



Annual Report

2023

(6 April 2023 — 5 April 2024)

Contents

Foreword.....	3
Overview	4
Key Highlights	5
Committees and Working Groups.....	6
Costs	6
Data.....	7
Executive Committee	7
Futures Group	8
Pre-Action Protocols.....	8
Procedure for Determining Mental Capacity in Civil Proceedings.....	8
Enforcement	9
Responses to Consultations and Calls for Evidence	9
Membership.....	9
Strategy Plan – 2024.....	10
Impact Assessment	13
Plan for 2024.....	14
Appendix A – Plan for 2024.....	15
Appendix B – Civil Justice Council Work Prioritisation Criteria	16
Appendix C – Civil Justice Council Membership 2023	17
Appendix D – Budget and Expenditure for 2022-2023 Financial Year	19
Appendix E – Budget and Expenditure for 2023-2024 Financial Year	20

Foreword

The Civil Justice Council has continued its influential role in advising on improvements to civil justice in England and Wales. The Council has worked hard to make recommendations to improve the efficiency, fairness, and the accessibility of the civil justice system. The Council has responded to consultations in its capacity as a statutory consultee and as an interested party.

During the year, the Council published its phase-one report on Pre-Action Protocols, covering the digitisation of pre-action processes and the place of Practice Directions. The Costs Working Group delivered its final report, making important recommendations on the civil costs regime, which I accepted in full in December 2023.¹



In November 2023, the Council staged its Twelfth National Forum. Nearly 400 people attended a hugely engaged and enthusiastic gathering. This year, the Forum focused on improving access to justice in a cost-of-living crisis, directly addressing the challenges facing individuals of limited financial means, often without access to legal aid. We were honoured and delighted to welcome the new Lady Chief Justice, the Lord Chancellor, and a galaxy of civil justice experts.

In a year in which the news was dominated by generative artificial intelligence and the cost-of-living crisis, the Council's focus on these issues puts it at the cutting edge. Its work on future technology, data, costs and (alternative) dispute resolution is topical and timely.

I would like to take this opportunity to thank both the members of the Council and its dedicated staff. The commitment of our members, who work *pro bono*, is truly an inspiration.

The coming year will provide both challenges and opportunities for the civil justice system. The growing capability of artificial intelligence is a classic example of that combination. I very much hope that we will see the continuing integration of and connectivity between existing pre-action portals and services to create a truly digital justice system. The Council will continue to address the challenges posed by digital disadvantage and the cost-of-living crisis, in the context of the effective administrative of justice.

I am certain that 2024 will be an exciting time for the Council and those it serves. We have welcomed a number of new members this year, and I know that their contributions, alongside those who are more established, will bear fruit in the coming months.

A handwritten signature in black ink, which appears to read 'Geoffrey Vos'.

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

¹ Master of the Rolls, 'Responding to Recommendations of the Civil Justice Council Costs Review and New Guideline Hourly Rate' (December 2023) <<https://www.judiciary.uk/responding-to-recommendations-of-the-civil-justice-council-costs-review-and-new-guideline-hourly-rates>>.

Overview

The Civil Justice Council is a statutory advisory body bringing together perspectives from right across the civil justice system in order to keep our system under review,² and help it to improve. The Council makes recommendations to Government, the Judiciary, and the Civil Procedure Rule Committee on the development of the civil justice system, to make it more accessible, fair, and efficient.

This report gives an overview of the Council's Working Groups, activities, membership, finances, and strategy. This report covers the period 6 April 2023 – 5 April 2024.³

To fulfil its statutory functions, the Council operates primarily by establishing Working Groups to look at a particular issue, or part, of the civil justice system. These Working Groups undertake consultations and research to make informed recommendations, usually in the form of a report, for others to take forward. The 2023-24 reporting period saw the Costs Working Group deliver their final report on the civil costs regime and the completion of the Pre-Action Protocol Working Group's first phase of work.⁴ In July, the Council approved the terms of reference for a Data Working Group, to report on the collection, presentation, and sharing of data relating to the civil justice system. The Working Group on Procedure for Determining Mental Capacity in Civil Proceedings opened a consultation in December 2023, which closed in March 2024.

