



**Northern Ireland
Assembly**

PUBLIC ACCOUNTS COMMITTEE

Master McGivern
Taxing Master
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Cc: Lord Chief Justice
Cc. Minister for Justice
Cc. Chairperson of the Justice Committee

19 September 2016

Dear Master McGivern,

**Public Accounts Committee Evidence Session on the Northern Ireland
Audit Office's Report on Managing Legal Aid**

I refer to correspondence received from Ms Maura Campbell, Principle Private Secretary on 15 August in response to the invitation for you to attend the Committee's meeting of 21 September 2016.

The Committee is deeply disappointed that you declined its invitation to provide oral evidence on the NIAO report on Managing Legal aid. The Committee would like to accept your offer of providing a written brief on specific questions. This will assist with the Committee's consideration of the NIAO report on Managing Legal Aid which are detailed below:

1. Can you please provide the Committee with an explanation of your role as Taxing Master in respect of Criminal and Non-Criminal Legal Aid?
2. How do you decide if the costs claimed for a particular piece of work should be adjusted? Are there guidelines or manuals currently available for Criminal and Non-Criminal Legal Aid setting out the assessment criteria and the Taxing Master's approach to assessing recorded costs? Are these guidelines published and available?
3. How do current processes ensure that adjustments made by the Taxing Master to claimed costs from legal representatives are consistently applied?

4. How do you currently report or reconcile adjustments made to claimed costs to the Legal Services Agency?
5. Please provide the Committee with details of the value and number of cases you have taxed over the last three years and the value and number of cases where you have adjusted costs?
6. Where legal representatives have their claims reduced are there mechanisms for recording this to identify legal representatives who repeatedly submit claims deemed to be unreasonable which require adjustment? Is the potential of fraud considered in respect of all cases which are deemed to be unreasonable and, if so, what is the process for documenting the results of this consideration?
7. Can you provide the Committee with details of any referrals the Taxing Master has made of suspected fraud?

I should be grateful if you could respond by Monday, **3 October 2016**.

If you are responding by email, please use the email address above.

Yours sincerely,



Robin Swann
Chairperson

Public Accounts Committee