



Ministry
of Justice

The Right Honourable
Shabana Mahmood MP
Lord Chancellor & Secretary
of State for Justice

Andy Slaughter MP
Chair of the Justice Committee
House of Commons
London
SW1A 0AA

MoJ ref: SUB119435

26 November 2024

Dear Andy,

VICTIMS' COMMISSIONER FOR ENGLAND AND WALES

I am writing to notify you of the plans for a new campaign to seek a substantive Victims Commissioner.

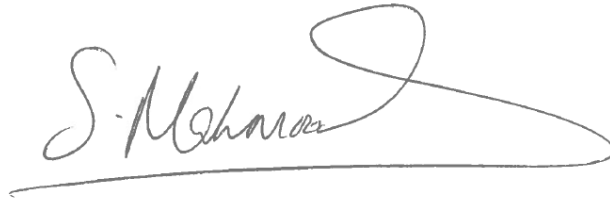
The Victims Commissioner is appointed by me, as the Secretary of State for Justice, under Section 48 of the Domestic Violence, Crime and Victims Act 2004, following consultation with the Home Secretary and the Attorney General. The Victims Commissioner is a public appointment regulated by the Commissioner for Public Appointments. It is not an appointment subject to pre-appointment scrutiny but is an appointment of significant interest and a priority to our government.

On taking up my post as Lord Chancellor, I decided to re-launch the campaign for a Victims Commissioner to reflect our manifesto commitments to strengthen the role. I also agreed to extend Baroness Newlove's appointment as Victims' Commissioner until 31 December 2025, to ensure this important role is covered whilst a new campaign is launched.

The role of the Victims' Commissioner is crucial in ensuring that the interests of victims and witnesses are promoted across the criminal justice system. In addition, they must keep under review the Code of Practice for Victims, which sets out what victims can expect to receive from the criminal justice system. We are determined to improve victims' experience of the criminal justice system in England and Wales. The Victims and Prisoners Act 2024 sets out changes to strengthen the role of the Victims' Commissioner, and work is ongoing to identify what new powers we can introduce to the role, in line with our manifesto commitments, to further increase the Commissioners powers.

The job description and role criteria, taking into consideration the additional powers I am considering, are attached for your consideration together with other relevant details including the proposed panel membership and potential candidates to approach.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Mahmood', with a long horizontal flourish extending to the right.

RT HON SHABANA MAHMOOD MP

LORD CHANCELLOR AND SECRETARY OF STATE FOR JUSTICE

Victims' Commissioner Recruitment

The Role of the Victims' Commissioner

Section 49 of the Domestic Violence, Crime and Victims Act 2004 prescribes that the Victims' Commissioner must:

- promote the interests of victims and witnesses of crime and anti-social behaviour;
- encourage good practice in their treatment; and
- keep under review the operation of the Victims' Code.

The Victims' Commissioner acts as champion for victims and witnesses across England and Wales. They encourage greater understanding of the victim experience and help ensure that their voices are heard as government, criminal justice bodies, wider public services and the victim support sector shape their approach to victims.

Duties and powers

Strategic oversight of the system

The Victims' Commissioner has a range of broad duties and powers that enable them to conduct their functions in an impactful and meaningful way. Where requested to do so by government, the Victims' Commissioner is required to provide advice to Ministers on victims and witnesses. They are responsible for issuing an annual report and can also issue ad-hoc reports throughout the year, which can contain recommendations to certain public authorities and Government. The Victims and Prisoners Act 2024 will newly require the annual report to be laid in parliament, for agencies to respond to relevant recommendations within 56 days, places duties on certain bodies to cooperate with the Victims' Commissioner, and for the Victims' Commissioner to be consulted by the criminal justice inspectorates when developing their inspection programmes and framework.

The Victims' Code

In relation to the Victims' Code and oversight of its operation, the Victims and Prisoners Act 2024 will give the Victims' Commissioner a clear role alongside Ministers, helping hold the system to account when the Code is not being complied with. In addition to their current power to recommend amendments to the Code, the Act requires that the Victims' Commissioner is consulted on: the issuing of a new Code and any revisions to the Code; draft regulations and guidance on Code compliance and awareness; Ministers' annual report on Code compliance; and, any notifications issued by Ministers in response to non-compliance.

Responsibilities

Public Leadership

- The Victims' Commissioner should use their unique position to champion the rights and interests of victims and witnesses. As an independent advocate, the Commissioner has the opportunity to elevate their voices, advocate for systemic change, and ultimately bolster confidence in the justice system.
- In this influential position, the Commissioner will regularly engage with key government figures, including the Secretary of State for Justice and Home Secretary, to provide expert advice on victims' issues.
- Moreover, the Commissioner will play a crucial role in shaping outcomes by giving evidence to parliamentary committees and offering expert insight whenever necessary.