The Council also responds to consultations and calls for evidence, reflecting both its function to keep the civil justice system under review and its role as a statutory consultee for certain issues. This year the Council responded to two such consultations, relating to proposed increases to court and tribunal fees and changes to the terms and rules of the Ombudsman Association.⁵

This year, the Council's work was substantially impacted by global developments, namely challenges arising from the 'cost-of-living crisis' and the unprecedented technological advancements in generative artificial intelligence. The Council engaged heavily with these issues, remaining at the cutting edge of both. The Council focused particularly on challenges facing access to justice in the cost-of-living crisis, reflected in its twelfth annual National Forum, in which sessions focused specifically on this theme.⁶ Furthermore, the work of the Futures Working Group engaged directly with the challenges and opportunities of generative AI, leading an expert panel session discussing the risk and rewards of future technological developments in law.⁷

The Council continues to make improvements to its governance processes and is developing a strategic outlook regarding its work. The Council's statutory remit and work prioritisation criteria helps it prioritise work.⁸ At its April 2023 meeting, a proposal to hold a strategy meeting to formally

² Civil Procedure Act 1997 s 6.

³ This Annual Report also contains details of the Council's finances for the period April 2022 – April 2023, as this was not covered by the 2022 Annual Report, which reported on the period January – December 2022.

⁴ Civil Justice Council, 'Costs Review: Final Report' (May 2023) <<https://www.judiciary.uk/civil-justice-council-costs-review-final-report/>>; Civil Justice Council, 'Review of Pre-Action Protocols: Final Report Part 1' (August 2023) <<https://www.judiciary.uk/guidance-and-resources/civil-justice-council-publishes-final-report-on-pre-action-protocols/>>.

⁵ You can find the Council's responses to consultations via <<https://www.judiciary.uk/related-offices-and-bodies/advisory-bodies/cjc/latest-news/>>.

⁶ You can watch the full event via <<https://youtu.be/ltZuGqWcdAk?feature=shared>>.

⁷ You can watch the full session via <<https://youtu.be/-wMeoCEqwdQ?feature=shared>>.

⁸ See Appendix A.

consider the Council's longer-term vision was approved. Two such meetings were held, in July 2023 and January 2024.

This year, a recruitment campaign was conducted to appoint a further six members. On January 1 2024, the Council appointed the below members for a term of three years:

- John Cuss, Solicitor member
- Amrik Kandola, Alternative Dispute Resolution (ADR) member
- Daniel Hoadley, Digital, Technology and Information member
- Laurence Shaw, Legal Executive member
- Sue Prince, Lay member
- Elizabeth Smart, Advice Sector member

In May 2023 District Judge David Robinson was appointed as a judicial member.

Furthermore, three non-judicial members were reappointed for a second term, and two non-judicial members were reappointed for a third term.

Key Highlights

The below examples demonstrate five key highlights from 2023.

1. **National Forum** – The 2023 Forum had numerous highlights, demonstrating the Council's convening power in bringing to together a breadth of civil justice experts. The event involved:
 - a. A record number of registered attendees.
 - b. A panel session involving the Lord Chancellor and Secretary of State for Justice, Lady Chief Justice, and Master of the Rolls.
 - c. Content engaging with leading issues, including generative AI and the cost-of-living crisis.
2. **Consultation and Inquiry Responses** – The Council was pleased to engage with two consultations in this period. Both offered the opportunity to engage with policy makers and make recommendations to promote the accessibility, fairness, and efficiency of the civil justice system. The Council responded to the following consultations:
 - a. Ombudsman Association – Consultation on Changes to its Terms and Rules.⁹
 - b. Ministry of Justice – Consultation on Implementing Increases to Selected Court and Tribunal Fees.¹⁰

⁹ Civil Justice Council, 'Response to Consultation on Ombudsman Association on Changes to Terms and Rules' (June 2023) <<https://www.judiciary.uk/wp-content/uploads/2023/06/CJC-response-to-OA-consultation-June-2023-FINAL.pdf>>.

