



27 April 2017

The Council approved its **budget and business plan for 2016/17**. Funding of events received the largest allocation, including travel for attendees who would otherwise be unable to attend. This would include the expansion of the national forum on access to justice and ability to hold events required in the coming year – possible items being to assist with the implementation stages for the Civil Courts Structure and Fixed Recoverable Costs Reviews. The next largest portion of the budget is allocated to research, enabling the Council to commission a study in assisted digital services and continue its collaborations with academic institutions.

The Council was provided with **updates on civil justice matters**:

The Prison and Courts Reform Bill did not complete all Parliamentary stages before dissolution of Parliament and its future will be considered after the General Election.

Progress is being made with the HMCTS Reform Programme, with work on designing the Online Court advancing and a group has been established to discuss the procedural aspects. There will be a presentation from HMCTS at the Council's July meeting.

The senior judiciary has approved the proposal to establish Business and Property Courts of England and Wales which will combine all the jurisdictions housed in the Rolls Building and will have centres in the major court centres.

Lord Justice Briggs is working with HMCTS and MoJ on the implementation of the Civil Courts Structure Review. A consultation looking at the value of civil work that can be undertaken outside of London is planned for after the election and pilots looking at out of hours mediation services will begin shortly in three court centres.

The Fixed Recoverable Costs Review is on course for publication by the end of July.

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

- Fixed Costs in Clinical Negligence cases
- Legal aid eligibility and universal credit
- Setting the Discount Rate

The representative from the **Ministry of Justice** provided an update on current issues, and arising from this it was agreed the Council could usefully look at the rapid growth in holiday illness claims following concerns expressed by the travel industry.

The Council received reports from its **working groups**:

- The Noise Induced Hearing Loss group is due to submit its report to the Council's meeting in July.
- The Alternative Dispute Resolution group is taking evidence from academics and drawing up proposals for its report, due later this year.
- The Litigants in Person (LiPs) group will hold a national forum on access to justice on 8 December 2017 which will include a demonstration of the new LiPs network. The group is looking at LiP funding and the increasing importance and profile of public legal education.

- The Boundary Disputes group will meet shortly with an expert on mediation in boundary disputes at the Royal Institute of Chartered Surveyors.
- The Property Disputes group will commence work on the second stage of its work programme imminently.
- The Civil Litigation Review group is looking at Before The Event insurance cover, and is receiving expert input into the issues being addressed, with additional interviews with representatives from international bodies and small businesses. The group is on schedule to deliver its final report in October.

The Council were updated on recent developments in civil justice issues both internationally and nationally, including third party funding, Hot-tubbing and the collective actions regime in the Competition Appeal Tribunal.

The Council discussed a report about the ways in which it could engage with the post-implementation review of **the Legal Aid, Sentencing and Offenders Act**. Work on this will resume after the general elections.

The next Civil Justice Council meeting will be held on Friday 21 July 2017.