



## Synopsis of Civil Justice Council Meeting

Friday 31<sup>st</sup> January 2020

### **Vulnerable Witnesses**

The report recommends a mandatory element of training for judges which would be cross-jurisdictional. The other recommendations are aimed at MOJ, CPRC, HMCTS, Judicial College, professional bodies and the Judicial ADR Liaison Committee.

DJ Simon Middleton had been brought into the working group to help with costs because of his expertise in this area.

### **Access to Justice Standing Committee**

Thanks were given to Mr Justice Robin Knowles and CJC Secretariat for the National Forum that took place in December 2019. The National Forum in 2020 will take place on Friday 11 December 2020 at Central Hall Westminster.

It was agreed the name of the 'working group' would be changed to 'Standing Committee' to better reflect its position going forward.

### **Low Value PI Claims**

The report is almost finalised but is waiting for the approval of all members of the working group.

### **Judicial ADR Liaison Committee**

The Judicial ADR Liaison Committee has recruited several additional members to ensure the necessary expertise existed within the Committee.

Data is showing that opt-out mediation pilot in the Small Claims Mediation Service (SCMS) is resulting in fewer mediations taking place.

### **ASBIs**

A draft pre-action protocol is in final stages. The draft final report will be circulated for the next CJC meeting in April 2020.

### **Update from the Ministry of Justice (MOJ)**

The final report on Whiplash had originally been expected by the end of 2019. However, this has now been delayed until February 2020.

There will be a Judicial Review regarding LASPO position on costs and mesothelioma exceptions.

### **Pre-Action Protocols**

It was agreed that this topic would be discussed at the next CJC quarterly meeting in April 2020.

**Periodical Payments Orders**

Periodical Payments Orders have been available since 2005, but they can only be ordered by court or by mutual consent.

Lord Keen has written to the Master of the Rolls concerning Periodical Payments Orders.

**Date of next meeting** – Friday 24<sup>th</sup> April 2020.