¹⁰ Civil Justice Council, 'Response to Ministry of Justice Consultation on Implementing Increases to Selected Court and Tribunal Fees' (December 2023) <<https://www.judiciary.uk/wp-content/uploads/2024/02/20231222-SENT-CJC-to-Minister-Freer-Fees-Consultation.pdf>>.

3. **Capacity Consultation** – In December 2023 the Council’s Procedure for Determining Mental Capacity in Civil Proceedings Working Group published its three-month consultation.¹¹ This included a seminar, held on 1 March 2024.¹²
4. **Pre-Action Protocol Report** – In August 2023 the Pre-Action Protocol Working Group released its phase one report.¹³ The report was delivered in a time of rapid change and development for pre-action protocols, demonstrating the Council’s engagement with issues at the cutting edge of the civil justice agenda.
5. **Costs Review** – The Council’s Costs Working Group delivered its final report on the civil costs regime. Their recommendations, which included rises to Guideline Hourly rates in line with inflation, were accepted in full by the Master of the Rolls.¹⁴

Committees and Working Groups

This section details the Council’s Working Groups. The Council’s primary output is via its Working Groups, which report on individual areas of civil justice. Terms of reference for the Council’s current and past working groups are available on the Civil Justice Council’s website on [judiciary.uk](https://www.judiciary.uk).¹⁵

Costs

A Costs Working Group was created in April 2022 and was set up to consider the following areas:

- A review of costs budgeting.
- A review of guideline hourly rates.
- A review of costs under pre-action protocols/portals and the digital justice system.
- Consideration of the wider impact of the extension of fixed recoverable costs.

The group published its final report in May 2023.¹⁶ The review stemmed from a request from the Master of the Rolls in 2022 for the Civil Justice Council to take a strategic and holistic look at costs, particularly given the ongoing transformation of civil justice into a digital justice system. The report’s

¹¹ Civil Justice Council, ‘Procedure for Determining Mental Capacity in Civil Proceedings’ (December 2023) <<https://www.judiciary.uk/related-offices-and-bodies/advisory-bodies/cjc/latest-news/>>.

¹² Civil Justice Council, ‘Summary of Seminar: Procedure of Determining Mental Capacity in Civil Proceedings’ (March 2024) < <https://www.judiciary.uk/wp-content/uploads/2024/03/CJC-Seminar-Procedure-for-Determining-Mental-Capacity-in-Civil-Proceedings-summary-note-FINAL.pdf>>.

¹³ Civil Justice Council, ‘CJC Review of Pre-Action Protocols: Final Report Part 1’ (August 2023) <<https://www.judiciary.uk/wp-content/uploads/2023/08/CJC-PAP-report-Aug-23-FINAL.pdf>>.

¹⁴ Master of the Rolls, ‘Responding to Recommendations of the Civil Justice Council Costs Review and New Guideline Hourly Rate’ (December 2023) <<https://www.judiciary.uk/responding-to-recommendations-of-the-civil-justice-council-costs-review-and-new-guideline-hourly-rates>>.

¹⁵ Working Group terms of reference are available via < <https://www.judiciary.uk/related-offices-and-bodies/advisory-bodies/cjc/current-work/>>.

¹⁶ Civil Justice Council, ‘Costs Review: Final Report’ (May 2023) <<https://www.judiciary.uk/civil-justice-council-costs-review-final-report/>>.

recommendations were accepted by the Master of the Rolls in December 2023 and will proceed to the implementation phase.¹⁷ The Master of the Rolls announced:

- That 2021 Guideline Hourly Rates will be uplifted for inflation from January 2024 in accordance with the Services Producer Price Index.
- The creation of a further Working Group to examine the methodology underpinning Guideline Hourly Rates.
- A request for the Civil Procedure Rule Committee to take forward suggestions in the Costs review to pilot what the Costs review suggests.

