

*These notes refer to the Justice Act (Northern Ireland)  
2011 (c.24) which received Royal Assent on 4 May 2011*

# Justice Act (Northern Ireland) 2011

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## **EXPLANATORY NOTES**

### **BACKGROUND AND POLICY OBJECTIVES**

3. The need to make various changes to Northern Ireland's justice system came from a range of sources: from a desire within the justice system to do its business better; from a need to reduce costs – particularly in the area of legal aid; and a need to improve access to the justice system. In parallel with these come the desire to deliver better and enhanced services to victims and witnesses alongside the need to improve public safety and build stronger and safer communities.
4. In terms of doing its business better and reducing costs, the Act's provisions tackle delay by providing new and speedier ways of delivering justice. They improve efficiency through the removal of many low level cases from the court system. The provisions also tackle the problem of criminal legal aid expenditure by allowing for the introduction of means testing and ensure that the resources that are available are targeted at the most deserving cases.
5. The Act improves services for victims and witnesses. It creates a victims of crime fund funded through a levy imposed on offenders generating additional resources for the provision of victim support services; special measures for the giving of evidence by vulnerable and intimidated witnesses are expanded; and video link powers are widened to include for example psychiatric hospitals.
6. The Act tackles a number of issues around community safety and public order which have built up over time: problems with behaviour, violence and occasional sectarianism at major sporting events alongside the sharpening up of the enforcement of sex offender law. The Act creates better, simpler and more cost-effective ways of engaging communities and statutory bodies in delivering community safety structures along with administrative rationalisation.
7. Other miscellaneous provisions include extending the rights of audience for solicitor advocates in higher courts; allowing for the deduction of the costs of certain services provided by stockbrokers from funds held in court on behalf of minors and patients; and the power to allocate the proceeds of criminal assets remitted to the Northern Ireland Consolidated Fund.
8. The Act builds on a series of separate policy consultations (see below) and is a key and specific commitment in the Hillsborough Castle Agreement of 5 February 2010.