



**Synopsis of Civil Justice Council Meeting
Friday 24th April 2020**

Access to Justice for those without means

The need for access to justice for those without means is crucial in the current crisis. Many of the most vulnerable are without online access and are struggling to engage in current remote and digital situations, which may partly explain some of the huge drop in number of cases. The forward position of the sector following the pandemic will likely be very concerning, especially given the likely increase in huge backlog of cases. Data and analysis will be crucial going forward.

Thanks, was given to the Access to Justice Standing Committee for their work.

Covid-19 review

Details were discussed of a review that had been carried out by the Nuffield Family Justice Observatory to check how family justice system was faring during the pandemic – the review includes judiciary, court staff and court users.

The Council approved of a 'snapshot' survey to be carried out in the short term focusing solely on civil court users. The review will assess how present systems are working and will hopefully provide information on what can be improved. The Council generally welcomed this review, although some members felt that the landscaped has changed and continues to do so at a rapid rate, that data may not be representative of the reality in a few weeks' time.

It was urged that the survey should be shared widely within the advice sector to get a fuller response, not just solicitors and professional court users.

Low Value PI Claims

The Working Group is waiting for claimants to respond to the draft report as it stands and hopes to have the final draft to share with the Council in the coming weeks.

ASBIs

The report was due to be finalised for this meeting, but it has been delayed because of Covid-19. Depending on the number of comments received, it will be decided at that time if the report can be approved out of committee or if further discussion is required at the Council's next meeting in July 2020.

Judicial ADR Liaison Committee

The ADR Liaison committee had recruited several new members to ensure the necessary expertise existed within the Committee.

SCMS (Small Claims Mediation Service) had recruited several full-time additional mediators, although it was unclear if they were additional or just replacements for temporary staff.

Update from the Ministry of Justice (MOJ)

The representative from the MOJ gave an update on; new practice directions, wills, electronic execution of documents, the Independent Inquiry into Child Sexual Abuse, housing, LASPO part 2, and boundary disputes.

Pre-Action Protocols

The Civil Justice Council will be conducting a review of Pre-action Protocols (PAPs). The review will look at all aspects of PAPs including their purpose, whether they are working effectively in practice and what reforms, if any, are required.

It was agreed that the new group's membership should include Chancery Masters or QB Masters, DJs, CJs, LIP representatives, HMCTS, MOJ, Law Society, and The Bar Council should all be represented.

Any other business

It was announced that a working group on Guideline Hourly Rates has been formed, but in light of Covid-19 all work had been suspended.

Date of next meeting - 17 July 2020