

The Administration of Justice: Criminal Justice Reform in Northern Ireland

The 1998 Belfast Agreement, a marker in the transitional justice process in Northern Ireland, provided for a "... wide-ranging review of criminal justice (other than policing and those aspects of the system relating to the emergency legislation) to be carried out by the British Government through a mechanism with an independent element, in consultation with the political parties and others". The Agreement was put to separate referendums in Northern Ireland and the Republic of Ireland on 21 May 1998. Those referendums endorsed the Agreement and, as a direct result, the Criminal Justice Review Group was established on 27 June 1998 and began its work shortly thereafter. One significant component of the Criminal Justice Review was "the arrangements for the organization and supervision of the prosecution process, and for safeguarding its independence." The review itself took place against the backdrop of a protracted conflict in Northern Ireland where divisions imbedded in civil society were mirrored in the varying perceptions of the administration of justice. Within this contentious political landscape, reform of the criminal justice system was seen as integral to the transitional justice process.

Using the case study of Northern Ireland, this paper will provide an overview of the criminal justice review process that took place in the wake of the Belfast (Good Friday) Agreement. A review of this process informs potential measures and methods of reform to Public Prosecution services and, importantly, highlights the role civil society can play in shaping these reforms.