



SYNOPSIS of meeting held on 21 July 2017

Clare Galloway, HMCTS and Service Manager for the **Civil Money Claims Project**, gave a presentation providing an overview on the new system which would go live on the gov.uk website on the 31st July 2017. However, a paper process will remain in place. The Council asked a number of questions on operation and access, and were grateful for the update.

The Council received updates from its **working groups**, summarised below:

- The Alternative Dispute Resolution group had completed its report which would be published online with an invitation to submit views on the proposals and conclusions. The written submissions would be published ahead of a CJC organised seminar to discuss the issue further and possible reforms. The Chairman and members thanked Bill Wood and the group for a very comprehensive and impressive piece of work.
- The Noise Induced Hearing Loss group had completed its two-stage report; improving the claims process and developing a fixed costs regime. The Council welcomed and endorsed it. The Chairman and members thanked Andrew Parker and his group for reaching agreement in a complex and challenging process. It was noted that the report had to be finalised amongst the group's membership, but once complete it would fall to the Ministry of Justice to consider next steps, alongside the Jackson LJ's Fixed Recoverable Costs Review.
- The Civil Litigation Review group last met on the 28th June with the next meeting due on the 11th September. The group were on course to report to the Council in October on a review of Before The Event (BTE) insurance.
- The Litigants in Person (LiPs) group notified the Council of the new Public Legal Education (PLE) panel headed by the Solicitor General. The Grenfell Tower incident showed the need for fast legal advice being made available in crisis situations like these, encouraging collaboration between the CAB and councils. The CJC National Forum will go ahead on the 8th December and has been increased in size.
- The Boundary Disputes group are awaiting an update from the Royal Institution of Chartered Surveyors on their system of ADR.
- The Property Disputes group last met in May and would produce a report for the Council for the October meeting. The deployment project pilot had been successfully running for 17 months.

The Council was provided with **updates on Civil Justice matters**:

The Civil Money Claims project was still early in its development within the HMCTS Reform Programme. Enforcements and possession modernisation would come later, with

enforcements prioritised of these two. There would be increased Wi-Fi throughout the courts.

The Civil Courts Structure Review proposed increase in out-of-hours mediation in the County Court jurisdiction had been delayed by the election and purdah period.

The Fixed Recoverable Costs review is due to be published on the 31st July. It was expected that the Government would then be consulting before implementing any reforms.

The representative from the **Ministry of Justice** provided an update on current issues. There had been initial discussions with stakeholders on the post-implementation review of the Part 2 of the LASPO on Act (civil litigation costs). The Government would also consider the Fixed Recoverable Costs and the NIHL reports once published. There would be consultation before any changes were implemented.

The recent increase in Holiday sickness claims was now on the Government's agenda. The Civil Procedure Rule Committee would look at revising the Pre-Action Protocol to extend fixed recoverable costs to these cases. Separately, the MoJ invited the CJC to set up a working group to look at (i) the handling of holiday sickness claims and (ii) low value personal injury claims more widely and the incentives that had led to increases of claims in particular areas. Andrew Parker and Nicola Crichtley were interested in being involved in that work and other members were invited to express an interest.

The Council were updated on **recent developments in civil justice issues** including changes to the collective actions regime, Damages Based Agreements and proposed changes to the Association of Litigation Funders' Code of Conduct. The Council would look at the latter in greater depth in October.

The Council considered the following **consultations** to which it will be providing a response:

- Enforcement of Suspended Orders
- Law Commission consultation on Wills

The Council were updated on **recruitment** matters with two long standing members being recommended for reappointment. Recruitment for a Welsh member had also been approved by the Chancellor and the additional solicitor and business member appointments were awaiting a Ministerial decision on appointments.

The next meeting will be held on Friday 20th October 2017