

## Cross-Border Legal Aid Project

It is clear that Criminal Defence Lawyers in Europe need the following:

- (i) the ability to find a lawyer in another member state whom they can trust, who is suitably experienced, and with whom they can work;
- (ii) a better system of networking and access to information, since whilst a reliance on personal contacts is better than using Lists or Directories of Lawyers, change is required;
- (iii) swift and easy access to the relevant procedural law of the other state or states involved in the case, since the top priority is the immediate protection of the Rights of the accused;
- (iv) proper funding for the Defence, since without it there will be no or no adequate defence at all. Best practice dictates that there should be two defence lawyers for the defendant, one in the prosecuting state, and one in the state from which the defendant is sought;
- (v) improved and swift access to the Case File, or proper Disclosure of all material upon which the Prosecution Case is based, or other documents available to the Prosecution which undermine the prosecution case, or which assist the Defence Case;
- (vi) a form of training and education that does not involve too much loss of time away from work, or too much cost.

On the 7th October 2009 representatives of the ECBA and the CCBE will be joining with members of the EU Bars to discuss the above needs, and to agree on a Pilot Project which will help to find a remedy for these problems.

We welcome suggestions from you all as to how this could be achieved, and what you think would be a useful Pilot Project for us to be setting up. A simple email to Jonathan Mitchell at [mitchbrief@hotmail.com](mailto:mitchbrief@hotmail.com), or a short letter to me at : 25 Bedford Row, London WC1R 4HD, United Kingdom, would be gratefully received.

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Advisory Board of the ECBA