

**Dame Vera Baird KC**  
**Victims' Commissioner for England and Wales**

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The Rt Hon Brandon Lewis CBE MP  
Lord Chancellor and Secretary of State for Justice

23 September 2022

Dear Lord Chancellor and Secretary of State for Justice,

The Victims' Commissioner is the pre-eminent independent voice for victims. The role is to champion the interests of victims at the highest levels, to influence policy, legislation and practice on the ground. It is a unique and unrivalled office that delivers real and lasting change for victims of crime and I am immensely proud of the achievements secured under my tenure.

As you know, my first term as Commissioner was to end this June. In February, your predecessor informed me that he intended to open the post to competition. I was strongly encouraged by him, in public and in private, to apply. This was a perplexing duality: I was not to be reappointed (as my predecessor was), but I was at the same time actively encouraged to apply. Nonetheless, as suggested, I applied in good faith.

At the request of the former Lord Chancellor, I also extended my term by one month. At the time, the long-promised Victims' Bill was finally emerging and in need of much improvement. My office had carried out a dozen victims' roundtables and sent in abundant recommendations to officials but little of that work was reflected in the Bill. It was therefore vitally important to me that the Victims' Commissioner make representations to the Justice Committee and I was happy to extend for this reason.

An important part of my role is access to ministers on behalf of the people I represent and serve. Prior to this year, we have made progress for victims largely through the responsive attitude of previous Secretaries of State. It was notable that the former Lord Chancellor had not met with me once since February. The lack of engagement from the top at a time of great upheaval for victims reflected poorly on the Ministry of Justice's priorities and the government's approach.

Early in July, I was phoned by officials and brusquely informed that there would be no appointment from the recruitment process after all. Subsequently, I sought and received assurances from the Ministry of Justice that I had in fact been an appointable candidate. Nevertheless, the recruitment exercise was still to be aborted and rerun. Months of additional uncertainty were heaped on an already disrupted and destabilised office and my excellent staff. Once more I was urged to apply. Once more I was asked to extend my term - this time until the end of the year. With the Victims' Bill still in draft, I made arrangements as best as I could to stay until at least 30 September and to consider any further extension in due course.

Asking me to re-apply given that two opportunities to re-appoint me have already passed and my office is no longer given much access to ministers seems more a ploy to keep me in place as a nominal post-holder in the short-term than a genuine invitation. Coupled with this, the Victims' Bill remains inadequate and the 'British Bill of Rights' so severely threatens victims' human rights that

it undermines what little progress the Victims' Bill is set to bring. I am told the Bill of Rights is set to return in some form and that its withdrawal was only temporary.

Further, little has been done to effectively tackle the enormous and catastrophic backlog of cases, particularly in the Crown Court where the most serious crimes are tried. This has exposed victims of these crimes to intolerable delay, anguish and uncertainty. It is no exaggeration to say that the criminal justice system is in chaos.

This downgrading of victims' interests in the government's priorities, along with the side-lining of the Victims' Commissioner's office and the curious recruitment process make clear to me that there is nothing to be gained for victims by my staying in post beyond the current extension. As such, my term will end on 30 September.

I want to underline how significant this role is in driving forward much-needed change for victims. As Victims' Commissioner, I have shone a spotlight on the dire state of rape investigations and prosecutions. I secured new privacy safeguards against intrusive and excessive requests for personal mobile phone data in rape investigations. I successfully campaigned for rape victims to pre-record their evidence and cross-examination, sparing them years of anguish awaiting their day in court. I continue to push for increased protections restricting the disclosure of victim therapy notes and third-party victim data. And I have maintained pressure on agencies to increase their shamefully low charging rates. I urge you to reaffirm the government's commitment to the ambitions of the rape review to drive charging rates back to 2016 levels by the end of this Parliament.

I have consistently advocated for the victims' sector at the highest levels, most notably ensuring emergency funds were directed to support services straining under the extraordinary pressures of the pandemic. Furthermore, I have spearheaded important research in much-neglected areas such as fraud, online abuse, and the rights of families bereaved from homicide abroad. This research has instigated much needed change. The Victims' Bill must build on this and afford my successor the authority to make recommendations and compel relevant authorities to respond.

It has been an honour to represent victims' interests during a period of immense and unprecedented challenges, most notably COVID-19. While the pandemic is abating, the criminal justice system has only sunk deeper into crisis. A strong, independent Victims' Commissioner has never been more important. The role must not be allowed to lie dormant like the Independent Anti-Slavery Commissioner.

I am grateful to the former Secretary of State, David Gauke, and Prime Minister, Theresa May MP, for appointing me to this role. I pay tribute to the professionalism and dedication of officials and of the victims' sector who work tirelessly to improve the position of victims. And I pay thanks to those Justice Secretaries and multiple Victims' Ministers who have worked in good faith with me during my tenure.

My contract ends on 30 September. I seek no further renewal and will leave my post on that date.

Yours sincerely,



**Dame Vera Baird KC**  
**Victims' Commissioner for England and Wales**

*As is normal practice for my office, and in the interests of transparency, I will publish this letter on my website.*