

1. The establishment of the ICCBA is a welcome development and a sign of the growing maturity of the ICC. I would work closely with the ICCBA to develop a flourishing Bar and to promote the effectiveness and efficiency of the court. If successful I would establish regular business meetings with the ICCBA. The views raised in this questionnaire would provide a useful starting agenda.

2. As is abundantly clear from Richard Rogers' report and the earlier report on The Assessment of the Functioning of the International Criminal Court Legal Aid System the present LAS can no longer be regarded as a credible, modern and efficient means of providing legal aid.

It is clear there needs to be a new LAS system with rates of remuneration that fairly reward Counsel and deliver value for money. I have a great deal of experience of formulating fee schemes with the Independent Bar in England and Wales. Even in the most trying of circumstances the negotiations with the Bar were characterised by candour, transparency and trust on both sides and that is exactly the relationship I would want to establish with ICCBA with regard to a new LAS.

3. As a general point I believe that the Registry should provide a comprehensive, publicly accessible set of documents which sets out how it will fulfil its functions including protecting the rights and interests of all those who fall within the jurisdiction of the ICC. I also believe that as a general principal all the Registry's policies and protocols should be subject to consultation.

Therefore to answer your questions:

A. There should be a protocol because there is a responsibility to protect persons at risk through their interaction with the defence or victims teams.

B. As with all protocols and policies there should be consultation including with the ICCBA.

4. There is a clear role for the ICCBA in any general outreach programmes that promotes the jurisdiction of the ICC, particularly with National Bar Associations.

I understand from the reports on LAS that there may be an issue with some victim's representatives receiving funding to visit victims in situation countries. However I think this is a matter best dealt with by the Registrar providing guidance to staff on how to approach this discretionary funding.

I find it difficult to envisage a situation where it would be appropriate for representatives of the defence to participate in an outreach programme focussed on potential victims and witnesses in situation countries.

5. I think there are many advantages to Counsel and to the Registry if there is a single authoritative organisation that can speak for the Bar. For this reason I would

support mandatory membership however as I have explained in answer to question 3 above, I would engage in a consultation exercise before reaching a final decision.

6. As my answers to this questionnaire have I hope made clear, my vision is that the ICCBA and the Registrar will work closely together to build a strong and flourishing Bar and promote the efficiency and effectiveness of the Registry. To that end I would want to have regular access to the senior leadership and secretariat of the ICCBA and that is going to be most easily done if the ICCBA has a base at the court. You would not however expect me to make a firm commitment now without having a better understanding of what, if any space is available at the court.