



## **Web Summary of the CJC meeting held on 29th January 2015**

### **CJC budget 2014/15**

The Council had been expecting to devote most of its funds in 2014/15 to research and other costs arising from the Costs Committee's work on Guideline Hourly Rates. In the event that call had not been made and the Council had under spent and would be handing back around half of its budget. Funding was being provided for some small-scale research to be commissioned in discussions with the London School of Economics and its network of doctoral students.

### **Triennial review – Stage 2**

A draft CJC diversity plan was considered and members suggested a number of amendments e.g. broadening it so that there was more focus on examining the needs of a range of civil justice users. The modified diversity plan would be applied to the next round of CJC member recruitment.

Work on the Council's Annual Report and improvements to the website were ongoing.

### **Online dispute resolution (ODR)**

Richard Susskind had presented the draft report to the Executive Committee and the CJC warmly welcomed the report and the work done by the Advisory Group. The chairman felt the project was very exciting and said it was supported by the senior judiciary. Members welcomed the report's potential for increasing access to justice and reducing litigation costs and delays.

While the next phase fell largely to HMCTS, it was agreed that Richard Susskind should be asked to carry on the work of his advisory group to make their expertise and advice available for the purposes of the next stage of the project, and to report back to the Council.

### **ADR**

The meeting warmly welcomed Bill Wood's suggestion that he should produce a short descriptive report on the ADR landscape and the way in which the various initiatives he had described interrelated, for the purposes of discussion at the July 2015 meeting.

### **Exceptional funding**

The CJC had been intending to have a detailed look at this scheme, but the item had been deferred in the light of court proceedings. There was still uncertainty on timing for this item as the Supreme Court had received a number of appeal applications.

## **Costs Committee**

There had been no progress since the last meeting – the Master of the Rolls was awaiting a letter from the Law Society in which it had undertaken to lay out its thoughts on the possible future approach to updating

## **Working Group updates**

### ***a) Litigants in Person***

This was the first meeting since the November 2014 National Forum, and that that had been a successful and worthwhile event which it was hoped to repeat in 2015. The meeting received an update on various initiatives being undertaken under this heading – guidance by professional bodies, and judiciary-led work on McKenzie Friends and judicial training.

### ***b) 'Impact of Jackson'***

The next meeting of this working group had now been arranged for 23rd February and the aim was to produce a first draft report by the Easter break.

### ***c) Damages-Based Agreements (DBAs)***

Progress was well underway on reviewing the regulations in the areas highlighted by the Ministry of Justice. The group will then move, as part of the CJC's general overview of the civil justice system, to phase 2 of its work, which is to consider DBAs as a whole.

## **Consultation responses**

The Council considered a draft response on the latest court fee proposals, in relation to possession claims and general applications. It was agreed there had been no pause to reflect on the last set of increases. Other concerns were on the disproportionate effect on the working poor of these proposals, and small businesses. It was agreed the impact of fees would be a strong contender for a future CJC research exercise.

The Council remained very concerned that fee proposals were working on an assumption that the large increases would have no impact on business levels.

## **Recruitment update**

Members were pleased to hear of three re-appointments of serving members. The recruitment process for three new members would start in February.

## **Update from MoJ**

The Council received an update on the latest Government-led civil justice developments. These included Judicial Review reforms completing their Parliamentary process, and a Government task force on insurance fraud had been established and was being led by David Hertzell.

## **Date of next meeting**

The next meeting was on 30 April 2015, 10.30am.