



Committee for Justice

OFFICIAL REPORT (Hansard)

Implementation Plan for Gillen Review
Recommendations on Serious Sexual
Offences Cases: Department of Justice

15 October 2020

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Paul Givan (Chairperson)
Ms Linda Dillon (Deputy Chairperson)
Mr Doug Beattie
Ms Sinéad Bradley
Ms Jemma Dolan
Mr Gordon Dunne
Mr Paul Frew
Ms Emma Rogan
Miss Rachel Woods

Witnesses:

Ms Angela Fitzpatrick	Department of Justice
Ms Linda Hamilton	Department of Justice
Ms Julie Wilson	Department of Justice

The Chairperson (Mr Givan): I formally welcome, from the Department of Justice, Ms Linda Hamilton, deputy director of EU exit and victims' support division; Ms Angela Fitzpatrick, head of the Gillen review programme team; and Ms Julie Wilson, head of the victims and witnesses branch and the Gillen review policy branch. Hansard will record this, and a transcript will be published on the Committee web page in due course. Ms Hamilton, I am going to hand over to you to provide an overview of the progress that is being made towards implementation of the Gillen review.

Ms Linda Hamilton (Department of Justice): Thank you, Chair. We are grateful for the opportunity to brief the Committee on this today. I know that Committee members are very familiar with this review and its recommendations. However, I thought that it would be helpful to draw out a few key points about our approach. As the Committee is aware, the Criminal Justice Board approved an implementation plan in June. There is a copy of that in the annex that was provided to the Committee for this meeting. The implementation plan set out our approach and identified the 14 strategic priority areas that we are focused on. These centre around improving the experience of complainants in the criminal justice system.

In his review, Sir John Gillen set out a vision of complex and wholesale reform of the criminal justice system in respect of serious sexual offences. This is nothing short of transformation, and that is what we must aim for. Of course, the challenge of implementation is significant. It takes time and resource. More than that, reform on the scale that Sir John envisaged means that we have approached this in the following ways. We cannot do it alone. It cuts across the whole criminal justice system and beyond, so we need to work in close partnership with other Departments, agencies and support

services. We cannot do it all at once. While we have identified 14 separate priority areas, in reality, these are often interdependent. Implementation against one work stream may depend on progress being made in others; Sir John himself noted that. In short, we need to not only prioritise our efforts but choreograph them to make sure that transformation is sustainable. We need appropriate oversight, governance and accountability. In addition to the oversight provided by the Criminal Justice Board, we have established a strategic justice group on sexual harm that includes multi-agency representation as well as membership of support services. That is to ensure that our approach is joined up, coordinated and informed by best practice.

This is a challenging piece of work, and it might be helpful to touch on a few of those challenges. I mentioned the need for collaboration and partnership. We benefit from having genuinely collaborative partners, but that adds to the complexity of the task. This is a system-wide approach, and different agencies will address challenges from different perspectives. We will have competing priorities at times, and that is no more acute than during the pandemic. In addition, many aspects of the programme are new and innovative, so we need to research what has worked in other areas, both within and outwith Northern Ireland. We have been using pilots and phasing in many areas so that we can test and evaluate our approach to make sure that we deliver the outcomes that we want. As with every aspect of society, COVID-19 has added to the complexity and challenge of delivery and placed additional pressures on resource. It has had a significant impact on the justice system as a whole. Perhaps most important in the context of the Gillen review has been the consequential impact on victims. I want to reassure Committee members that reducing this impact on victims and witnesses has been a key factor in the Department's work to recover the justice system. Officials have been engaging regularly with Victim Support Northern Ireland, the NSPCC and other stakeholders as that recovery plan has developed.

We are making progress. We have completed 14% of the Gillen recommendations, and we want that figure to increase. A huge amount of work is ongoing across the wide range of work streams currently in train. The vast majority of Gillen recommendations are now owned across the system and being taken forward. The written paper that we provided to the Committee gives a summary of progress across all 14 strategic priority areas. However, I want to mention a few key ones that will come to fruition in this financial year. We are taking a phased approach to the establishment of facilities for the provision of remote evidence by children and vulnerable or intimidated adult victims and witnesses, with a view to having remote facilities in place by the end of the year. We aim to launch, by the start of the next financial year, a pilot scheme that will make publicly funded separate legal advice available to adult complainants in cases involving serious sexual offences. Then there is the draft committal reform Bill, which, as Committee members will know, Sir John saw as a critical part of the reform that he envisaged by reducing delay and preventing vulnerable victims from having to give oral evidence at committal. That is just a small taste of the work that the Department is taking forward.

