of women and girls in public places (2018)⁴⁷, *'this suggests the need for policies such as this to be backed up by public awareness campaigns and promotion if they are to be effective'*.
- Build trust and confidence in criminal justice system/agencies*
- 2.82 A lack of trust and confidence in the criminal justice system amongst victims of hate crime that their complaints will be taken seriously or dealt with effectively can discourage reporting.
- 2.83 It will be noted that the Advisory Committee to the Framework Convention on National Minorities (2017) raised concerns about the impact of lack of trust in the police and the judicial system on underreporting of hate incidents in Northern Ireland by minority ethnic groups⁴⁸.
- 2.84 A targeted and collaborative approach by relevant public bodies working in partnership with equality groups, representative organisations and others, assists in understanding the particular barriers to reporting hate crime and with working in partnership to develop solutions. We welcome initiatives, including by the PSNI, already taken to address the under-

⁴⁷ Women and Equalities Committee (2018), [Inquiry into Sexual harassment of women and girls in public places](#) .

⁴⁸ Advisory Committee to the Framework Convention on National Minorities (2017) , Fourth Opinion on the United Kingdom', at para 80.

reporting of hate crime by working in partnership with certain equality groups.

- 2.85 Taking measures to secure prosecutions and improve outcome rates for hate crimes will also encourage reporting of hate crime. This was recognised by the NI Policing Board (2017) which stated that ‘one thing that will undoubtedly encourage victims to report is where it is seen that perpetrators are being brought to justice’.
- 2.86 Ensuring appropriate training for police officers will also assist with encouraging reporting. A 2015 NI Policing Board review relating to transgender individuals⁴⁹ noted that a number of steps had been taken by the police to encourage the reporting of hate crime, including training of police officers and the ability to report incidents online. The review⁵⁰ further noted that the ‘...PSNI must ensure that in practice all personnel are aware of their roles and that they are discharging their responsibilities effectively’.
- 2.87 Further, as noted by the NI Policing Board (2017)⁵¹:
- “While hate crime currently comprises only a small proportion of the cases dealt with by a police officer (recognising however significant under-reporting), unless equipped to recognise those cases and respond appropriately, it is likely that when such cases do arise, the aggravating feature will not be recognised. If hate crimes are not recognised or not properly addressed by the criminal justice system, both the victim and the wider community may lose confidence in the justice process”.*
- 2.88 In addition, measures by the PSNI and other criminal justice agencies to continue to strive for a truly diverse workforce that is representative of the communities they serve, will also help build trust and confidence with communities.
- 2.89 Improved engagement with victims will also help build trust and confidence of victims with criminal justice agencies which in

⁴⁹ NIPB (2015) [Human Rights Thematic Review – Policing with and for Trans Individuals. Update on PSNI implementation of recommendations](#)

⁵⁰ NIPB (2015) [Human Rights Thematic Review – Policing with and for Trans Individuals. Update on PSNI implementation of recommendations](#)

⁵¹ Northern Ireland Policing Board (2017) [Thematic Review of Policing Race Hate Crime](#)

turn can assist with under-reporting of hate crime; ensure that victims are better informed of the progress of their case; and help improve levels of victim satisfaction with services provided. The need for the PSNI to improve engagement with victims of hate crime was highlighted by the NI Policing Board (2017)⁵².

- 2.90 The UNCERD Committee recently recommended⁵³ measures to *‘investigate all reported racist hate crimes, prosecute the perpetrators and punish them with sanctions commensurate with the gravity of the offence, and provide effective remedies to the victims and their families’*.

Remove barriers to reporting hate crime

- 2.91 Removing barriers to particular equality groups reporting hate crime will also increase reporting. We highlighted in our *Racial Equality Priorities and Recommendations* (2014) that there was a need to improve the accessibility of reporting for those victims who have English as an additional language⁵⁴.
- 2.92 In its 2017 report, the CJINI highlighted that: ‘No specific work had been undertaken with interpreter services to enhance skills specific to translating for hate crime, which added to the already high number of substantial barriers facing victims’⁵⁵.
- 2.93 It is important to ensure that fears due to lack of anonymity during and after court proceedings do not act as a barrier to LGBT people or other equality groups seeking, and being provided with, protection against hate crime.
- 2.94 Further, tacking action to address under-reporting will assist with meeting the UK’s Government’s international human rights obligations. For example, the UNCERD Committee (2016)

⁵² Northern Ireland Policing Board (2017) [Thematic Review of Policing Race Hate Crime](#). In particular, it recommended additional actions by police officers to ensure that hate crime victims were regularly informed of progress on their cases and to explore with partners how to better engage with victims and potential victims of hate crime so that they are better informed of the services they are entitled to receive from the police and other agencies.

