**Public Consultation**

**Protocol for the Participation of Vulnerable Parties and Witnesses in the High Court of Justice in Northern Ireland and the County Court of Northern Ireland.**

Access to justice by way of fair hearings is crucial to the operation of the justice system. To ensure that everyone has access to justice, courts need to be able to facilitate parties and witnesses who by reason of age, mental or physical disability, intellectual impairment, social functioning, fear or distress, or other reason, could be considered as vulnerable. This vulnerability may affect a party or witness’ ability to fully participate in proceedings, or to give their best evidence without additional support granted by the court.

In Northern Ireland the overriding objective set out in Order 1 rule 1A of the Rules of the Court of Judicature (Northern Ireland) 1980 requires the court, so far as practicable, to ensure the parties are on an equal footing and that the proceedings are dealt with expeditiously and fairly. With this in mind the shadow Civil Justice Council Sub-Committee on Pre-Action Protocols has prepared a Protocol for the Participation of Vulnerable Parties or Witnesses in Civil Litigation. The aim of the Protocol is to assist the court and parties to meet the overriding objective and to encourage, facilitate and support the attendance and full participation of vulnerable parties and witnesses in the civil litigation process. Members of the shadow Civil Justice Council have agreed that the Protocol should issue for public consultation.

Although the shadow Civil Justice Council is not a public authority for the purposes of s. 75 of the Northern Ireland Act, consideration has been given to the equality impacts of this proposal. It is considered that the Protocol would have positive equality impacts for those who could be considered as vulnerable and would benefit from additional support to participate in civil proceedings.

Responses are welcome from anyone with views on the Protocol. If you would like to respond to this consultation, please reply to Catherine Di Maio, the secretariat of the shadow Civil Justice Council by 24th February 2025.

 by e-mail at LCJOReform@courtsni.gov.uk

or in writing to: Reform Branch,

Royal Courts of Justice,

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Belfast,

BT1 3JF.

If you need any help in responding or would like this letter and draft Protocol in another language or format, please let me know.

While we cannot guarantee confidentiality for any response you may give, we will be happy to consider any reasons you have for wishing to seek confidentiality for all or part of your response.

A summary of responses may be published.