



**Synopsis of Civil Justice Council Meeting
Friday 12th April 2019**

Video Hearing Pilots

The Council agreed it would be a good idea to invite someone to speak about the video hearing pilot on setting aside judgments which are presently being tested at two court centres, at the next meeting in July 2019.

The Council received updates from its Working Groups;

Vulnerable Witnesses

The Working Group submitted a draft to the Council. An initial list of bodies/individuals who should be consulted on the report was drawn up. Amendments suggested by the Council will be added in and the final report will be presented at the next meeting.

ASBIs (Anti-Social Behaviour Injunctions)

The Working Group reported that the intended paper on ASBIs has been delayed due to illness of the main contributor.

LIPs (Litigants in Person)

The Working Group announced its aim to run, with the CJC, more LIP Workshops in court centres around the country especially as the council now has more expertise in this area of work. The Working Group feels that some LIP organisations are struggling to engage with the digitalising some court processes and that further help from HMCTS (Her Majesty's Courts and Tribunals Service) is needed, especially given some local council cuts reducing access to public computers. A meeting was held with HMCTS to highlight these issues.

Clinical Negligence

The Working Group conceded the recent mediation had failed to bridge a substantial gap between claimants and defendants on costs. It has been agreed by all parties to extend the completion date by a further short period in attempting to reach an agreement with the emphasis on trying to agree figures for legal costs including counsel's fees. MoJ (Ministry of Justice) said how grateful it is for all the hard work that has been completed and how it is better that all parties agree if possible or the Government will have to step in. MoJ acknowledge that ministers were concerned by the length of time being taken and would want to consider the outcome in early July so that they could consider the way

forward before the summer recess. It was agreed that the parties would continue to work together to reach agreement by the end of May, and that the Working Party would prepare a report by the end of June.

Boundary disputes

The Working Group conceded there had been little progress since the previous meeting. MoJ would again raise this with colleagues.

Low Value PI (Personal Injury) Claims

The Working Group was pleased to report that since the last meeting the it had met with representatives from the MoJ and the Insurance Fraud Task Force Team. The group is continuing to work on the report and is hopeful the report will be completed by 31st May 2019, so that any changes/recommendations can be implemented.

LASPO Post Implementation Review Part One (Civil Legal Aid Reforms)

The Working Group's submission to the review was published following some additional comments and clarification. It was suggested that the Legal Aid Agency and Official Solicitor be invited to future MoJ/CJC meetings. In a recent meeting between CJC members and MoJ's Access to Justice policy makers it was remarked on changes in legal aid has increased vulnerability in certain sections of society regarding housing, immigration and asylum.

The Council received other updates;

MoJ

The MoJ consultation on fixed recoverable costs had been published on 28 March and would run until 6 June: the MoJ were willing to meet stakeholders to discuss.

Judicial ADR (Alternative Dispute Resolution) Liaison Committee

The ADR report was published on the 4th December 2018. A Chair of the Judicial ADR Liaison Committee has been appointed. The committee is presently being set up, as a sub-committee of the Judges' Council and will report back to the CJC at July's meeting.

CJC Draft business plan 2019/20

It was agreed that the plan should give a clear picture of the work is currently being or due to be undertaken with no overlaps or duplicity of work. Members suggested additions/amendments. The Business Plan will be discussed again the next meeting.

Recruitment

The Civil Justice Council are in the process of advertising for a new barrister member, employees' interest member and another field of Civil Justice member. The CJC

Secretariat will report back to how the appointments and re-appointment of members go at the next CJC meeting in July. The CJC Secretariat are working on a new induction pack which will be available in the near future for all new council members.

Date of next meeting – Friday 26th July 2019