Lastly, I want to make the point that, while the Gillen review is, of course, a priority for the Department, it exists within a wider framework of victims' needs and issues, not just serious sexual crime victims. The review very clearly articulated the particular needs of victims within the criminal justice system. There is a significant read-across to the wider needs of all victims. There are opportunities for measures that fall under the Gillen recommendations to have a wider application and deliver improved outcomes for other victims who may be equally vulnerable. Similarly, as the Department and its partners develop and refresh our strategic response to the needs of victims more generally, learning from that process that can help to inform our implementation of Gillen. It is for that reason — to harness the synergies and opportunities — that the Department has gone through some internal restructuring. As of July this year, responsibility for wider policy on victims and witnesses also sits within my division.

I hope that, taken alongside the papers that we provided, this has helped to provide an overview to Committee members. We are happy to provide further detail on anything that I have mentioned and answer any of the Committee's questions.

The Chairperson (Mr Givan): Thank you very much. That was helpful. Is there a time frame for achievement of the 86% that is still to be completed? What are the key barriers to overcome in its implementation? In particular, what legislative provision may be required?

Ms Hamilton: You will have seen the implementation plan, which sets out the vast majority of things that are going to be taken forward by the Department. Work on over 70% of those recommendations is ongoing. We have tried to stage that as best we can, with a view to this programme lasting for five years. You will start to see real game-changers for victims over the next while. You will see some when remote evidence centres come in and, at the start of the next financial year, we will see them

when separate legal advice starts being available. In respect of legislation, where possible and appropriate, we have tried to include some recommendations in the miscellaneous provisions Bill that the Department hopes to put through in 2021. There are other things that require legislation, such as the changes that Sir John recommended in relation to consent. Those will be taken forward in the next mandate.

The Chairperson (Mr Givan): OK. Thank you. Is there a number in relation to many remote evidence centres you expect to establish across the Province?

Ms Hamilton: At the moment, we are focusing on Belfast. Once we get that up and running, we will learn lessons from how it is working and establish what the need is across the system. There are different ways of doing it. There will not be a need to have a remote evidence centre for every court, for example, but I suspect that we may need to have two or three across Northern Ireland to make sure that there is a geographical spread of that offering to victims across Northern Ireland.

The Chairperson (Mr Givan): OK. The pilot scheme that was set up around the voluntary protocol that Judge Smyth led around expediting sexual offence cases involving children under 13 has come through as a success, but I note that the pilot scheme is being extended. At what point will that become a permanent scheme that is then implemented?

Ms Hamilton: You are absolutely right: that scheme has been extended for another year. A small number of cases are covered by that, but it has absolutely been seen as a success. The plan is to run that for another year. As that happens, it will form an important part of the development of the wider provision for children in these cases, which is known as the Barnahus system — a one-system approach for children who are victims of serious sexual crime. Wraparound services need to be developed in Northern Ireland, and I very much envisage that that pilot will form part of a more sustainable model for children as we move forward. Other things in the Gillen review will form part of that, such as remote evidence and how that is taken forward for children, and how children get appropriate advice and support. All those things should come together in the coming years to provide a more permanent model for children.

The Chairperson (Mr Givan): OK. I will now bring in other members.

Ms Dillon: I have a number of questions; it is an area that I am very focused on.

Following on from the Chair's last question, I also noted that the pilot has been extended for another year. I am always concerned when I see that because, if a pilot has been agreed by all parties as something that works and is good, why is it still a pilot? Why is it not being implemented? I understand what you have said and that you are hopeful that it will become part of the bigger picture, but there is no reason why we should not implement it now. It will still become part of the bigger picture. It does not need to be a pilot. It concerns me when I see pilots. We see that all the time, across all Departments —

Ms Hamilton: Yes.

Ms Dillon: — and it really frustrates me. We could pilot the life out of things and never implement anything. I am concerned that that will be seen as something that is performing and meeting the recommendations and, if it drops off the edge of the table, that will no longer be met and we will have missed it because we thought that it was being dealt with. I am just making that point. I do not expect you to come back on that, but, at some point, we need to look at the issues of pilots and why you would bother piloting something if you are not going to be able to implement it. That is obviously resource-intensive.

