



**ANNUAL REPORT  
2021**

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## FOREWORD

It is now over a year since I was appointed Master of the Rolls and Chairman of the Civil Justice Council.

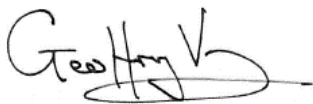
The COVID-19 pandemic had a substantial impact during the period covered by this report. The work of the Council and all its working groups during this challenging time should be commended.

The Council has continued to meet regularly, to respond to consultations, and to produce a number of highly significant reports. One such example was the work on Guideline Hourly Rates (GHRs) led by Mr Justice Stephen Stewart. I accepted the report's recommended changes which led to the first change in GHRs since 2010.

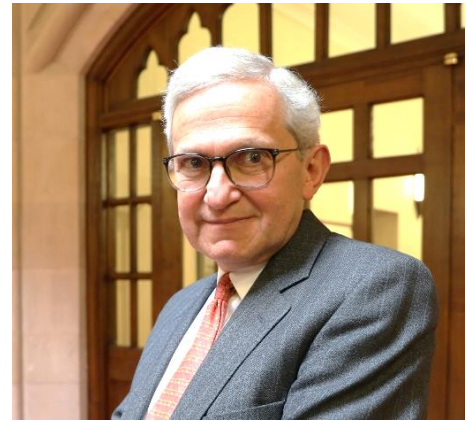
The Council's unique role in bringing together a wide range of individuals was once again showcased at the annual *National Forum on Access to Justice for Those Without Means* which celebrated its tenth anniversary in December 2021. It was a particularly special to be able to meet in person after so many challenging months of remote events. I was also delighted that we were able to offer an online option for those who were unable to join in person.

I am hugely grateful for the dedication of the Council and its working group members who selflessly give their time to the Council's projects.

It is an exciting time for the Council. I look forward to the coming year which brings work on Small Claims, Pre-Action Protocols and Portals, Costs, and the Future. With new members joining, it is a chance for the Council to reflect and refresh, enabling it to continue its vital role in the civil justice system.



Sir Geoffrey Vos  
Master of the Rolls and Head of Civil Justice  
Chairman of the Civil Justice Council



## OVERVIEW OF 2021

The Civil Justice Council (CJC) is a statutory body whose role is to advise and make recommendations to improve the civil justice system. Its primary role is to use its power of convening to make informed recommendations for others to take forward. The purpose of this report is to provide an overview of the Council's working groups, activities, membership, and finance during the period from January to December 2021.

As always, the work of the Council must be viewed in context. This period has continued to be dominated largely by the COVID-19 pandemic. The Council has met quarterly, with working groups meeting more frequently. The Council has continued to adapt its ways of working, with a mixture of remote, in person, and hybrid meetings resulting in good attendance and meaningful participation.

Technology and modernisation of the courts remains a central theme. As the delivery of the Reform Programme enters its final stage, greater use of technology and consideration of what the justice system will look like in the future will shape future work of the CJC. Part of the future vision for the courts includes considering how [alternative] dispute resolution can be weaved into the system, how pre-action protocols are working, and whether improvements can be made in the resolution of small claims. These considerations have been the focus of dedicated CJC working groups over this period. A CJC 'Futures' Working Group has been created; its remit includes proposing a road-map for what the justice system may look like through the 2020s. Timely and accurate data continues to be a priority for the Council.

The Council's statutory functions include considering how to make the civil justice system more accessible, fair, and efficient.<sup>1</sup> The experience of vulnerable users continues to be a key consideration for the Council which runs through all of its work. In 2020, the CJC's report on vulnerable witnesses recommended MOJ and HMCTS review the availability of intermediaries. The Council was pleased to see MOJ recently announce new contracts for the appointed intermediary service to support vulnerable court and tribunal users.<sup>2</sup> The CJC's Access to Justice Standing Committee plays an instrumental role in ensuring that this remains central to the work of the Council. In December, the Council held its tenth annual National Forum on *Access to Justice for those Without Means*.