Data

In July 2023, the Council approved the terms of reference of a Data Working Group. The Data Group was established to build on the findings of previous working groups and support the Council in accessing the data needed to deliver its statutory functions. It aims to make recommendations to improve the way data is collected, presented, and shared, in order to provide better insight into the operation of the civil justice system.

The Working Group will in particular:

- Identify the data relevant to the delivery of the Council's statutory objective.
- Review the quality, timeliness, and availability of existing data relevant to the delivery of the Council's statutory objective.
- Make recommendations for the improvement of this data.
- Produce an annual update on progress in improving data to be published either as a standalone report or as part of the Civil Justice Council Annual Review, recognising that this is not a time limited piece of work with a single end point.
- Provide expert support and guidance to existing and future Civil Justice Council working groups and liaise with the Civil Justice Council Futures Group to ensure alignment.

The Data Working Group is chaired by Dr Natalie Byrom. The group held initial meetings, presenting a scoping paper to Council and agreeing to report annually. At the 2023 Civil Justice Council National Forum, Dr Natalie Byrom led a panel discussion on the role of data in the civil justice system.¹⁸

Executive Committee

The Executive Committee of the Council was established in 2022. Its purpose is to consider the strategic direction of the Council's work, as well as providing a more regular point of contact between the Secretariat and Council. The Committee is chaired by Lord Justice Birss and meets monthly. Topics discussed included:

- Policy for joining working groups.¹⁹
- Council strategy.
- Welsh interests.

¹⁷ Master of the Rolls, 'Responding to Recommendations of the Civil Justice Council Costs Review and New Guideline Hourly Rate' (December 2023) <<https://www.judiciary.uk/responding-to-recommendations-of-the-civil-justice-council-costs-review-and-new-guideline-hourly-rates>>.

¹⁸ Civil Justice Council, 'National Forum 2023 Breakout: The Role of Data' (22 November 2023) <<https://youtu.be/RYZ-3383WEA?feature=shared>>.

¹⁹ The final policy is available via <<https://www.judiciary.uk/wp-content/uploads/2023/06/20230612-Policy-for-non-CJC-members-joining-working-groups.pdf>>

- Member recruitment.
- Responses to consultations and calls for evidence.

Futures Group

The Futures Working Group was created in 2021 and is chaired by Professor Richard Susskind. Its purpose is to take and encourage a long-term view of the impact of technology on the administration of justice, with emphasis on increasing access to justice and securing the position of the legal system of England and Wales as a global leader. The group is currently focused on monitoring developments in AI and evaluating future technologies and tools available by 2030. The group has continued to play a valuable role in advising the Council, regularly briefing members on developments.

At the 2023 Civil Justice Council National Forum, Professor Richard Susskind led an expert panel discussion on developments in generative AI and its impact on civil justice. The session aimed to educate, inspire, and engage delegates with developments in generative AI. The session included a question-and-answer session, allowing the expert panellists to directly engage with delegates in a frank discussion on the opportunities and challenges of AI.

Pre-Action Protocols

The Pre-Action Protocols Working Group was established in 2020 and is chaired by Professor Andrew Higgins. In November 2021 the group published its interim report and consultation, receiving 133 responses. Following the consultation, it was agreed the next phase of work be bifurcated. The first phase focused on the role of PAPs generally and the General PAP/Practice Direction on Pre-Action Conduct.

The group published its phase one final report in August 2023.²⁰ It addressed the potential benefits of digitalising pre-action processes, and the place and content of the Practice Direction on Pre-Action Conduct. The group have reconvened for the second phase of reporting. Publication of phase two is expected in late 2024.

Procedure for Determining Mental Capacity in Civil Proceedings

The Procedure for Determining Mental Capacity in Civil Proceedings Working Group was established in 2022. The group is co-chaired by Daniel Clarke and Diane Astin.