The scoping work in relation to previous sexual history — I am not sure that I understand what that means. Can you give me a very brief outline of what that means?

Ms Hamilton: Sorry, you dropped off there. We did not hear that question.

Ms Dillon: Sorry, Linda. The scoping of work around previous sexual history — I am not really sure what that means. I would like a wee outline of what exactly that means.

Ms Hamilton: OK. I want to come back to your previous point, because it is important. I want to reassure the Committee that the needs of children here will definitely not drop off. The development of a whole-system approach for children was one of Sir John's key recommendations, and we have that as a priority. I understand the member's concern about pilots being extended, but I reassure her that there is no question of that dropping off as a priority.

The use of previous sexual history is something that victims are really understandably nervous about when they go to court. There should be only a small number of cases in which it is appropriate that that information is used as evidence. What is not clear or particularly easy to get a handle on is the number of times that it is being used in Northern Ireland. There are formal processes in legislation that defence counsel should go through in order to be able to use previous sexual history in court, but there are also more informal routes for that in the courtroom itself. What we need to understand is, (a), what is the prevalence of this and how often it is being done, and then, (b), what is the solution to that — that is, making sure that it is always being used in only the appropriate cases. There will be some cases where previous sexual history is relevant, but, by and large, in the majority of cases, you would assume that it was not.

A number of partners have a role to play here. There is a role in training judges, the Bar and the Public Prosecution Service (PPS), and there is a role for the PPS in ensuring that it has a view when the defence moves to use previous sexual history. There is also a tie-in to the separate legal advice work that we are doing. From the start of the next financial year, victims will be able to talk to an independent lawyer, who acts for them, about the use of their previous sexual history in court. There is quite a lot to this. I suspect that it is an issue that worries victims and is high on their agenda. There may be myths around it as well. It does not come up in the majority of cases, so some communication may need to be done once the facts are established to provide some comfort to victims as they come forward to report sexual crime.

Ms Dillon: Thank you, Linda. The Barnahus model appears to be a very positive way in which to move forward. You said that it would be used in serious sexual offence cases. What defines a serious sexual offence case? Obviously, there are differences in the types of sexual offence that might happen, from exposure right through to serious and sustained abuse. However, a child being exposed to any type of sexual offence is a serious matter. I think that all children will need some level of this, and some will need much greater support. I accept that.

Ms Hamilton: Yes. That is what the Barnahus model does; it will take a bespoke look at that child's needs and determine what wraparound support they need as a result of what happened to them, how they feel and their vulnerability. That will allow psychologists to assess that child and provide the support required. I will pass over to my colleague Julie Wilson, who leads on the Barnahus initiative, in case she has anything to add to that.

Ms Julie Wilson (Department of Justice): That is exactly right; it is about providing a tailored response to the needs of that child. Where we have used the terminology of "serious sexual offence", we have been picking up on the language of the Gillen review itself. It is about providing a holistic response to the needs of children in sexual offence cases.

Ms Dillon: Thank you very much. I have one other question in relation to the indictable cases process (ICP). Why has an agreement with the PPS not yet been reached? What are the barriers to that happening?

Ms Hamilton: We need to have a very detailed dialogue with the PPS around the ICP. The difficulties with rolling out the ICP in the way in which it currently exists for other crime types is that sexual cases are more complicated in certain respects — for example, around the use of mobile phone technology. We have agreed, after some good in-depth conversations, that we need to develop a more bespoke ICP model for sexual offences that takes into account some of the complexities involved. This is a really important issue; it gets to the heart of the delay in serious sexual offence cases. It is also about trying to get all parties to talk about the key issues at stake at trial, to try to limit the issues that need to be brought through in evidence and also to agree evidence where appropriate.

The other thing for the Committee to be aware of is that, in serious sexual offence cases, you may be less likely to get a plea from a defendant. The ICP can be designed to try to narrow the issues, and it may end up in a plea. That is more difficult in serious sexual offence cases. There is quite a bit of work that needs to be done on that. The PPS has been quite nervous around the development of ICP as it stands in relation to serious sexual offence cases, but is more than happy to accept the development

of a more bespoke model. That is something that we hope to do relatively quickly. That will feed in nicely to the work that is being done on committal, which will also seek to reduce the delay in those types of cases.