⁵³ UNCERD (2024) [Concluding observations on the combined twenty-fourth to twenty-sixth periodic reports of the United Kingdom of Great Britain and Northern Ireland](#), CERD/C/GBR/CO/21-23, para 20(d).

⁵⁴ ECNI (2014), [Racial Equality Priorities and Recommendations](#)

⁵⁵ The CJINI made clear that: ‘Interpreter services were readily available and there was no suggestion that the standard of interpreters was an issue. However, investigation of hate crime required precise legal and technical language. See Criminal Justice Inspection Northern Ireland (2017), [Hate Crime an Inspection of the Criminal Justice System’s response to Hate Crime in N.I.](#), page 8.

recommendations on the UK has called for action to increase reporting of racist hate crime⁵⁶.

Approach to progressing the key workstreams

- 2.95 We recommend that any approach to progressing the key workstreams should consider the particular needs of the range of equality groups, including needs at specific points in the victim journey.
- 2.96 **We recommend that the Strategy ensures the meaningful involvement of individuals and their representative organisations in the design, delivery and review of policies and programmes** affecting them.
- 2.97 It is important that the needs of victims and survivors from across the equality groups are considered, to ensure they can share their lived experience to support the Strategy.
- 2.98 As above, we recommend stakeholder involvement from across the equality categories not only in co-design of the Strategy, but in delivery, and in the rolling monitoring and review of impacts. It is important that the expertise and advice used reflects the needs of different equality groups.
- 2.99 We recommend a focus on data collection, when progressing the key workstreams, Annual reports on performance will rely on disaggregated data to accurately reflect how the Strategy is affecting different groups. In turn, this will assist in effectively targeting actions to meet objective needs, and to mitigate against any negative impacts.
- 2.100 Our general advice is that **all key measures should not only be tracked in aggregate, but also for the impact on individuals from each of the equality grounds**. Providing comprehensive equality metrics for all key measures will assist equality considerations to be a core component of public policy design and delivery, facilitating the fuller targeting and delivery of interventions, including for the full range of equality groups.
- 2.101 In relation to both ongoing monitoring and any mid-term review, we recommend that the **data used for headline measures be broken down to consider which equality groups are**

⁵⁶ UNCERD Committee (2016), [Concluding Observations on the UK](#).

benefitting less than others on those key measures.

Actions can then be targeted to those particular groups and their related barriers and enablers. This will benefit not only the members of those equality groups, but also the relevant overall headline measures and the overall success of the Strategy itself.

- 2.102 In order to assess the equality impacts and monitor any adverse impacts of policies, public authorities need information to ensure that decisions and equality assessments are evidence based and appropriate.
- 2.103 In this context, we **recommend that the Strategy, and associated budget, includes provision to ensure the targeting, monitoring and reporting of actions**, incorporating disaggregated equality data, to better advance equality of opportunity and address key inequalities.

Windsor Framework Article 2

- 2.104 The Commission advises that **consideration of compliance with Windsor Framework (WF) Article 2 is necessary in the development of the Victims and Witnesses Strategy.**
- 2.105 Following the UK's exit from the EU, the UK Government has committed under WF Article 2 to ensure that certain equality and human rights in Northern Ireland (NI) will continue to be upheld after Brexit. Since 2021, the Commission, together with the NIHRC, has been given additional powers and responsibilities, as the 'dedicated mechanism', to ensure that the UK Government's commitment under WF Article 2 is met.⁵⁷
- 2.106 Under WF Article 2 the UK Government has committed to ensuring there is no diminution of rights, safeguards and equality of opportunity as set out in the relevant part of the Belfast (Good Friday) Agreement as a result of Brexit. There is also a commitment to ensuring that some of Northern Ireland's equality laws will keep pace with any changes the EU may

⁵⁷ Schedule 3 of [the European Union \(Withdrawal Agreement\) Act 2020](#) amended the Northern Ireland Act 1998 to confer these additional powers on the Commission – to monitor, advise, report on and enforce the UK's adherence to its commitment.