The CJC by its very nature is not a delivery body, which can make it difficult to measure the success of its work.<sup>3</sup> The Council continues to use its influence to champion issues and convene the right organisations and individuals to build relationships and effect change. In an effort to understand and evaluate the effect of completed work, the Council has taken a number of important steps, including using its 'recommendations tracker' to track the progress of recommendations made by the Council. Following discussions at the January 2021 Council meeting, an official from Her Majesty's Courts and Tribunals Services (HMCTS) has been sought to attend Council meetings. The Council has continued to employ its *Work Prioritisation Criteria*<sup>4</sup> to assess the relevance and suitability of the Council to progress proposed or ongoing work.

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<sup>1</sup>Civil Procedure Act 1997 6(3).

<sup>2</sup>[https://www.gov.uk/government/news/new-contracts-awarded-to-support-vulnerable-court-and-tribunal-users?utm\\_medium=email&utm\\_source=](https://www.gov.uk/government/news/new-contracts-awarded-to-support-vulnerable-court-and-tribunal-users?utm_medium=email&utm_source=)

<sup>3</sup>For more detail on the work of the Council, please see the business plan included at Appendix D.

<sup>4</sup>At Appendix A.

Membership<sup>5</sup> of the Council has remained steady. A recruitment campaign was launched in 2021 for five non-judicial members with the following expertise: a barrister; analysis, information architecture and econometrics; digital technologies, information technology; small and medium-sized enterprises and other areas of expertise relevant to civil justice. Interviews were held in December 2021, with new members to be announced in early 2022. A further recruitment campaign is planned in 2022.

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<sup>5</sup>For more detail on the membership of the Council, please see the membership list included at Appendix B.

## COMMITTEES, WORKING GROUPS AND EVENTS

### [Alternative] Dispute Resolution ([A]DR)

Lady Justice Asplin took over from Lady Justice Elisabeth Laing as Chair of the Judicial/ADR Liaison Committee<sup>6</sup> in March 2021. The Committee has been focused on the following work strands: education and awareness, rule changes and extra-judicial.

The Committee were asked by the CJC to report on the issues in relation to compulsory [A]DR. The report, authored by a sub-group of the Committee,<sup>7</sup> addressed two questions:

- Can the parties to a civil dispute be compelled to participate in an [A]DR process?
- If the answer is yes, how, in what circumstances, in what kind of case and at what stage should such a requirement be imposed?

The report was published in June 2021.<sup>8</sup> It concluded that mandatory [A]DR is compatible with Article 6 of the European Human Rights convention and is, therefore, lawful.

Members of the education and awareness sub-committee launched an undergraduate essay writing competition on 'The Impact of Covid-19 on the Development of ADR in the UK' which will close on 31 March 2022.<sup>9</sup>

Impact:

The Committee provides a forum for the collective sharing of best practice to enhance the role that [A]DR can play in supporting the swift and fair resolution of cases that would otherwise end up in the court system.

A new dispute resolution directorate has been created within Ministry of Justice (MOJ) demonstrating a commitment from Government to exploring [A]DR further. The Deputy Directors for this directorate have participated in meetings of the Committee.

The Committee responded to a Call for Evidence on Dispute Resolution in England and Wales launched by MOJ.<sup>10</sup> MOJ published their response in March 2022.<sup>11</sup>

### Access to Justice

The Committee have held a range of meetings over the year with different stakeholders in the access to justice arena, including: MOJ, the Legal Aid Agency, the Legal Services Board, and others.

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<sup>6</sup> The Judicial ADR/Liaison Committee was created following a recommendation in a 2018 report on alternative dispute resolution by the CJC. The Committee is not a CJC working group; it reports to the [Judges' Council](#).

<sup>7</sup> The members of the sub-group were as follows: Lady Justice Asplin DBE, William Wood QC, Professor Andrew Higgins, Mr Justice Trower.

