

Dear All,

I am a prosecutor for the State since 1996.

I would like to make the following points:

1. Judges should be formally trained and I would point to the European civil law countries as an example e.g. Belgium. Frequently prosecutors (in those countries) such as myself, naturally progress through training to become judges and many of my European counterparts who I sit with in the EJCN (European Judicial Cybercrime Network) who started as prosecutors are now judges. Consideration should be given to setting up a formal judges school and exam system.

2. Recently we have legislated for the Victims Directive and indicated that we should make the criminal justice system more victim friendly - but without more courts and more judges the waiting lists for trials grow and delays occur. The delays can lead to loss of witnesses and also cause great worry and distress to the victim. I would increase the number of courts by 50 percent over the next decade with corresponding increase in the number of judges, court staff and prosecutors.

3. Consideration should be given to a Scandinavian type system of trial in complex cases such as cybercrime or financial fraud e.g not a jury trial, but one judge, one technical expert and one to two laypersons judging the trial.

4. The codification committee on legislation should be resurrected and a code produced for those using the legal system - the law reform commission do great work on producing legislation in specific areas but this is not sufficient and a Codebook would make the law more accessible to people.

5. Judicial appointments should be independent and have no reference to politicians when being appointed.

6. Ireland who has been a leader in terms of innovative ideas (such as first country to ban smoking in public places, and a tax on plastic bags) should consider whether it should lobby for the setting up of an international court to deal with cybercrimes - there are courts in place which with a tweak to the relevant legislation could facilitate such hearings. Eurojust is already providing a forum for joint investigation teams within the Member states in this area. Cybercrime knows no borders and neither should the criminal justice system dealing with it.

7. Some minor crimes could be removed from the courts by expansion of restorative justice schemes and a fines system.

I am willing to speak to a member of the committee by email or telephone should you so wish.

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