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Date: 20<sup>th</sup> December 2012

Dear Mr Crawford,

**RE: Review of the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005**

Thank you for your letter of 14<sup>th</sup> November 2012 regarding the forthcoming statutory review of the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005 and for the opportunity to comment on the current operation of same.

Victim Support NI is of the strongly held opinion that Legal Aid should support a system which meets the needs of Victims and Witnesses and should incentivise individuals who are guilty, to plead guilty at the earliest opportunity. This would make a demonstrable difference to the experiences of victims and witnesses in the Criminal Justice System. There should be no financial incentive or advantage, for unnecessary or vexatious delay. However, we are also of the view that the system must provide protection for those who are not guilty.

We echo the Minister's view that the time is now right for reform of the committal process in order to speed up Crown Court proceedings and to reduce the burden on victims and witnesses. Our organisation considers the current system to be completely unnecessary and at best, adds delay to the

process and at worst, serves as an opportunity for the defence to “test” the witness before the actual trial, causing further harm and distress. We believe that a new process should be established that ensures that case preparation is conducted in a timely manner with some form of statutory sanction for PPS or defence if they fail to meet this. In our view, this needs to be addressed as a matter of urgency.

In the context of Access to Justice, Victim Support NI would welcome the exploration and development of innovative approaches to the use of Legal Aid for the provision of legal assistance, advice and representation to victims and witnesses in Northern Ireland. We look forward to the outcome of the current review and would welcome the opportunity to comment on any proposals that emerge from the process.

Yours sincerely,

Susan Reid

Chief Executive