



2015 CHAPTER 9

PART 4

VICTIMS AND WITNESSES

The Victim Charter and the Witness Charter

The Victim Charter

- 28.—**(1) The Department must issue a Victim Charter.
- (2) The Charter must set out—
- (a) the services which are to be provided to victims by specified criminal justice agencies and the standards which are to be expected in relation to those services;
 - (b) the standards which are to be expected in relation to the treatment of victims by such agencies.
- (3) In particular the Charter must include provision for a victim—
- (a) to be treated with courtesy, dignity and respect;
 - (b) to be informed about the services available to victims;
 - (c) to be informed about—
 - (i) the progress of relevant proceedings, and the reasons for any delay in those proceedings, at such intervals or at such times as are specified;
 - (ii) the final outcome of relevant proceedings, within such time as is specified;

Changes to legislation: Justice Act (Northern Ireland) 2015, Section 28 is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (d) where in the course of relevant proceedings a decision is taken not to prosecute a person in respect of the criminal conduct concerned, to be given the reasons for that decision within such time as is specified;
 - (e) to be informed about any special measures which may be available to the victim under Article 4 or 5 of the Criminal Evidence (Northern Ireland) Order 1999 if called as a witness in criminal proceedings arising out of the criminal conduct concerned;
 - (f) to be informed about the opportunity to make a victim statement under section 33;
 - (g) to have considered by an independent body any complaint against a criminal justice agency in relation to any provision of the Charter which has not been resolved by that agency.
- (4) The Charter may restrict the application of any of its provisions and, in particular, may restrict the application of any of its provisions to—
- (a) specified descriptions of victims;
 - (b) victims of specified offences or descriptions of conduct;
 - (c) specified criminal justice agencies;
 - (d) cases where the criminal conduct concerned has been reported to the police.
- (5) The Charter may provide for exceptions to its provisions, including in particular exceptions for the purpose of—
- (a) ensuring compliance with any statutory provision or order of a court;
 - (b) avoiding jeopardising any criminal investigation or criminal proceedings;
 - (c) avoiding endangering any individual.
- (6) The Charter may include provision requiring or permitting the services which are to be provided to a victim to be provided to one or more other persons as well as the victim.
- (7) The Charter may not require anything to be done by—
- (a) a person acting in a judicial capacity;
 - (b) a person acting in the discharge of a function of a member of the Public Prosecution Service for Northern Ireland which involves the exercise of a discretion.
- (8) In this section “criminal justice agency” means a body or person which has any functions relating to—
- (a) victims; or
 - (b) any other aspect of the criminal justice system.
- (9) A criminal justice agency must, in carrying out any functions mentioned in subsection (8), have regard to the Charter.

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(10) In this section—

“criminal conduct concerned”, in relation to a victim, is to be construed in accordance with section 29(1);

“relevant proceedings”, in relation to a victim, means the investigation into the criminal conduct concerned, the taking of a decision whether to prosecute any person in respect of that criminal conduct and any criminal proceedings taken against any person in respect of that criminal conduct;

“specified” means specified in the Victim Charter.

Commencement Information

II S. 28 in operation at 1.9.2015 by S.R. 2015/320, art. 2(a)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(2)(2A) substituted for s. 13(2) by [2022 c. 4 \(N.I.\) s. 4\(5\)](#)
- s. 13(4)(5) added by [2022 c. 4 \(N.I.\) s. 4\(6\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- Sch. 2 para. 8(1) Sch. 2 para. 8 renumbered as Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- Sch. 2 para. 8(2) inserted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 2 para. 8(1) words substituted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)