Ms Dillon: Thank you. There are two things that I would like to get back in writing, if possible. Who is on the cross-departmental and inter-agency working group on education and awareness? You speak about training in your paper; who will that training be delivered to? Finally, on the myth-busting around rape, I assume that that is wider than jurors, as you said in your briefing. They get that. Are we talking about the public? Are we talking about some kind of publicity campaign?

Ms Hamilton: That is exactly what we are talking about. When you speak to Sir John about this and when you look through his report, thematically he is very clear that this is not just a criminal justice issue. If we want to look at prevention, which presumably is the space that will be incredibly effective, it comes down to thinking about cultural issues and people feeling that they can report things and say that things are not acceptable. We were involved in a public-wide campaign around consent, but I will pass over to Angela, who can talk a bit more about that.

Ms Angela Fitzpatrick (Department of Justice): There are a number of education and awareness strands in the review, one of which is the one that you mentioned. One of Sir John's recommendations was a public and schools education and awareness campaign, specifically in and around rape myths. He wanted a number of other strands to be included around consent and the fact that sometimes it would not be a stranger, but a person you know, and that people, for example, would freeze rather than fight. There are a number of aspects to the campaign that he wants. It is to be targeted to the public in one sense. There is also education and awareness for schools, such as going into the existing relationship and sexual education (RSE) curriculum and learning for life, because there are other issues about how we use social media. There are a number of issues around education and awareness, but Sir John has been very clear that he wants it to cover rape myths.

Ms Dillon: OK. Thank you. It is very important.

The Chairperson (Mr Givan): I am going to bring in Sinéad Bradley.

Ms S Bradley: Hello. Can you hear me OK?

The Chairperson (Mr Givan): Yes, we can. Go ahead.

Ms S Bradley: Thanks for the report. I know that lots of members of the Committee, including me, have been eager to have this update.

Can I have a better understanding of what the remote evidence centre will look like and what it will be? Is it an office? Is it a home-type environment? What are the ambitions for that? I am also cautious when it talks about a "vulnerable" complainant. Who determines that? Is that set somewhere in law? Is there a guide to who would determine who a vulnerable claimant is? The third one is that there is a list of provisions that the Minister is considering taking forward in the miscellaneous provisions Bill. Is that an exhaustive list, or is that work in progress and likely to change? Thank you.

Ms Wilson: On the remote evidence facility, there are already live links in courts that can be used under special measures legislation. The idea is that a vulnerable or intimidated victim or witness, or a child witness, does not need to actually give their evidence in the courtroom. They can give it remotely via live link. However, those live links are situated within the court building. In the north-west, there is one existing live link in Bishop Street. It is just across the road from the courthouse. That is the closest to a remote evidence centre that we have currently. It is located within an NSPPC property and managed by the NSPCC.

The idea of the remote evidence centre, and what we are looking at ultimately, is that it will have separate facilities for children and adults. There would be live link suites which are essentially for children to use, and others for adults. There will be supporting infrastructure around that with waiting areas and consultation rooms. The victim or witness will not need to go to a court building. It will not be in a home or a domestic setting. That is also about providing a secure space for victims and witnesses where they can also be supported by the witness support services and can provide their evidence in a space where we can ensure that no witness tampering is going on. It will not be in a domestic setting. It will use the existing live link technology with the courts, but from a location which is

set apart from the court building. Essentially, in order to get some facilities in place, we are taking a phased approach, so we intend to build it up incrementally. Initially, we will be working on a lower-capacity facility, and that corresponds to the fact that court services and the business through courts is slower at the minute anyway. We want to ensure that we have those remote facilities in place from the end of the year. It will start as modest provision, and we are working on a more sophisticated interim model that will be in place for a number of years. As Linda mentioned, we want to look at what the provision outside Belfast should be, and we will be informed by the process that we are currently going through as to what will be the best way to do that and where that should be located.

There is guidance on what the facility needs to cover to make sure, for example, that the facilities are child-friendly and that there are breakout rooms if a child has to give evidence for a long period of time. They can take a break in that room without going back into the waiting room, where they would be in touch with other people. There is guidance on how to do that, and we are being informed by that as well.

Ms Hamilton: The answer to the other bit of that question is that the court will decide how people give evidence, and victims will have a view on that. Some victims will want to give evidence in court. They may not want to give evidence remotely, and their views will be taken on board.