<sup>8</sup> <https://www.judiciary.uk/wp-content/uploads/2021/07/Civil-Justice-Council-Compulsory-ADR-report.pdf>

<sup>9</sup> <https://www.disputeresolutionombudsman.org/page/undergraduate-adr-essay-writing-competition>

<sup>10</sup> [https://consult.justice.gov.uk/digital-communications/dispute-resolution-england-wales-call-for-evidence/supporting\\_documents/disputeresolutioncfe.pdf](https://consult.justice.gov.uk/digital-communications/dispute-resolution-england-wales-call-for-evidence/supporting_documents/disputeresolutioncfe.pdf)

<sup>11</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1063691/dispute-resolution-in-england-and-wales-summary-of-responses.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1063691/dispute-resolution-in-england-and-wales-summary-of-responses.pdf)

Members of the Committee were active in drafting the CJC's response to MOJ's consultation on Judicial Review reform.<sup>12</sup>

The Committee is responsible for convening and hosting the CJC's annual event, the *National Forum on Access to Justice for Those Without Means*.

## **National Forum**

The CJC's 10th *National Forum on Access to Justice for Those Without Means* was held on Friday 10 December 2021. The event was held in person and livestreamed through YouTube. Recordings of the event have been published online.<sup>13</sup>

The event was attended by over 300 delegates, including members of the CJC, judiciary, legal professionals, civil servants, academics, charities, other organisations, and members of the public.

The aims of the meeting were to:

1. to look forward, collectively, critically, and purposefully, to identify access to justice needs, opportunities and solutions for the next decade for those without means,
2. to build links between delegates and across the sector, engaging individuals by facilitating collaboration, discussion, and challenge, updating each other on new learning and ideas,
3. to inform delegates of some of the work of the CJC over the last year and embed recommendations,
4. to reflect on the last decade including ten years of the CJC National Forum.

Impact:

The National Forum provides a unique opportunity to come together as a sector for a discussion and exchange of information combining the expertise and experience of the voluntary agencies, the pro bono agencies, court users, the judiciary, business, the Government, the professions, court staff, the funding community, academic institutions, other charities, and the general public. For those able to attend in person, the event offered a key chance to network and (re-)establish relationships.

## **Futures**

In September 2021, the Master of the Rolls asked Professor Richard Susskind to chair a 'Futures' working group.<sup>14</sup> The objective of this group is to take and encourage a long-term view of the impact of technology on the administration of justice.

The group has held preliminary meetings and three workstreams have been identified for consideration in 2022: horizon scanning, ongoing review and setting direction.

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<sup>12</sup><https://www.gov.uk/government/consultations/judicial-review-reform>

<sup>13</sup><https://www.judiciary.uk/announcements/civil-justice-councils-10th-national-forum-on-access-to-justice-for-those-without-means/>

<sup>14</sup><https://www.judiciary.uk/related-offices-and-bodies/advisory-bodies/cjc/working-parties/futures-group/>

## Guideline Hourly Rates

In February 2020 the Master of the Rolls asked Mr Justice Stewart to chair a working group<sup>15</sup> to look at guideline hourly rates (GHR). At the time, the rates in place were set in 2010 and had remained static since that time.

The draft report was open for public consultation between 8 January and 31 March 2021. The final report was published on 30 July 2021.<sup>16</sup> Recommendations included that:

- The recommended changes to the geographic areas of London 1 and London 2 as reflected in the interim report at [4.10] and in the Revised Guide should be adopted.
- The GHR proposed in the Interim Report should be implemented in full.
- The geographic National Band 3 should be abolished.
- The counties of Kent, East Sussex, West Sussex, and Surrey should become part of the geographic National Band 1 counties.

Impact:

The MR accepted the changes recommended by the working group, committing to a further review of GHR reporting within 2 years. The recommended changes were implemented from Friday 1 October 2021, providing the judiciary, practitioners and court users with a useful framework on which to estimate or calculate costs.