make to amend or replace the EU equality laws, set out in Annex 1 to the WF.⁵⁸

- 2.107 In addition, UK courts when considering the interpretation of any of the equality directives listed in Annex 1, must do so in conformity with any relevant case law of the Court of Justice of the EU (CJEU).⁵⁹
- 2.108 The Department will be aware that the NI Assembly, the NI Executive,⁶⁰ or a Minister or NI Department⁶¹ cannot act in a way that is incompatible with the UK Government's commitment with Article 2.
- 2.109 The Commissions recommend that in the development of the new Strategy for Victims and Witnesses and any laws or policies arising from the Strategy the Department ensures that compliance with WF Article 2 is embedded in policy and processes at an early stage. This should include consideration of the extent to which any change engages Article 2 and ensuring that there is no diminution to the rights and safeguards which fall within its scope.⁶²
- 2.110 In October 2023, in response to the TEO consultation on a Strategic Framework and Foundational Action Plan to End Violence Against Women and Girls⁶³, the Commission welcomed TEO's inclusion of a draft WF Article 2 Impact Assessment relating to the draft Strategic Framework. We noted that this was a helpful step in embedding Article 2 consideration into the development of key Departmental

⁵⁸ Windsor Framework Annex 1 Directives: Gender Goods and Services Directive (Gender) - Directive 2004/113/EC of 13 December 2004; Recast Directive (Gender) - Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006; Race Equality Directive (Race) - Directive 2000/43/EC of 29 June 2000; Framework Directive (religion and belief; age; sexual orientation; and disability) - Directive 2000/78/EC of 27 November 2000; Equal Treatment Directive: Self-employment (Gender) - Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010; Equal Treatment Directive: Social Security (Gender) - Directive 79/7/EEC of 19 December 1978.

⁵⁹ The Northern Ireland Office has, in its [2020 Explainer Document](#), stated that when a UK Court is considering the interpretation of any of the directives listed in Annex 1, this will be done in conformity with any relevant case law of the CJEU.

⁶⁰ Section 6 (2)(ca) of [Northern Ireland Act 1998](#) as amended by Schedule 3 to the [European Union \(Withdrawal Agreement\) Act 2020](#).

⁶¹ Section 24 (1) (aa), [Northern Ireland Act 1998](#).

⁶² [Annual Report](#) of the Equality Commission for Northern Ireland and the Northern Ireland Human Rights Commission on the Implementation of Article 2 of the Windsor Framework, (July 2023), para. 3.52.

⁶³ Equality Commission for Northern Ireland, [Response to consultation](#): The Executive Office: Strategic Framework to End Violence Against Women and Girls and Foundational Action Plan, (October 2023).

strategies and will help increase both transparency and accountability in terms of compliance with Article 2. More generally it helps to raise awareness of Article 2 obligations. The Commission made a number of recommendations for inclusion in the draft Impact Assessment.

- 2.111 We consider that carrying out a WF Article 2 Impact Assessment, incorporating Commission guidance and advice, would be helpful in embedding WF Article 2 considerations into the new Strategy for Victims and Witnesses. We also note that the Executive Office has produced guidance and training on the assessment of Article 2 considerations.
- 2.112 In the following section we have detailed a non-exhaustive list of areas in which we recommend consideration of the Strategy’s potential engagement of Article 2 commitments. We, together with the NIHRC and the Irish Human Rights and Equality Commission, have also recently published independent research on EU developments in equality and human rights which may prove useful to the Department in monitoring relevant developments, including those relating to victims’ rights and victims of human trafficking.⁶⁴

EU Directives of relevance

- 2.113 In WF Article 2, the UK Government commits to ensuring there is no diminution of the rights, safeguards and equality of opportunity protections contained in that chapter of the Belfast (Good Friday) Agreement 1998 as a result of the UK leaving the EU, including the right of victims “to remember as well as contribute to a changed society”.⁶⁵ The UK Government has acknowledged that the EU Victims’ Rights Directive falls within the scope of WF Article 2.⁶⁶

⁶⁴ Craig, Lougarre, and O’Connell, [‘EU Developments in Equality and Human Rights: Impact of Brexit on the Divergence of Rights and Best Practice on the Island of Ireland: Update Paper on Developments post January 2022’](#) (ECNI, NIHRC, IHREC), November 2024. See in particular, para 7.4.1 on victims’ rights and para 7.5.2 on victims of human trafficking.

⁶⁵ [Belfast \(Good Friday\) Agreement](#), 10 April 1998, at Part 6 on Rights, Safeguards and Equality of Opportunity – Human Rights.

⁶⁶ UK Government, [‘UK Government Commitment to No-diminution of Rights, Safeguards and Equality of Opportunity in NI: What Does It Mean and How Will It Be Implemented?’](#) (NIO, 2020), para.13.