The Working Group launched a public consultation in December 2023, which ran for three months until 17 March 2024.²¹ As part of the consultation process, the group held a seminar on 1 March 2024.²² A final report is expected in late 2024.

The Working Group aims to make recommendations relating to how civil courts approach mental capacity. In view of existing procedure and common practice, it will make recommendations to

²⁰ Civil Justice Council, 'Review of Pre-Action Protocols' (August 2023) <<https://www.judiciary.uk/guidance-and-resources/civil-justice-council-publishes-final-report-on-pre-action-protocols/>>.

²¹ Civil Justice Council, 'Procedure for Determining Mental Capacity in Civil Proceedings Working Group Consultation Paper' (December 2023) < <https://www.judiciary.uk/related-offices-and-bodies/advisory-bodies/cjc/current-work/procedure-for-determining-mental-capacity-in-civil-proceedings/>>.

²² Civil Justice Council, 'Summary of Seminar: Procedure of Determining Mental Capacity in Civil Proceedings' (March 2024) < <https://www.judiciary.uk/wp-content/uploads/2024/03/CJC-Seminar-Procedure-for-Determining-Mental-Capacity-in-Civil-Proceedings-summary-note-FINAL.pdf>>.

improve rules, practice directions, and other related matters. The Working Group identified the following areas for consideration:

- How the issue as to a party's mental capacity is identified and brought before the court.
- The procedure for investigating the issue.
- The procedure for determining the issue.
- The position of the substantive litigation pending determination of the issue.
- The particular issues that arise in relation to this with regards to:
 - Litigants in person.
 - Parties who do not engage with the process of assessment of capacity.

Enforcement

The Enforcement Working Group was established in January 2024. The group will seek to understand policy landscape for enforcement and identify and recommend to CJC areas of further inquiry if necessary. The group intend to launch a call for evidence in July 2024. A final report is anticipated by late 2024.

Responses to Consultations and Calls for Evidence

During the reporting period, the Council responded to two consultations.

- Ombudsman Association – Consultation on Changes to its Terms and Rules.²³
- Ministry of Justice – Consultation on Implementing Increases to Selected Court and Tribunal Fees.²⁴

The Council responded to the Ombudsman Association Consultation as part of its statutory duty to keep the civil justice system under review. The Council responded to the Ministry of Justice Selected Fees consultation as a named statutory consultee.

Membership

On January 1 2024, the Council appointed the below members for a term of three years:

- John Cuss, Solicitor member
- Amrik Kandola, Alternative Dispute Resolution (ADR) member
- Daniel Hoadley, Digital, Technology and Information member
- Laurence Shaw, Legal Executive member
- Sue Prince, Lay member
- Elizabeth Smart, Advice Sector member

On 19 May 2023, the Council appointed District Judge David Robinson for an initial term of three years.

²³ Civil Justice Council, 'Response to Consultation on Ombudsman Association on Changes to Terms and Rules' (June 2023) <<https://www.judiciary.uk/wp-content/uploads/2023/06/CJC-response-to-OA-consultation-June-2023-FINAL.pdf>>.

²⁴ Civil Justice Council, 'Response to Ministry of Justice Consultation on Implementing Increases to Selected Court and Tribunal Fees' (December 2023).

The following members were reappointed to the Council for an additional term of three years –

- Diane Astin (Housing Member).
- Nicola Critchley (Defendant Solicitor/Insurers Member).
- Elisabeth Davies (Consumer Affairs member).
- Professor Andrew Higgins (Academic Member).
- Rhodri Williams KC (Welsh Interests Member).

Strategy Plan – 2024

Overview

The role of the Civil Justice Council (CJC) is to advise the Lord Chancellor, Judiciary, and Civil Procedure Rule Committee on civil matters. Its functions are primarily fulfilled through the work and recommendations of its working groups, and engagement with government on civil justice issues. Separate to its substantive output, however, the Council has a responsibility to make strategic considerations about how it facilitates and promotes its work.