## Pre-Action Protocols

Following the online survey launched in October 2020, the CJC formed a working group to review pre-action protocols (PAPs), chaired by Professor Andrew Higgins.<sup>17</sup> The objective of this work is to look at all aspects of PAPs including their purpose, whether they are working effectively in practice and what reforms, if any, are required.

The group's interim report was open for consultation until 21 January 2022.<sup>18</sup> The report considers what role PAPs should play in the civil justice system in the 2020s. It canvasses a number of reform options to the Practice Direction-Pre-Action Conduct (PD-PAC), the existing PAPs and the creation of new PAPs in certain areas.

Impact:

There were over 130 responses to the consultation on the interim report which the group will carefully consider. The group's final report will be published later in 2022.

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<sup>15</sup><https://www.judiciary.uk/related-offices-and-bodies/advisory-bodies/cjc/working-parties/guideline-hourly-rates/>

<sup>16</sup><https://www.judiciary.uk/wp-content/uploads/2021/07/Civil-Justice-Council-final-report-on-guideline-hourly-rates.pdf>

<sup>17</sup><https://www.judiciary.uk/announcements/civil-justice-council-launches-review-of-pre-action-protocols/>

<sup>18</sup><https://www.judiciary.uk/wp-content/uploads/2021/11/CJC-PAP-Interim-Report.pdf>



## Small Claims

In January 2021, a working group was formed of experienced District Judges from large, medium and small court centres to look at the resolution of Small Claims. The group was chaired by HHJ Cotter QC.<sup>19</sup>

The interim report, published in June 2021, made a number of recommendations including:

- HMCTS should have a target that no case in which the parties have opted into mediation should reach a court without a mediation appointment having been offered.
- The Civil Procedure Rules should be amended to be less prescriptive as to when a preliminary hearing can be held (as CPR 27.6 is unduly restrictive).
- HMCTS should, as a matter of urgency, plan and undertake a detailed analysis of the benefits of the practice of preliminary hearings in operation at Birmingham and Hereford as compared to practices at selected other court centres so that their effectiveness can be fully evaluated.

The working group also recommended setting up an expanded working group to consider the below issues in detail:

- Proportionality and the small claims procedure (including whether there should be different rules for claims under a modest financial limit).
- Pre-issue and post-issue mediation.
- Pre-issue information.
- Better guidance for litigants and directions in simple language.
- Harmonisation of directions.
- The impact of the changes to RTA personal injury claims.
- Written/template judgements.
- Guidance as to when remote hearings may be appropriate in small claims.

An expanded working group was convened, which included a member from Support Through Court to provide the view of the litigant.

Impact:

The management of small claims is essential to the efficient operation of the civil justice system. Following the publication of the Interim Report, the Small Claims Mediation Service has reorganised and reports that is now meeting the target of providing an appointment for all claims where parties have agreed to mediate.

The working group's final report on the resolution of Small Claims was published in January 2022.<sup>20</sup> The report recommends a new procedure for the lowest value claims (under £500, which account for around 50% of all small claims) to restore proportionality to the way these claims are handled. A subcommittee of the Civil Procedure Rule Committee is now considering a pilot on paper determination of claims. The report also recommends mandatory mediation by the Small Claims Mediation Service for all claims under £500, which is under consideration by HMCTS.

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<sup>19</sup>HHJ Cotter QC was appointed to the High Court on 1 October 2021 and will henceforth be referred to as Mr Justice Cotter.

<sup>20</sup><https://www.judiciary.uk/wp-content/uploads/2022/01/20220125-CJC-Small-Claims-Report-FINAL-2.pdf>

## RESPONSES TO CONSULTATIONS AND CALLS FOR EVIDENCE

### Judicial Review

In April 2021, the CJC responded to MOJ's consultation on Judicial Review reform.<sup>21</sup>

The consultation followed the Independent Review of Administrative Law (IRAL)'s Report in January 2021 which made two recommendations for changes in the substantive law and recommended various changes in procedure.<sup>22</sup> The Council welcomed that the Government were consulting on reforms at an early part in their development. They advised that an open-minded and cautious approach is essential in such a constitutionally sensitive area and responded to each of the consultation questions in turn.

