



2015 CHAPTER 9

PART 9

MISCELLANEOUS

*Avoiding delay in criminal proceedings*

**Case management regulations**

**92.—(1)** The Department may make regulations in relation to the management and conduct of criminal proceedings in the Crown Court or a magistrates' court.

(2) The regulations may impose duties on—

- (a) the court;
- (b) the prosecution; and
- (c) the defence.

(3) The regulations may confer functions on the court in relation to the active case management of criminal cases.

(4) Active case management includes in particular—

- (a) the early identification of the real issues;
- (b) the early identification of the needs of witnesses;
- (c) achieving certainty as to what must be done, by whom, and when, in particular by the early setting of a timetable for the progress of the case;
- (d) monitoring the progress of the case and compliance with directions;
- (e) ensuring that evidence, whether disputed or not, is presented in the shortest and clearest way;

- (f) discouraging delay, dealing with as many aspects of the case as possible on the same occasion, and avoiding unnecessary hearings;
  - (g) encouraging the participants to co-operate in the progression of the case;
  - (h) making use of technology; and
  - (i) giving any direction appropriate to the needs of that case as early as possible.
- (5) The regulations must in particular take account of the need to identify and respect the needs of—
- (a) victims,
  - (b) witnesses, particularly those to whom Article 4(2) of the Criminal Evidence (Northern Ireland) Order 1999 may apply; and
  - (c) persons under the age of 18.
- (6) Before making any regulations under this section the Department must consult—
- (a) the Lord Chief Justice;
  - (b) the Director of Public Prosecutions;
  - (c) the General Council of the Bar of Northern Ireland; and
  - (d) the Law Society of Northern Ireland.