



Ministry
of Justice

Lord Bellamy KC
Parliamentary Under-Secretary of State for
Justice

Baroness Newlove,
Victims Commissioner for England and Wales
House of Lords,
London,
SW1A

MoJ ref: SUB113574

25th March 2024

Dear Baroness Newlove,

SUPPORT FOR VICTIMS OF RAPE WITH NEURODIVERGENCES AND DISABILITIES

Thank you for attending Committee of the Victims and Prisoners Bill on 24 January. I am writing to follow up on your remarks relating to support for victims of rape with special needs and disabilities.

I want to assure you that under the Victims' Code, many victims of crime with disabilities and special needs will be captured by the eligibility criteria for Enhanced Rights. These are based on the provisions in the Youth Justice and Criminal Evidence Act 1999, which sets out criteria for the court to determine eligibility for special measures. It includes those victims whose evidence may be affected by a mental disorder, significant impairment of intelligence and social functioning or a physical disability. For those victims entitled to Enhanced Rights under the Victims' Code, this may include being offered a referral to a specialist support service, being contacted sooner after key decisions, and having access to special measures.

You asked that I write to you to clarify whether we have a shortage of registered intermediaries and if this perceived shortage was due to pay.

As you will be aware, witnesses who are children, or whose quality of evidence may be diminished by a mental or physical disability or impairment, are eligible for the assistance of a Registered Intermediary (RI). RIs conduct an assessment of the witness and report on their communication needs and the steps necessary to meet those needs, as well as intervening in court, where necessary to ensure the witnesses' understanding and participation. They are provided through the Ministry of Justice Witness Intermediary Scheme (WIS).

In 2022, there were 8,125 requests for a Registered Intermediary, with the WIS matching over 95% of these to a skilled Registered Intermediary. I would like to assure you on your point regarding shortages, that the number of requests and matches was the highest on record for the fourth consecutive year.

Growing demand for intermediary services shows growing awareness of vulnerability in the criminal justice system and means that more vulnerable witnesses are receiving the communication assistance they need. Work is also underway to increase the capacity of the WIS. In 2022, the Ministry of Justice undertook five recruitment campaigns and added 31 new Registered Intermediaries to the WIS register

bringing the total number of available Registered Intermediaries to 212 at the end of the year. This forms part of an ongoing national recruitment and training campaign.

The issue of remuneration is a joint responsibility of the Ministry of Justice, the Crown Prosecution Service and National Police Chiefs' Council. Registered Intermediaries' pay is reviewed annually through the WIS Remuneration Board and is benchmarked against other occupations such as speech and language therapists and teachers. Levels of pay have not prevented the WIS from attracting new RIs and have not been cited as a significant factor by those RIs who choose to leave the scheme. The WIS Remuneration Board recently completed its review of RIs' pay for the 2024/25 financial year applying an increase of 3% and bringing RIs' unsocial hours period in line with police officers.

I hope this letter answers your questions raised during debate and provides some reassurance, and I look forward to continuing to work closely with you in the upcoming Bill stages.

I am depositing a copy of this letter in the House library.

Yours sincerely
Christopher Bellamy

LORD BELLAMY KC