The Council's full response is available online.<sup>23</sup>

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<sup>21</sup><https://www.gov.uk/government/consultations/judicial-review-reform>

<sup>22</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/970797/IRAL-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/970797/IRAL-report.pdf)

<sup>23</sup><https://www.judiciary.uk/wp-content/uploads/2021/06/20210430-CJC-Judicial-Review-Consultation-Response.pdf>

## **APPENDIX A - Civil Justice Council - Work Prioritisation Criteria**

The Civil Justice Council receives propositions of projects through several channels, including:

- requests from the Ministry of Justice
- direct requests from the Judiciary
- applications from external organisations
- internally from individual members
- matters arising from an existing working group
- in response to external work
- using its power of convening.

The Civil Justice Council is not resourced to tackle the entire civil justice policy agenda nor all the projects that are proposed to us. We propose using prioritisation criteria to help respond appropriately to our broad workload. We will assess against the following questions:

- Is there a statutory obligation to do the work?
- What specific added value can CJC bring to this work?
- Is the CJC the most appropriate body to carry out this work?
- If we don't continue with this work, will others and who?
- How does this piece of work fit with our existing priorities and existing work?
- What importance is placed on this work by external stakeholders?
- How many people will likely benefit from the work being done?
- Is there a realistic prospect that our work will have an impact?
- What are the chances of success?
- Are resources available to deliver the work effectively?

For work that we are currently doing, we will review at regular intervals. We will assess against the following questions:

- Is the CJC still bringing value to this work?
- How does this piece of work fit with our other priorities?
- Is there still a realistic prospect that our work will have an impact? What are the chances of success?
- Is the work progressing as intended?

## APPENDIX B - Civil Justice Council - Membership 2021

Category	Member	Appointment start date	End of current term	Current term number
<b>(1) Judiciary</b>				
(a) Court of Appeal	The Master of the Rolls (Chairman)		Ex officio	N/A
	The Deputy Head of Civil Justice		Ex officio	N/A
(b) High Court	The Hon Mr Justice Robin Knowles CBE	4 January 2016	3 January 2022	2
(c) Circuit Judge	HHJ Barry Cotter QC	13 June 2016	12 June 2022	2
(d) District Judge	DJ Judy Gibson	1 March 2019	28 February 2022	1
<b>(2) Legal Profession</b>				
(a) Insurer	Andrew Parker	31 July 2014	10 September 2023	3
(b) Solicitor	Jo Hickman	30 September 2017	29 September 2023	2
(c) Barrister	Vacant			
(d) Legal Executive	Nick Hanning	1 January 2019	31 December 2021	1
<b>(3) Civil servant concerned with administration of justice</b>				
(a) Ministry of Justice	Deputy Director Civil Justice and Law Policy		Ex officio	N/A
(b) Her Majesty's Courts and Tribunals Service	Deputy Director Civil		Ex officio	N/A
<b>(4) Consumer Affairs</b>				
	Elisabeth Davies	1 January 2019	31 December 2021	1
<b>(5) Lay Advice Sector</b>				
	Martin Barnes	1 January 2019	31 December 2021	1
<b>(6) Specific Interests</b>				
(a) Insurance	Nicola Critchley	25 July 2016	24 July 2022	2
(b) Employees	Vacant			
(c) Business	Vacant			
(d) Wales	Rhodri Williams QC	1 <sup>st</sup> January 2019	31 <sup>st</sup> December 2021	1
<b>(7) Other</b>				
(a) Housing	Diane Astin	15 October 2016	14 October 2022	2
(b) EU Exit	Ian Karet	15 October 2016	14 October 2023	3
(c) ADR Provider	William Wood QC	1 July 2014	10 March 2022	3
(d) Legal Academic	Andrew Higgins	1 January 2019	31 December 2021	1
(e) Lay Member	Matthew Smerdon	1 October 2013	30 September 2022	3