The miscellaneous provisions Bill is being developed. The approach that we have taken with that is to look at the recommendations in Gillen that require legislation and are suitable for the scope of a miscellaneous provisions Bill. There are, I think, four or five. The most significant one is the ability to exclude the public from hearings when people are giving evidence in serious sexual cases. Instead of it being a packed courtroom, there will be a much smaller number of people in the room, whether that evidence is given remotely or otherwise, so that you do not have a baying mob when people are trying to tell a story.

We hope to see those provisions introduced in early 2021. We have taken a fairly interrogative approach to the Gillen review and what may be appropriate for the miscellaneous provisions Bill. I do not see us adding a huge number of other things, because I do not think that they are suitable for that Bill. A good example of that is the recommendation around consent. That is much more suitable for a wider sexual-offence-specific Bill in the future.

Mr Beattie: Thank you, Linda, Angela and Julie. It has been really informative, and there is so much to go through. I have one question, but there are two parts to it. The first part is this: I am reading the point about separate legal advice, which mentions "publicly-funded legal advice" for the complainant, the complainant being the victim, and the victim being the evidence, in many ways. It goes on to say:

"with a basic entitlement to relevant information".

It says "basic entitlement". Is there no movement on allowing the complainant/victim to have their own legal representation in court with them?

This is the second part of the question. In cases with multiple defendants, those defendants' solicitors or legal representatives might ask the same question repeatedly. If there are four defendants, four solicitors may ask the same question of the victim, who may have to give quite a complex answer. That could create an awful lot of confusion and could undermine the victim. Is there any movement on those two areas?

Ms Hamilton: I will take the first question about legal representation. Sir John does not recommend that the system goes full-scale into allowing the victim to have representation in court during the trial. He recommends that, first of all, there is publicly-funded legal advice available to the victim, normally around article 8 issues, such as access to their phones, previous sexual history, access to medical records and things like that. He does not envisage the victim being represented at trial in the first instance. What he says is, "Let's try that first stage initially, see how it goes and then we may move to a stage further on down the line, when we may want to think about legal advice at trial". He envisages that two-stage approach, and that is the approach that we have taken.

Mr Beattie: Linda, sorry, could I just jump back in on that? I get what you just said and do not dispute that whatsoever, but when we talk about basic entitlement, is that basic entitlement always going to be there? If it is a protracted six- to eight-week trial, will that victim have the ability to link in to that advice all of the time or is it just the basic advice at the start of the trial and that is it?

Ms Hamilton: That is a really good point. The issues that are discussed at trial should be ironed out pre-trial, and that is where Sir John envisages the advice being crucial. Because of the method that we have taken to rolling this out, it would be part of a wider package. There will be legal advice in that package but also wider advocacy support. By that, I mean non-legal advice, so support, emotional encouragement and all those things, all provided by Victim Support.

We will see how this goes. That is a good point about what happens if an issue comes up during the trial that the victim needs advice on. I would envisage that, in the model that we have, they will be able to access that with no problem at all, and they will have an existing relationship with Victim Support and the lawyer that they had pre-trial.

I do not think there is an issue with that at all. The only issue will be that they will not necessarily have a right to appear. They will not have the right to a barrister appearing on their behalf necessarily, although this is also something that we need to work through carefully, particularly as we move to consideration of the next stage of Sir John's approach, which is to think about issues and representation during the trial.

Mr Beattie: And the second point?

Ms Hamilton: The second point you raised was about victims being subjected to, effectively, the same cross-examination but from a slightly different perspective. There are decisions there for those operational partners around how cases are prosecuted.

In some cases, it may make sense to prosecute cases with a number of defendants together. This comes down to training and the approach in judicial management that judges take operationally in how cases flow through in terms of the questions at trial. It may be perfectly legitimate for evidence to be tested, but that has to be done in an environment where the victim's well-being is also considered.

That definitely forms part of the training considerations and the protocol that went out to judges in November, which talks about treating victims with dignity and thinking through their experience in the court. I am not sure that you can legislate or make specific rules in relation to those cases. It comes down to how they are managed in the courtroom.

Miss Woods: Many of the issues that I wanted to ask questions on have been addressed. Is the £10 million in resources for the cost of the entire Gillen review or for just the next five years of the project, to implement the recommendations? The implementation plan stated that it was £1.6 million for the implementation stage, and this is £1.3 million. Have £300,000 been siphoned off somewhere or is that an error?

