



**Synopsis of Civil Justice Council Meeting
Friday 26th July 2019**

The Council received updates from its Working Groups;

Vulnerable Witnesses/IICSA (SA)

The draft consultation paper timetable was discussed with council members. The CJC's intention is to publish the consultation late summer and to seek a wide range of responses.

The CJC proposes 26th September as a deadline for the consultation, in order to give time to collate responses and prepare final responses before next CJC meeting in October. The CJC are looking to publish and launch the consultation in the beginning of August subject to Council's comments on the draft that they now have.

Council agreed to go ahead with the publication of the consultation subject to the points discussed at the meeting.

ASBIs

The report which is still ongoing, is challenging to complete due to the lack of data in this area. The contrast between the previous data which was collected whilst ASBOs were operating, compared to ASBIs was significant. The CJC ASBIs working group is presently working with the Home Office, HMCTS, Ministry of Housing and local government. There are meetings planned with the National Health and a mental health trust.

It is hoped that there will be a further drafting of the report in autumn, it is hoped to bring a substantive update on this to the next October CJC meeting of 25th October 2019.

Access to Justice and LASPO Part 1

The Working group has had a number of new members join which will offer a greater forward path on the action plan. The recent meeting was very valuable and was well received by the MOJ.

Regarding evaluation and collection of data, the system has not been diligent in collecting data which is frustrating as the group could really have made better and informed decisions with good use of data. There is a MOJ workshop arranged for next week that HMCTS and other bodies will be attending.

The Chair of the CJC Access to Justice Working Group informed the council that some of the following topics would be covered at the forthcoming Access to Justice National Forum in December;

- MOJ's report on progress on LASPO post-implementation plan.
- HMCTS – assisted digital, advice not just on the technology but with intervention for early advice.
- New location for the new Pro Bono National Centre will mark a step change which Martin Barnes is involved with.
- Important strides in using Skype to provide advice in advice deserts.

There will also be a significant representation from MOJ and HMCTS.

Clinical Negligence

The CJC Clinical Negligence Working Party noted that in contrast to other groups, their working group had a wealth of data.

The working group had managed to make some progress on the levels of fees - both parties are closer to coming to an agreement, but there was no agreement. Both defendant and claimant groups have provided a statement on their final position.

The CJC all agreed on the report being published, subject to paragraph 6 being re-circulated it would include the details of the working in an appendix, it would also be clearer that it did not include wider health issues. Once agreed and finalised the report will be published through the Judicial Office Press Office.

Low Value PI Claims

Work has continued, but now follows the work of the CRPC subcommittee looking at the road traffic accident portal (whiplash claims). The development of the portal has been moved along a lot recently, The Working Group will consider whether these developments should be included in the final report.

ADR

It had taken longer than planned in setting up the committee which is a sub-committee of the judges' council, but they now have the terms of reference. Its first meeting will be held in October 2019.

The Council received other updates;

MOJ

The MOJ updated the Council on the following topics: new Prime Minister/Ministers, Whiplash/Smalls Claims Limit, Fixed Recoverable Costs, Enforcement Agents, Housing & Housing Court, Domestic Abuse Bill and Personal Injury Discount Rate.

CJC Business Plan 2019/2020

There are some changes still to be made. The CJC Secretariat and a number of CJC members will meet over the summer to capture some of the detail to go into the business plan.

Recruitment

The Secretariat will meet with the MOJ Public Appointments Team next week to discuss appointments and re-appointments of members.

Date of next meeting – Friday 25th October 2019