



Public
Prosecution
Service

Policy and Information Unit
Public Prosecution Service
Belfast Chambers
93 Chichester Street
Belfast BT1 3JR

[REDACTED]

Our reference: 1795/21-22

21 February 2022

[REDACTED]

I refer to your e-mail dated 27 January 2022 in which you asked for information relating to the Victim Charter. Your request has been dealt with under the terms of the Freedom of Information Act 2000.

Freedom of Information Act 2000

The Freedom of Information Act creates rights of access for any person making a request for information to a public authority. The rights of access are twofold. First, to be informed by the public authority if it holds information of the description specified in the request, and if that is the case, secondly, to be provided with that information. These rights are subject to important limitations, which are designed to achieve a proper balance between the right to know and considerations of law and policy in the broader public interest.

You asked the following:

- 1) Do current PPS systems ensure full compliance with Victim Charter 2015 for ALL victims?*
- 2) Under sections 78-87 does PPS ensure that the entitlements of ALL victims in Victim Charter 2015 is upheld?*
- 3) Under sections 88-94 of Victim Charter 2015 are ALL victims offered the opportunity to make a Victim Personal Statement, to which the charter states they are entitled?*

In response to Question 1, please be advised that the [PPS Victim and Witness Policy](#) sets out in detail how the PPS meets its obligations under the Victim Charter. This includes both the practical arrangements that are in place to deliver these services and the governance arrangements to provide a firm basis for delivery.

The Victim and Witness Care Unit (VWCU) plays a key role in meeting these obligations. The VWCU will:

- Tell a victim when the case is received by the PPS.
- Tell a victim when a defendant is granted bail or their bail conditions are changed if it affects the victim.
- Notify a victim when a prosecutor takes a decision.
- Provide information about making a Victim Personal Statement.
- Tell a victim about key court hearings.
- Keep a victim updated at key stages of the case.
- Tell a victim the result of the case and the sentence given, as appropriate.
- Tell a victim if there is an appeal and the outcome of the appeal.
- VWCU will keep an individual updated on the progress of the case where he/she is a bereaved relative or next of kin. This contact can be directly or via a PSNI Family Liaison Officer.

In response to Question 2, I can confirm that the operational practices and procedures of the PPS are fully aligned with its obligations under the Victim Charter. The entitlements set out under paragraph 78 are at the core of the work of the VWCU. Processes and technology used within the VWCU help ensure that those entitlements are delivered in a timely manner. For example, where a decision not to prosecute is taken, the victim will be informed by their preferred means of contact. This communication will include details of how a review of the decision not to prosecute can be requested.

The PPS endeavours to uphold all entitlements under the Victim Charter. However, it is recognised that individual operational or practical constraints, such as the speed with which a particular case moves, may impact on meeting these obligations.

In response to Question 3, a victim's entitlement to make a Victim Personal Statement (VPS) is set out in the Victim Charter (see Chapter 3, 'Letting the court know about the impact of the crime on you').

The victim is advised about the availability of the scheme and the entitlement to make a VPS via the 'decision to prosecute' letter, issued by the VWCU. The letter will refer to a leaflet outlining the scheme (enclosed with the letter) which directs them to a victim support service provider (VSNI / NSPCC) or their Family Liaison Officer (for a family member bereaved through murder, manslaughter or a driving

offence resulting in death). The service provider / FLO will be responsible for recording the statement.

The following people may make a VPS:

- Direct victims (including a child taking account of their age and maturity).
- A parent of a child victim (instead of, or in addition to, the child or young person).
- A close family member, or representative, of a deceased victim.
- A representative of a person who is unable to make a statement due to their physical or mental state.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review in accordance with our review procedure. You should do this as soon as possible or in any case within two months of the date of this response and you can do so by writing to the Head of Policy and Information, Public Prosecution Service, Belfast Chambers, 93 Chichester Street, BELFAST, BT1 3JR or alternatively by sending an e-mail to info@ppsni.gov.uk. You should state clearly the grounds on which you are requesting the review.

Alternatively, you may wish to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Information Management Team
Public Prosecution Service