Relationship building and partnership working

- The Victims' Commissioner will play a crucial role in building wide-ranging and strategic partnerships with a diverse array of stakeholders. This includes individuals, such as victims of crime and those who represent them, and organisations including criminal justice agencies, inspectorates, service providers, third sector organisations, and other influential stakeholders including the media. By cultivating these relationships, the Commissioner will ensure a collaborative approach to shining a spotlight on the needs of victims and enhancing the effectiveness of the criminal justice system.

Scrutiny and accountability

- To keep under review how the Victims' Code operates, the Commissioner will provide independent scrutiny on whether it delivers the service victims need as they move through the criminal justice system. The Commissioner will work closely with criminal justice stakeholders, drawing insights from data and access to senior criminal justice stakeholders to assess the Code's effectiveness. They should collaborate closely with the Ministry of Justice as it develops and implements the Victims' Code compliance framework outlined in the Victims and Prisoners Act 2024.
- By identifying areas of good practice and areas needing improvement, working with partners and advocating for necessary changes, they will help drive meaningful improvements in victims' experiences within the justice system, and more broadly in the public and support sector which serves victims.

Knowledge of the criminal justice system, the victims support sector, and the victim experience

- The Victims' Commissioner must possess a deep and comprehensive knowledge of the criminal justice system, enabling them to engage proactively in discussions of how it functions and how it can be improved to better serve victims. This expertise allows the Commissioner to be a key player in shaping policies and practices from the outset.
- The Commissioner should have an extensive understanding of the victim support sector and the range of issues that impact victims, including those who are not engaged with the criminal justice system. This insight should continue to be developed through direct engagement with victims of crime and anti-social behaviour, and the support sector.
- The Commissioner will often encounter challenging and distressing cases and it is therefore essential that they have personal resilience and can handle these situations with the utmost empathy and respect, providing a compassionate and supportive presence for those affected.

Organisational leadership

- The Victims' Commissioner will be responsible for the Office for the Victims' Commissioner, comprised of a team of Civil Servants, leading the team to deliver the Commissioner's strategic priorities for victims and legislative duties.
- This will include overseeing that the Office setup adapts, if required, to support the delivery of any changes to the Commissioner role.

Person Specification

Eligibility

- As the Victims' Commissioner was established to carry out an independent function at arm's length from the Government, we are mindful that appointing someone who is employed by a government department might compromise that independence - or

perception of independence - as well as diminishing the confidence of stakeholders and the general public.

- If you are in receipt of a salary from a government department and wish to apply, you should expect that - if selected for interview - the Advisory Assessment Panel will explore whether any perceived or real conflicts of interest might exist if you were to be appointed and, if so, how this might be managed or mitigated. The latter might include an undertaking to resign from government employment, if appointed, and - if considered appropriate - for there to be an interval between resignation and taking up appointment to the role.
- There must be no employment restrictions, or limit on your permitted stay in the UK.
- We welcome applications from all those who are eligible.

Candidates will be able to demonstrate the following:

Essential Criteria

- Demonstrating visible and robust leadership in the victims' space, with the ability to challenge effectively where required.
- An ability to build relationships, engage with existing criminal justice processes and influence senior stakeholders to help drive system-wide improvements for victims.
- An ability to use evidence-based analysis of a range of sources to draw out strategic issues and constructive recommendations for where change can deliver impact for victims.
- Experience of using the media effectively and appropriately to communicate messages and engage the wider public, helping support greater public confidence in the system.
- Knowledge of the issues concerning victims of crime and the criminal justice system more widely, with the determination to deliver positive change.
- Proven credibility to work with victims, victim support services, and senior figures across government and criminal justice agencies.
- Strong organisational leadership to oversee their office and ensure that they deliver the Victims' Commissioner's statutory functions.

Desirable Criteria

- An understanding of Parliament and legislation.
- An understanding of the experiences of and challenges facing victims of violence against women and girls and of knife crime, as priority areas for this government.

Remuneration and Time Commitment

- Remuneration: £120,000 per annum – the role is non-pensionable
- Time commitment: 37 hours per week
- Tenure: three years

Advisory Assessment Panel

- Director of Victims, Vulnerabilities and Criminal Law (Panel Chair)
- **TBC** but we expect a Home Office representative to be on the panel (Department official);
- An Expert member
- An Independent Panel Member

Indicative timetable

- Advert launch – w/c 16 December 2024
- Close – w/c 20 January 2025
- Sift – February 2025
- Interviews – April 2025
- Meetings with appointable candidates – May 2025
- Appointment – June 2025
- In post – October 2024

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