Ms Hamilton: I will pass that to Angela, but I suspect that it is not £300,000 being siphoned off. I suspect that it is just that it may not be spent.

With regard to your point about the £10 million, we envisage that this review will be implemented in five years. There will be ongoing costs after that, but they should revert into business-as-usual costs as this becomes a sustainable part of the system.

Ms Fitzpatrick: To follow on from what Linda has said, yes, the £10 million is our initial estimate, if you like, of the expected cost over the full lifetime of the programme, which is five years. Obviously, a lot of work is still to be done. We have a strategic outline case in place, which set out that cost. We broke it down as best we could into annual costs. The £1.3 million is this year's cost. I am just flicking through the paper here to see where the £1.6 million was coming from.

Ms Hamilton: The implementation plan.

Ms Fitzpatrick: The actual plan itself. Certainly, in the note that we sent to the Committee, we had indicated it was £1.3 million for this year. In addition to that, we would have had our own existing baseline costs for Gillen, which would probably have brought that up to the £1.6 million. Linda has just passed it over to me. Yes; I think that the £1.3 million was the money that was needed in addition to the money that was already in the baseline for the Gillen team. Therefore, the £1.3 million was largely to resource our partners, really, to deliver and input into the implementation plan.

Miss Woods: OK. Specifically, on training — I know that Linda Dillon had questions on who that was being delivered to, and I would certainly be interested to know that — and educational awareness, you mentioned that schools were involved and that it was going into existing RSE. We know that RSE is full of problems and gaps between schools. Some schools do not have any form of RSE, let alone the type that would touch on any of the issues that relate to Gillen. Is work being done with the Department of Education to ensure that every school will have the same level of RSE with regard to the recommendations?

Ms Hamilton: Angela, do you want to take that?

Ms Fitzpatrick: Yes, I am happy enough to take it. As I mentioned already about educational awareness, it is a wide-ranging work stream. It covers wider public awareness and, in particular, the focus on RSE and age-appropriate education in schools. As I said, an RSE hub is available through the Council for the Curriculum, Examinations and Assessment (CCEA). Schools have the opportunity to avail themselves of that. You are quite right to say that some schools make more use of it than others. That is part of the issue that we are looking at with regard to having a consistent developmental approach across the piece. Our colleagues in the Department of Education sit with us on the wider work stream. To date, we have had only a couple of meetings. We are working with individual representatives on that group to find out the detail of what is actually in RSE to see whether it meets what Gillen suggested we should cover, and, if not, to identify how best we could address the gaps and also get schools to be more interested, if you like, in availing themselves of the resources that are already there. It really comes from and focuses on a child-protection aspect, in that, if we do not educate children, there is the possibility that we could create victims and also perpetrators through the lack of education and awareness.

Miss Woods: Absolutely. Certainly, I would be interested to hear more about that as it goes on.

With regard to the research — I am just looking at the plan — you say that it:

"has been deferred temporarily to allow us to focus on delivery of the Remote Evidence Centre for Belfast."

Is that work steam still going on this year, or will it go on into next year?

Ms Hamilton: Research, by its very nature, will probably take us through this programme, because there are some baselines that we just do not have. Earlier, I talked about, for example, the number of cases where previous sexual history is used, and there are a number of other important areas of research that are ongoing, but also some, potentially, that we need to start.

We have good relationships with academics in Northern Ireland and beyond. The remote evidence centre is a key priority that sits with Julie's team. We fully intend to pick up the research. That is something that will run for the full extent of this and beyond, to be honest, particularly if new crime types come through as well. We can see the use of technology, for example, in sexual crime. We will also need to think about that.

Miss Woods: Great. OK.

Ms Fitzpatrick: If I may, I will just chip in on the back of that. As Linda said, we have quite a few contacts linked into the education and awareness focus group with academics in Queen's University, who have taken forward a lot of research in relation to consent, for example. Therefore, as Linda said, it is coming on board, as necessary, with the existing works streams. There is an awful lot of it. In order to have the evidence base to make recommendations with regard to education and awareness, it is important that we have the academic research, along with practical data on the programmes that are available currently and how effective they are.