The below strategy is separate from the Council's substantive work priorities. It instead provides objectives aiming to enhance the Council's influence, public standing, and approach, improving its impact when delivering its statutory remit.

This section firstly outlines the Council's purpose, vision, and aims, identifying the overall priorities. It then presents strategic objectives for the 2024 period, in order to meet this. Finally, methods for measuring the success of these objectives are presented.

Purpose

The Council's core functions are set out in statute. They are —

- (a) keeping the civil justice system under review,
- (b) considering how to make the civil justice system more accessible, fair, and efficient,
- (c) advising the Lord Chancellor and the judiciary on the development of the civil justice system,
- (d) referring proposals for changes in the civil justice system to the Lord Chancellor and the Civil Procedure Rule Committee, and
- (e) making proposals for research.

Vision

The Council's vision is to make the civil justice system more accessible, fair, and efficient. It seeks to achieve this through undertaking work on specific areas of civil justice reform and engaging with Government as a consultee to developments in civil justice.

New Projects

The Council have commenced three new working groups in 2024. These will focus on reform to:

1. Litigation Funding
2. Enforcement

3. The Solicitors Act 1974.

In implementing these new projects, the Council will consider carefully its outlined strategic objectives, in order to best facilitate and promote the work.

Strategic Objectives

The below have been identified as strategic objectives for 2024. These seek to support the Council's aims by implementing strategic improvements as to how work is facilitated, implemented, and promoted.

Public Visibility

The Council aims to continue to promote its public reputation as a body influential in reviewing and making recommendations to civil justice.

It seeks to achieve this through:

1. Engagement with government, primarily through consultations and calls for evidence.
2. Continuing to increase stakeholder engagement at its National Forum event.
3. Consistent publication of the progress of its Working Groups and corresponding recommendations.
4. Establishing effective networks with interested parties to its work and recommendations.
5. Promoting regional engagement, continuing to build networks outside London.

This objective promotes the Council's aim of acting as a collective voice for positive change, effectively utilising its convening power, and reviewing the operation of civil justice. By continuing to increase its public prominence, the Council's work will increase in influence and reach.

Relationships and Networks

The Council aims to continue developing effective networks with relevant stakeholders. This includes those in the legal profession, government, media, and interested parties.

It seeks to achieve this through:

1. Encouraging members to utilise connections to engage relevant stakeholders with Council work.
2. Continuing to engage and network with individuals through the National Forum event, encouraging participation from a diverse range of backgrounds and disciplines.
3. Developing formal strategies for Working Groups to identify and engage with relevant parties throughout the reporting period.
4. Ensuring relevant stakeholder are regularly briefed on Council activity and recording this engagement.
5. Continuing to develop effective contacts in trade media.
6. Continuing to facilitate effective consultations which encourage engagement with the Council's work, where appropriate.
7. Continuing to engage with government consultations and commissions.
8. Ensuring Council is a recognised presence at relevant events and conferences.

This objective promotes the Council's aim of acting as a collective voice for change, promoting its reforms, encouraging diversity in perspectives, and increasing communication with stakeholders in the system. Establishing effective networks will maximise the Council's influence, improve public recognition and understanding of its work, and maximise engagement from relevant parties to its work.

Communications

The Council aims to develop effective communication strategies, to promote its work and public profile.

It seeks to achieve this by:

1. Formalising a Council wide communications plan.
2. Formalising systems and strategies for the Secretariat to support Working Group members in communications relating to their work.
3. Effectively engaging with appropriate media organisations to report on the Council's work.
4. Establishing a communications campaign promoting the Council and its work.

This objective promotes the Council's aims of providing a collective voice for change; promoting its reforms; and increasing communication with relevant stakeholders.

Recommendations

The Council continues in its commitment to deliver effective, precise, and clear recommendations for others to take forward.

It seeks to achieve this by:

1. Identifying anticipated outcomes of recommendations for monitoring.
2. Formalising a system of recommendation tracking
3. Continuing to deliver recommendations that are precise and understandable.