**APPENDIX C - Civil Justice Council - Budget and Expenditure April 2020 - March 2021**

<b>Description</b>	<b>Original budget (£)</b>	<b>Actual expenditure (£)</b>
Catering	500	
Events and conferences	26,000	14,610
Staff Travel Rail	500	234.30
Staff Travel Other		
Non-Staff Travel	6,000	24.50
Professional fees	4,000	1,530
Communications	3,000	
<b>TOTAL</b>	<b>40,000</b>	<b>16,398.80<sup>24</sup></b>

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<sup>24</sup> The expenditure of the Council was curtailed by the Covid-19 pandemic - during this time meetings and conferences were held entirely remotely .

## **APPENDIX D - Civil Justice Council - Business Plan 2021**

### **Overview**

The Civil Justice Council (CJC) is an Advisory Public Body, established under the Civil Procedure Act 1997. The CJC is responsible for reviewing the operation of the civil justice system, highlighting problems, identifying opportunities, and making recommendations for improvements in order to modernise the court system and improve access to justice.

The CJC by its very nature is not a delivery body. Its success comes in its ability to champion issues and its power to convene the right organisations and individuals to effect change.

The CJC strives to hold a full complement of members from a diverse range of backgrounds and industries who are able to support the Council to meet its core objectives. The Council is seeking to improve diversity amongst its membership in order that it is more representative of those engaging with the civil justice system and society as whole. It is hoped that greater diversity will bring new ways of thinking to Council and will enable it to more effectively fulfil its statutory remit as new and different viewpoints are represented. A recruitment campaign for five new members is underway and expected to conclude later this year.

The CJC's work programme necessarily reflects a combination of:

- being reactive to emerging themes and issues,
- responding to government consultations and stakeholder requests to examine particular areas of the civil justice system, and
- proactively using the insights derived from its membership and their wider networks to identify challenges and opportunities for improvements in the system.

The CJC has agreed a set of prioritisation criteria to assess its work, and potential work, and to promote consistency and ensure relevance.<sup>25</sup>

For the Council to effectively fulfil its purpose it draws on the expertise and experience of members and a vast network of stakeholders and organisations, working collaboratively on research projects in the field of civil justice and hosting events to inform and connect the public, government, judiciary and professionals. The CJC is academically respected and it is important that the Council remain aware of academic developments in the area of civil justice.

The Council aims to capture the value of interacting strands of its own work and in relation to the wider sector to encourage collaboration, ensure work is not being duplicated and contribute to the bigger picture of the civil justice system.

The CJC will strive to monitor and measure impact, including to inform next steps.

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<sup>25</sup><https://www.judiciary.uk/wp-content/uploads/2019/12/Work-Prioritisation-Criteria-Dec-2019.pdf>

## **Rationale**

The time frame for this business plan from June to December 2021 was chosen to reflect the pace of the work by the Council under the chairmanship of Sir Geoffrey Vos, the Master of the Rolls (MR). It also necessarily reflects the wider circumstances and events under which the civil justice landscape operating noting that further change is likely in the short to medium term. The document may become iterative as work progresses.

In the current period, key features of the environment shaping the CJC's work include:

- Court reform, in particular the digitisation of the courts
- Collecting and using data to understand the effect of the civil justice system
- Access to justice concerns for those without means or legal capability
- Recovery from the Covid-19 pandemic
- (Alternative) dispute resolution
- Supporting the MR in delivering his vision for the future of Civil Justice.