Miss Woods: OK, thank you. Finally, following on from a point that Doug made about legal advice, will legal aid be changed in any way as part of this pilot? Is it subject to means-testing or anything like that? How is that being rolled out?

Ms Hamilton: This is a universal thing. Victims may choose not to avail themselves of it. If we wanted to do it through legal aid, there would be such a long lead-in time that we would not be able to provide the service from the start of the next financial year. Interestingly on that point, we have been liaising

with models of a similar type in different jurisdictions. They started with the legal aid approach and have decided not to go with that and have instead gone with the sort of model that we are looking at. It may well be that, once we have tried this, it will point us towards legal aid in the future. However, there is a lead-in period to that, and we did not really want to wait. We want people to be able to avail themselves of this as soon as possible.

Miss Woods: OK, thank you.

Mr Dunne: Apologies for being late, Chair. I have a quick point that may have already been mentioned. Jury trials have been paused due to COVID but are resuming. Have they resumed? It says here that those are to be kept under review.

Ms Hamilton: Jury trials are starting now. The point here is how they are listed in relation to vulnerable victims. The wider work when we are covering the justice system is really important because we need to make sure that vulnerable victims are not subject to longer delays than plausible. So, where appropriate, it is important for operational partners to think carefully about the first cases that kick off in Northern Ireland post COVID, and ensure that those are chosen carefully and that the considerations of vulnerable victims are factored into the listing of cases.

Mr Dunne: OK. Are the case progression officers new posts, or are people being retrained for those?

Ms Hamilton: I think that those will be covered by existing staff carrying a new function. That will be about making sure that these types of cases are managed, that there is a grip on them and that they are continually pushed forward to try to combat delay and, again, ensure that the victims' need for these things to progress and conclude is taken into account.

Mr Dunne: OK. Case progression is obviously an important role. Do those officers liaise with the victims directly, or do they work through their legal representatives?

Ms Hamilton: They are in place to liaise with the operational partners that are responsible for getting cases to court; that is PPS and the defence. It is all about the court taking a proactive role in pushing those cases forward and ensuring that dates are set for hearings and that there is proactive momentum from the court side in pulling the system along to get cases through.

Mr Dunne: OK. Thanks for the presentation.

Ms Dillon: I have a tiny point about something that Rachel raised around schools and education. We know all the complications. I would like to think that it is not just about schools; it is about youth services as well, as they reach many young people who, maybe, do not engage well at school.

There was a programme rolled out called Talk PANTS, which I think was very good, very simple and really, really effective. I speak as a parent who thought, "That is brilliant. That makes it so easy for me to have that conversation with my child". Something like that, in addition to everything else that you are doing, would be really good. I know that this is not a simple or easy issue, but neither is the Talk PANTS stuff. It is simplified down, and then, as a parent, you can expand on that in whatever way you see fit. Something like that would be really, really good.

For schools that do not engage in the way that they should — I do not know why any school would not engage fully — maybe that is something that needs to be considered. Could it be a programme that goes into schools through youth services or something? Rather than every school deciding what wee bit they take and how they deliver it, that might be a better way to do it. There could be something like that, in addition, for parents who are not satisfied with how their school is dealing with the issue but who want to be very sure that their child knows what a healthy relationship looks like, whether they are a potential perpetrator or a potential victim.

Thanks very much. The presentation and briefing was excellent.

Ms Fitzpatrick: Youth services are represented on the education and awareness group. The NSPCC, which is responsible for the Talk PANTS material, is also on the group, along with a wide range of other people, including Nexus. We can send you the membership of that. To reassure you, we are conscious that there is a target audience between the public and education in schools, namely those who are not in employment or education and that key youth sector. So, we are going to get a

representative from the Youth Forum — a young person themselves — to join the group and maybe also do it through sports groups. So, there is consideration of all of that.

At the minute, we are at the stage of gathering all the evidence to see what is out there in academia and in a practical sense for all ages. It needs to target young people, right up to university level. It is about evaluating how effective that is and potentially designing something new, or perhaps there is already something in existence that we can use. It is also about looking to other jurisdictions to see what they use. There is a range of material in place. It may not be reinventing the wheel; there is probably something already out there. That is the position on that.

Ms Dillon: Thank you very much.

The Chairperson (Mr Givan): OK. Thank you. I thank the team in the Department for this afternoon's oral evidence session. It is much appreciated and one that I am sure we will follow up on in due course. Thank you.