This objective promotes the Council's aim to review the operation of all areas of the civil justice system and increase communication with stakeholder in the system. By drafting and tracking effective recommendations, the Council can continue to effectively advise, track the process of its recommendations, and identify future areas of work.

Measures of Success

The Council will review the success of its strategic objectives via its Executive Committee and raise improvements at full member meetings. A full narrative update, reflecting against the outlined objectives, will be presented in the 2024 Annual Report. In addition to this, the below areas will also seek to act as key performance indicators.

1. Media engagement figures. This will measure coverage of the Council.
2. National Forum Engagement. This will measure attendance, feedback, and coverage.
3. Recommendation tracking. This will measure against the pre-determined anticipated outcomes of recommendations.
4. Council publication output. This will measure Council's output via its Working Group publications, responses to consultations, and coverage of work.

5. Documented 'engagements'. This will measure each event and external engagement completed by Council.

Strategic objectives for the 2024 period will be influenced by feedback from this reporting period and subsequent input from members.

Impact Assessment

The Council's role is to advise and make recommendations that others take forward.

Recommendations may not be implemented for a variety of reasons outside the Council's scope. For that reason, implementation of recommendations alone is not an appropriate measure of success.

Notwithstanding this, the Council has identified measures for monitoring the success of its recommendations. It seeks to achieve this through:

1. Identifying expected outcomes of recommendations.
2. Reviewing the result of expected outcomes.
3. Considering these results.

Although primarily aimed at monitoring Council recommendations in Working Group reports, this can be applied to all of the Council's output including its National Forum and responses to consultations.

Identifying expected outcomes of recommendations

The Council aims to identify pre-determined expected outcomes to recommendations. It is observed that some recommendations may have benefit outside implementation. Working groups may, for example, seek to influence policy discussions as much as propose precise reforms. By identifying such aims in advance, however, the Council will be better equipped to measure the success of its work. Such outcome may include:

- Direct implementation of a recommendation.
- Publicising a civil justice issue.
- Engaging or influencing government / relevant stakeholders in an area civil justice reform.
- Encouraging discussion of a civil justice issue.

In measuring expected outcomes, the Council will also be able to identify any strategic improvements needed in promoting and facilitating its recommendations.

Reviewing the result of expected outcomes

The Council aims to review the success of its expected outcomes. It will achieve this by:

1. Reviewing references and engagements from government forms and relevant bodies.
2. Identifying recommendations that *require* publication as part of their implementation, and which recommendation may be evidenced by internal information.
3. Ensuring parties responsible for implementing recommendations are clearly identified in advance.
4. Developing regular contact with named parties to get insight and reasoning on the progress of implementation.

5. Where expected outcomes involve influence rather than implementation, determining pre-agreed indicators that may indicate impact. This may include references in minutes / discussions within organisations, mentions in other publications, or media engagement.

Considering these results

The Council will analyse the results of its review. The aim of this exercise to make a judgement on whether the expected outcome has been met. If it has not been, such results will inform future strategy in promoting and facilitating working group output.

Plan for 2024.

Annex A provides an indicative plan of the Council's output.

	<u>2024</u>											
Key	January	February	March	April	May	June	July	August	September	October	November	December
Litigation Funding Group			Commission	Announcement				Interim Report				
Data Group	Data Working Group (Standing Group)											
Solicitors Act Group				Group Convenes	Research Period				Enhanced research period		Drafting period (final report)	
Executive Committee	Executive Committee Meetings (Standing Group)											
Futures Group	Futures Working Group (Standing Group)											
Capacity Group	Capacity Consultation (closes 17 March)									Anticipated Capacity WG final report		
Enforcement Group						Anticipated Enforcement WG Call for Evidence			Anticipated publication			
Events			Capacity Seminar 1 March				Draft programme for National Forum agreed.		National Forum Registration link published.	Programme for National Forum finalised.	National Forum (29 November)	
Council Meetings	Full Council Meeting (26 January)			Full Council Meeting (26 April)			Full Council Meeting (19 July)			Full Council Meeting (18 October)		
Strategy	Strategy Meeting			Annual Report 2023								
Recruitment					Recruitment opens for 2 new members				Interviews	15		