- 2.114 It is the Commissions view that the rights of victims covered by WF Article 2 are not limited to victims of the Troubles⁶⁷.
- 2.115 EU obligations underpinning the rights of victims include the EU Victims' Rights Directive⁶⁸ as well as other relevant EU laws which support victims of trafficking and victims of child sexual abuse or exploitation.⁶⁹ We consider that these EU Directives fall within the scope of WF Article 2 and that the new Strategy for Victims and Witnesses must not only take account of these directives, but also ensure that the outworkings of the Strategy do not result in a diminution of the rights protected under these Directives contrary to WF Article 2.
- 2.116 Moreover, obligations under the EU Victims' Rights Directive must be interpreted in line with the EU Charter of Fundamental Rights provisions, including Article 47 (right to an effective remedy and to a fair trial) and general principles of EU law.
- 2.117 Obligations outlined in the EU Victims' Directive include but are not limited to: the right to understand and to be understood (Article 3); the right to receive information from the first contact with a competent authority (Article 4); the right to access victim support services (Article 8); the minimum support to be provided by victim support services (Article 9); and the training of practitioners (Article 25).
- 2.118 It should be noted that following an evaluation of the implementation of the EU Victim's Directive initiated by the European Commission, in July 2023 the EU proposed amendments to the Victim's Directive⁷⁰. If enacted, the proposed amendments will strengthen the Directive in several areas of relevance to this strategy, including victims' access to information, safety of vulnerable victims, and specialist support for vulnerable victims.

⁶⁷ See [ECNI and NIHRC, Working Paper: The Scope of Article 2\(1\) of the Ireland/ Northern Ireland Protocol](#) (2022), para 3.10.

⁶⁸ [Directive 2012/29/EU](#), 'EU Directive of the European Parliament and of the Council Establishing Minimum Standards on the Rights, Support and Protection of Victims of Crime', 25 October 2012.

⁶⁹ [Directive 2011/36/EU](#) 'EU Council Directive on Preventing and Combating Trafficking in Human Beings and Protecting its Victims', 5 April 2011; [Directive 2011/92/EU](#), 'EU Parliament and Council Directive on Combating the Sexual Abuse and Sexual Exploitation of Children and Child Pornography', 13 December 2011; [Directive 2004/80/EC](#), 'EU Council Directive Relating to the Compensation to Crime Victims', 29 April 2004.

⁷⁰ [Proposal](#) for a Directive of the European Parliament and of the Council amending Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA.

- 2.119 The Commission **recommends that regardless of whether or not required to under the ‘keeping pace’ requirement associated with WF Article 2, the Department should monitor the proposed changes to the EU Victims’ Directive.** It should also **consider voluntarily aligning with any changes to the Directive where these changes strengthen victims’ rights and align with international human rights standards and best practice.** It should also **monitor any future CJEU case law** relating to the EU Victims Directive.
- 2.120 We also note that the EU has recently published a Directive for combatting human trafficking⁷¹ and proposals for a Directive to tackle child sexual abuse,⁷² both of which aim to protect vulnerable individuals including children at risk of abuse, and also have cross-border policing implications here.
- 2.121 We therefore propose that the Department consider the implications, should NI law voluntarily align with these EU Directives, in terms of their impact on victims’ rights and on the divergence of rights on the island of Ireland, including cross-border implications for justice and policing.
- 2.122 We also **recommend that the Department takes into consideration those provisions of the 2024 EU Directive on Combating Violence against Women and Domestic Violence**⁷³ where this strengthens rights and reflects international human rights standards and best practice.
- 2.123 The Directive make provisions on a number of areas of relevance to this strategy, including the protection of victims and access to justice, victim support, enhanced data collection, prevention, coordination and cooperation. The proposed Directive includes provisions on specialist support for victims of sexual harassment in the workplace.
- 2.124 The Commission is currently considering the extent, if any, to which the Directive on Combating Violence against Women and

⁷¹ Directive [\(EU\) 2024/1712](#) of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims.

⁷² [Proposal for a Directive](#) of the European Parliament and of the Council on combating the sexual abuse and sexual exploitation of children and child sexual abuse material and replacing Council Framework Decision 2004/68/JHA (recast) (February 2024).

⁷³ [Directive \(EU\) 2024/1385](#) on combating violence against women and domestic violence.

Domestic Violence may amend or replace a WF Annex 1 Directive and therefore require that NI law keeps pace with relevant provisions.

3 Conclusion

- 3.1 In general, we would welcome any potential contribution that the Victims and Witnesses Strategy can make to furthering equality and avoiding the emergence or widening of inequality.
- 3.2 We request that the Department should give full consideration to our recommendations in further developing the Strategy, prior to consultation. If further discussion would be useful, please do not hesitate to contact us at publicpolicy@equalityni.org

**Equality Commission for Northern Ireland
November 2024**