## Core Objectives

Objective	Body Responsible	Proposed Action	Desired Outcome & Evidence
1. To review the operation of the civil justice system, highlight problems and make recommendations for improvements.	CJC	Draw on the expertise and experience of members and other professionals to ensure the CJC is fulfilling its statutory role.	Areas for review identified and steps taken to assess and report on possible reforms to improve the system in these areas; reports published with Council's suggestions.
2. To provide a collective voice for positive change in all areas of the civil justice system.	CJC members and Secretariat	To seek advice from members to co-ordinate suitable and representative responses to Government and other consultations.	CJC contributes to civil justice policy and decision making by adding expert views on proposals and their impact on civil justice.
3. To promote the work of the Council and to engage more effectively with HMCTS and others, in the civil justice system by improving communications and outreach work, particularly organisations to whom recommendations have been made.	CJC members and Secretariat	To publish summaries of Council meetings and working group reports. To publish an Annual Report including updates on implementation of recommendations. To organise an annual public meeting.	Increased Council efficacy through greater visibility of the work which it is doing. To share the work of the Council more widely.
4. To improve the diversity of the Council.	CJC	To recruit five non-judicial members to the Council with expertise in the following: A barrister; analysis information architecture, econometrics; digital technologies, information technology; small and medium-sized enterprises; and other areas of expertise relevant to civil justice.	To increase representation, allowing the Council to more effectively fulfil its statutory remit as new and different viewpoints are represented.
5. To use data about the civil justice system to inform its ongoing programme of work.	CJC	To work with HMCTS to improve the collection, publication and sharing of relevant data.	To have data to inform the CJC's work and recommendations. To be able to use data to measure the impact of the CJC's work.



## Working Groups

### Small Claims

Work chaired by: HHJ Barry Cotter QC

Work Objective: To implement a national approach in improving efficacy and efficiency in the way small claims are dealt with.

Supporting Objectives	Body Responsible	Action	Desired Outcome & Evidence
Improve the issuing of small claims.	Subcommittee with support of the Secretariat.	To review current listing practices of small claims across a range of County Courts.	The working group was formed after the CJC meeting of 29 <sup>th</sup> January 2021. The working group consists of experienced District Judges from large, medium and small court centres. The group's report will be published on 3 June 2021. Contributes to core objective 1 and 5.
Improve the issuing of small claims.	Expanded Working Party with support of the Secretariat.	To create extended Working Party to look at items not covered in the interim report (published 3 June 2021).	To review: Proportionality and the small claims procedure; Pre-issue and post-issue mediation; Pre-issue information; Better guidance for litigants and directions in simple language; Harmonisation of directions; The impact of the changes to RTA personal injury claims; Written/template judgments; Guidance as to when the remote hearings may be appropriate in small claims. Contributes to core objectives 1 and 5.

### Pre-Action Protocols

Work chaired by: Dr Andrew Higgins

Work Objective: The review all aspects of PAPs including their purpose, whether they are working effectively in practice and what reforms, if any, are required.

Supporting Objectives	Body Responsible	Action	Desired Outcome & Evidence
To look at how PAPs are working for court users, the judiciary and LiPs; the costs associated with	Subcommittee, with support from the Secretariat.	Working group to discuss PAPs, set out recommendations for change (perhaps including detailed proposals for	To produce a report which makes recommendations to simplify and improve the role that PAPs play in attempting to bring about settlement. Draft recommendations to be shared

PAPs compliance; the potential of PAPs in online dispute resolution, and the potential for PAPs to be streamlined.		overhaul of the system) and look at the governance of PAPs.	with the CJC at its October 2021 meeting.  Contributes to core objectives 1 and 5.
To ensure the pre-action process is straightforward and usable for LiPs.	Subcommittee, with support from the Secretariat.	Liaise with those with expertise in LiPs and ADR.	To understand what changes may have the most impact.  Contributes to core objectives 1 and 2.
To ensure that any suggested changes are compatible with online reforms.	Subcommittee, with support from the Secretariat.	Be conscious of changes in online dispute resolution and how PAPs can be built into any future online systems.	Contributes to core objective 1.

### **Access to Justice Standing Committee on access to justice for those without means**

Work chaired by: Robin Knowles J

Work Objective: To continue to implement the CJC report on access to justice for those without means and work with the judiciary, the Ministry of Justice (MoJ) and advice sector to put in place activities that will assist those unable to afford advice and representation.