Appendix B – 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
- internal proposals from individual members
- matters arising from an existing Working Group
- responses to external work
- through 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 the Council bring to this work?
- Is the Council the most appropriate body to carry out this work?
- If the Council doesn't continue with this work, will others and if so, 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 Council 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 C – Civil Justice Council Membership 2023

	Title	Statutory Category	Name	Appointment start	End of term	Current term
1	Master of the Rolls	2(a)	Sir Geoffrey Vos		Ex officio	N/A
2	Deputy Head of Civil Justice	2(a)	Sir Colin Birss		Ex officio	N/A
3	High Court	2(a)	Mr Justice Simon Picken	14 October 2022	13 October 2026	1
4	Circuit Judge	2(a)	HHJ Karen Walden-Smith	14 October 2022	13 October 2025	1
5	District Judge	2(a)	DJ David Robinson	19 May 2023	18 May 2026	1
6	Barrister	2(b)	John Sorabji	1 August 2022	31 July 2025	1
7	Legal Executive	2(b)	Laurence Shaw	1 January 2024	1 January 2027	1
8	Solicitor (claimant)	2(b)	John Cuss	1 January 2024	1 January 2027	1
9	Solicitor (defendant)	2(b)	Vacant			
10	Deputy Director Civil - HMCTS	2(c)	Rosemary Rand	7 June 2023	7 June 2026	1
11	Deputy Director Civil Reform - HMCTS	2(c)	Emily Wickens	7 June 2023	7 June 2026	1
12	Deputy Director Civil Justice and Law Policy - MOJ	2(c)	Steven Jarman	7 June 2023	7 June 2026	1
13	Consumer Representative	2(d)	Elisabeth Davies	1 January 2019	31 December 2024	2
14	Lay Advice Sector	2(e)	Elizabeth Smart	1 January 2024	1 January 2027	1

15	Lay Representative	2(e)	Sue Prince	1 January 2024	1 January 2027	1
16	Housing	2(f)	Diane Astin	15 October 2016	14 October 2025	3
17	Insurance	2(f)	Nicola Critchley	25 July 2016	24 July 2025	3
18	Legal Aid	2(f)	Kate Pasfield	1 August 2022	31 July 2025	1
19	Small and medium-sized enterprises (SMEs)	2(f)	James Walker	1 August 2022	31 July 2025	1
20	Wales	2(f)	Rhodri Williams KC	1 January 2019	31 December 2024	2
21	ADR Provider	2A(b)	Amrik Kandola	1 January 2024	1 January 2027	1
22	Analysis, information architecture, econometrics	2A(b)	Natalie Byrom	1 August 2022	31 July 2025	1
23	Digital technologies, information technologies	2A(b)	Daniel Hoadley	1 January 2024	1 January 2027	1
24	Another field of civil justice	2A(b)	Vacant			
25	Legal Academic	2A(b)	Andrew Higgins	1 January 2019	31 December 2024	2

Appendix D – Budget and Expenditure for 2022-2023 Financial Year

Budget 2022-2023 Financial Year (£)		
Description	Budget (£)	Actual Expenditure (£)
Staff (Secretariat) Travel & Subsistence	800	418
Events, Conferences & Catering	26,800	27,273
Staff (Council Members) Travel	800	579
Publications & Communications	8,900	2,290
TOTAL	40,000	30,560

Appendix E – Budget and Expenditure for 2023-2024 Financial Year

Budget 2023-2024 Financial Year (£)		
Description	Budget (£)	Actual Expenditure (£)
Staff (Secretariat) Travel	300	-
Events and Conferences	34,370	29,487
Staff (Council Members) Travel	1,400	1,143
Contracted-out Catering	800	486
Staff Subsistence	-	14
Publications & Communications	2,180	220
TOTAL	39,050	31,350