



Synopsis of Civil Justice Council meeting held on 26 January 2018

The Council was addressed by **Judge Siobhan McGrath, Property Chamber President** with an update on the Pilot Deployment Project. She also set out the joint proposal between the Ministry of Justice and Ministry for Housing, Communities and Local Government. It was agreed that she would amalgamate previous reports, set out the genesis of the project, and gather evaluative user analysis before the project was taken further.

Ahead of the meeting, an update was received by the **HMCTS Reform team** highlighting recent successes on the civil money claims online project. The Chairman expressed the need for further information and testing before the pilots went live in the future.

The Council discussed a paper on **Anti-Social Behaviour Injunctions** prepared by HHJ Barry Cotter and the issues the civil judiciary had faced since their implementation. It was agreed that the Judge would host a meeting in Bristol involving interested parties to discuss the issues and decide if changes could be made.

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

- ADR – a workshop date had been set for the 6th March at the Wellington Grange Hotel, chaired by Bill Wood QC and Tony Allen. Written submissions would be published on the website ahead of the event. A final report would be drafted following the event.
- The Litigants in Person National Forum event on the 8th Dec 2017 was attended by a number of Council members and received excellent feedback. A researcher had been identified for a report considering data gathered on those requiring assisted digital services. This would be completed by the end of April 2018.
- The Boundary Disputes working group planned to meet again with the Royal Institute of Chartered Surveyors in February 2018 and report back to the Council with final recommendations at the April meeting.
- The terms of reference for the Clinical Negligence Fixed Recoverable Costs working group had been agreed by ministers. Further consideration was needed for its membership. Professor Rachael Mulheron had agreed to undertake a scoping report to assist the working group.

- The first Holiday Sickness working group meeting was held in January 2018 and had already made significant headway with discussions and the drafting of a Pre-Action Protocol in coordination with the Civil Procedure Rule Committee. A report would be prepared by the end of February 2018 to assist them with their drafting.

The representative from the **Ministry of Justice** provided an update on current issues including the new ministerial team. A seminar, as part of the review of Part 2 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 had been arranged for the 18th May 2018 which would provide an opportunity for input from interested parties. The agenda for that workshop would be produced soon. The department was also further considering Lord Justice Jackson's report on Fixed Recoverable costs.

The Council was updated on **developments in civil justice** of note including amendments to the Association of Litigation Funder's Code of Practice, the Merricks decision and hot-tubbing.

The draft **Business Plan and Budget** were discussed and it was agreed that further work was required by the secretariat on finalising objectives and prioritisation of current and future work. It was agreed that the Council had a full work programme in terms of projects, but there was always scope for other members to raise new topics.

The Council discussed the draft response to the Consultation paper on **Default County Court Judgments**. This would be submitted following some additions and amendments. The Council would also respond to the additional consultations on **HMCTS Estate reform** which was comprised of 6 documents – a general paper on how national decisions are made, and separate papers on individual court closures.

The date of the next meeting is Friday 27th April 2018 at 10.30am.