

TERMS OF REFERENCE

Review of arrangements to deliver justice in serious sexual offence cases

The Criminal Justice Board has commissioned a review of the law and procedure in prosecutions of serious sexual offences. The review will be led by a former Lord Justice of Appeal, the Right Honourable Sir John Gillen, and will operate under the following terms of reference.

Terms of Reference

2. The review will investigate the law and procedure covering the prosecution of serious sexual offences¹ in Northern Ireland. In conducting its work, the review will have regard to the practice and procedure for progressing such cases in other jurisdictions.
3. The purpose of the review is to determine whether current arrangements deliver the best outcomes for victims, defendants and justice, and to make recommendations for improvements.
4. The review will consider the ‘victim’s journey’, from the initial complaint through to the point of court disposal. It will take appropriate account of the views of individual victims and victims’ organisations, legal practitioners, and the criminal justice organisations involved in the conduct of such cases.
5. The review will be supported by an advisory panel. It will also seek input from external stakeholder groups and members of the public will be encouraged to contribute on the basis of their personal experiences.

¹ For the purposes of this review serious sexual offences are defined as those offences tried in the Crown Court on indictment.

Scope

6. The scope of the review will include, but is not limited to, the following areas:
- disclosure of evidence
 - support for complainants, victims and witnesses - from the time of the initial complaint through to post-trial support.
 - measures to ensure the anonymity of the complainant
 - the arguments for defendant anonymity
 - pre-recorded cross-examination
 - the impact of social media on the conduct of court hearings
 - provisions for restrictions on reporting
 - restrictions on public attendance at court hearings.

Timing

7. The Review will commence in May 2018 and will report at the end of January 2019.