Supporting Objectives	Body Responsible	Action	Desired Outcome & Evidence
To continue to monitor how digitalisation impact access to justice for those without means.	Access to Justice Committee with support from the Secretariat.	To provide a more detailed and focused consideration of the challenges and risks of digitalisation of court processes, and how to best respond to these.	Improved design and planning of public services, and a better user-experience.  Contributes to core objectives 1 and 2.
To contribute to collective work to improve Public Legal Education (PLE).	Access to Justice Committee and CJC.	To work collaboratively with other bodies to improve PLE.	Increasing public awareness and understanding both of resolving disputes and the legal system. Contributes to core objective 3.
To continue to work with the Government, judiciary, litigants in person (LiPs)	Access to Justice Committee	To assist work of LiP liaison judges, LiP support strategy and other initiatives e.g. LiP Engagement	Improved links and networks between advice and service providers. Improved accessibility and reliability of reference material.

support strategy, professions and advice sector to develop services and resources for those unable to afford advice and representation.		Group on HMCTS reform.	Litigants can resolve their disputes at the earliest opportunity. Contributes to core objective 3.
To monitor legal aid.	CJC, Access to Justice Committee and Ministry of Justice.	To attend joint meetings to remain in touch with the action plan and advise MoJ as necessary.	CJC to advise on future implementation.  Contributes to core objectives 1, 2, 3 and 5.
To provide an arena for the dissemination of information and collaboration between major stakeholders in the improving Access to Justice space.	Access to Justice Committee with support from the Secretariat.	To arrange a tenth CJC National Forum on Access to Justice for those without means in December 2021. To engage and make connections with others addressing access to justice for those without means, in order to use these channels better. To update and share new learning; to enable challenge and to identify opportunities To look together at what next, and to share vision for the longer term.	To provide an opportunity to come together as a sector for a discussion and exchange of information combining the expertise and experience of the voluntary agencies, the pro bono agencies, court users, the judiciary, business, the Government, the profession, court staff and HMCTS, the funding community, academic institutions, other charities, and the general public. To ensure those unable to afford advice and representation and professionals feel better equipped to obtain effective access to the civil justice system including access to hearing and remedy.  Contributes to core objectives 2, 3 and 5.

## Futures Group

Work chaired by: Professor Richard Susskind

Work Objective: To take a long-term view of the impact of technology on the administration of justice.

Supporting Objectives	Body Responsible	Action	Desired Outcome & Evidence
Horizon-scanning	Futures group with support from the Secretariat.	To monitoring emerging and likely technological developments and keeping the CJC informed of these.	Contributes to core objective 1, 2 and 5.
Reviewing current projects	Futures group with support from the Secretariat.	To advise on whether current systems and activities are feasible and sustainable in the long run.	Contributes to core objective 1, 2 and 5.
Setting direction	Futures group with support from the Secretariat.	Working with the CJC to create a roadmap for the justice system through the 2020s.	Contributes to core objective 1, 2 and 5.

## Related Bodies

### Judicial/Alternative Dispute Resolution (ADR) Liaison Committee

Committee chaired by: Lady Justice Asplin

Core Objective: To promote greater use of ADR in all areas of the civil justice system

Supporting Objectives	Body Responsible	Action	Desired Outcome & Evidence
To provide the judiciary, the (A)DR community and the professions with a dedicated forum for the discussion and the exchange of information about ADR in the civil justice system.	Judicial/ADR Liaison Committee with support from the Secretariat.	To assist and provide expert advice as required to the wider community. Support the implementation of more widespread use of (A)DR to improve efficiency and access to justice across the civil justice system.	As a committee of The Judges' Council, the group will report to relevant parties on their work. MOJ and HMCTS to host a single informative webpage for litigants to understand what ADR is and when it might be useful, including videos to improve public understanding of ADR.  Contributes to core objectives 1,2 and 3.
To raise the profile of (A)DR.	Lead judge for (A)DR with support from the Secretariat.	To identify and seize opportunities to speak about (A)DR and its benefits.	Greater understanding of (A)DR and its benefits across the judiciary, the professions, and the public. Contributes to core objectives 1,2 and 3.