

*These notes refer to the Justice Act (Northern Ireland)
2015 (c.9) which received Royal Assent on 24 July 2015*

Justice Act (Northern Ireland) 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Victims and Witnesses

The Victim Charter and the Witness Charter

Section 28: Victim Charter

This section places a duty on the Department to issue a Victim Charter setting out the services, standards of services and treatment of victims by specified criminal justice agencies. It highlights what services must be covered by the Charter and enables exceptions and restrictions to be applied to the Charter's general provisions that would allow a more targeted service to be provided.

Section 28 also makes provision enabling the services to a victim to be provided to others as well as the victim and requires criminal justice agencies to have regard to the Charter in carrying out their functions.

Section 29: Meaning of victim

This section defines a victim, sets out other people to be treated as a victim (for example where a person has died or is incapacitated) and circumstances where this would not apply. It enables the Charter to set out who are family members for this purpose.

Section 30: Witness Charter

This section places a duty on the Department to issue a Witness Charter setting out the services, standards of services and treatment of witnesses in criminal investigations and criminal proceedings by specified criminal justice agencies. It enables exceptions and restrictions to be applied to the Charter's general provisions that would allow a more targeted service to be provided. The section also makes provision enabling the services provided to a witness to be provided to others as well as, or instead of, the witness and requires criminal justice agencies to have regard to the Charter in carrying out their functions.

Section 31: Procedure for issuing Charters

This section sets out the procedure for issuing a Victim or Witness Charter (and also a revised Charter), including laying it before the Assembly and being brought into operation by order.

Section 32: Effect of non-compliance

This section sets out the effect of non-compliance with a Charter.