Friday 17 July 2026

Meeting Opening: Welcome and apologies

The Chair formally opened the meeting, welcoming all attendees, including regular council members, guest speakers, and new participants.

Register of Interests and Minutes

Members were encouraged to contact the Secretariat with any updates to the register of interests. The minutes from the previous meeting were approved.

Use of AI in the preparation of Court Documents

Council heard that the recent consultation on the use of AI in the preparation of court documents (that had closed in April) received around 100 responses, broadly in favour of its proposals.

The main area of divergence was on the use of AI by witnesses, and the CJC working group on witnesses will work on guidance in this area.

The Chair set out the timetable for the working group, who are aiming for publication of the final report by the end of 2026.

National Forum Update

Council heard the themes, prompts, and speakers for the National Forum roundtables (scheduled for 27 November).

For the workshop on AI, it was suggested than an Ombudsman lead be approached to sit in the audience and to help ensure that the panellists engage with that sector. There was further discussion about the use of AI by judges and litigants in person, and what this means for confidentiality.

It was suggested that the workshop prompt regarding Renters Rights include *what are the risks to access to justice?*

It was noted that the OPRC and the digital possession service will both (just) be up and running in time to be discussed in the Forum.

Council approved the National Forum sessions.

Updates on Council's New Work

ADR Working Group

This working group are reviewing the role of non-determinative Alternative Dispute Resolution (ADR) within the civil justice system of England and Wales. Council heard that the working group on ADR had finalised its Terms of References, which sets out that the group will review the role of non-determinative Alternative Dispute Resolution (ADR) within the civil justice system of England and Wales.

The MoJ has recently done preliminary analysis following a pilot (running 22 May 2024 to 6 April 2027) that automatically refers small claims to mediation. The findings from the MoJ this will feed into the working group's report.

Council discussed new codes of practice in the consumer sector for which each code of practice has an independent kind of ADR (e.g. ombudsman) supporting it.

It was raised that the scope of the ADR project seems to be very large and may need further consideration.

Track Limits Review

This working group are undertaking a review of county court track limits and the division of work between the County Court and the High Court. The Chair of the working group explained that the group has Terms of Reference, a (nearly) full membership and will begin work in earnest early autumn. Recruitment is ongoing for a new DJ member.

Council also discussed the difficulties of obtaining data to help determine tracks. HMCTS are helping through various forms of data mining, for which Council are very grateful.

The working group expect an update in autumn from HMCTS regarding the data that has been unearthed and analysed. A consultation on track limits is currently planned for summer 2027.

Council agreed the current approach, and noted ongoing recruitment.

Expert Witness Guidance

This working group are updating the Civil Justice Council Guidance on the Instruction of Experts in Civil Claims (2014). Council heard that the working group's Terms of Reference

had been approved. The group's membership has been finalised and draws from experts and professionals as planned.

The Academy of Experts have recently published guidance on AI that will be taken into account by the Working Group.

The group plans to provide recommended updates by Easter 2027.

Enforcement

This working group published a report in April 2025 on enforcement of civil justice orders. One of the recommendations of this report was that: 'that the Financial Statement Form should be provided at an early stage of the proceedings, in order to avoid the expensive and arduous process of obtaining the information after judgment'.

The working group is now drafting a financial form to assist at the outset when proceedings are brought against a party.

HMCTS have provided previous examples to help the working group.

Updates on Council's Other Work

Futures Group

The Futures working group has been recently set up to 'anticipate emerging trends—particularly in digital justice and artificial intelligence—and to assess how these developments may alter the nature, volume and resolution of civil disputes'.

The first meeting of the working group was held on 3rd July, in which the group discussed their first horizon scanning report which was then brought before this Council meeting. Council noted that the skeleton report is vast and will need to be focused. A good way of framing this might be: 'how will I get my civil dispute resolved in 5-10 yrs time?

The group aims to bring a report outlining progress to the October Council meeting, and a more detailed proposal of what the group will focus on to CJC Strategy meeting in February.

Council noted international models of such horizon scanning, including civil reform in Australia that will aim to account for possible future uses of AI in courts. A public facing consultation is another option for the group to provide focus.

Solicitors Act

The consultation to Part 3 of the 1974 Solicitors Act closed on 16 July. There were around 40 responses in total which generally supported the proposals except the one to increase the jurisdiction of the Legal Ombudsman in disputes over Solicitors costs under £50,000.

The Working group will meet on 24 July to discuss these responses and initial analysis, and to plan work over the summer on a final report.

Council also noted the Conclusions of the Independent Public Bodies Review of the Legal Services Board which recommended the MoJ overhaul of all legal regulatory frameworks simultaneously. The working group will take into account the possibility of this larger overhaul to plan its own work when more information is available.

Data

This working group was set up to improve the way data is collected, presented and shared, so that the Civil Justice Council can best perform its statutory function. No papers were circulated and no updates were shared about the group in this meeting.

Updates on Other Work

HMCTS

Council heard that HMCTS have secured funding for further digitalisation. They have begun to do this in 3 areas:

- bulk claims (will be end to end online);
- improving systems for all the remainder of county court claims, simplifying work with procedural rules committee;
- improve and update existing services

HSMCTs also gave an update on work on possession. They are planning to do a limited release of digitalised social housing claims in early Autumn before launching the full roll out. The Chair praised a brilliant demo of the digitalisation of possession, and praised the fact that judges were put in touch with developers. Duty solicitors will also be shown an early pilot of this system and have the opportunity to give feedback. HMCTS agreed to arrange for CJC to see a demo at the next meeting.

Council also discussed the Renters Rights Act which came into force on 1 May and is going well. HMCTS flagged high flagged high volumes of small claims, including mediation between renters and

landlords. These delays then knock into hearing timeliness, and there are also potential problems with enforcement. HMCTS said that digitalisation should speed up processing possession lists.

There was broader discussion about current data which suggests that settlement for small claims has decreased. Some possible readers for this include repeat users of the small claims service, and large organisations not engaging with settlement; it is also the case that success rates differ between types of case. It was suggested that the small claims mediation group might do some work to pin down reasons for lower settlements in particular case types. HMCTS are evaluating whether it is appropriate to create some different routes for cases with low settlement rates.

It was also noted that when cases move from mediation to trial, it would be useful for judges to know what happened at mediation but this isn't always passed on.

MOJ

The MoJ had circulated an update about the MoJ's recent work and priorities – this was summarised in the meeting. One of the main events is the new business and property division which is coming into being on 1 October.

There was some discussion about respect orders, which are new style of adult anti-social behaviour injunction for which the rules have recently been drafted. The breach of a respect order will be a criminal offence. District Judges will receive more information about these very soon. Council discussed the importance more broadly of communicating training material to judges.

Council also discussed the Public Office Accountability Bill that was passed in September 2025 in light of the Hillsborough tragedy. MoJ have been working with local authorities to understand how it impacts their work.

Legal Aid

Council noted that the Public Office Accountability Bill means an increasing the number of people applying for legal aid. Following the cyber attacked the system is back online but still not completely reliable.

This is ongoing work to encourage new parties to come into the market to offer legal aid.

CPRC

Council heard an update from CPRC which includes modernising rules on service and practice direction 6A.

Council heard that a paper went before the July CPRC meeting which addressed each of the CJC's enforcement papers.

Annual Report

Council approved the CJC 2025-26 Annual Report. It was confirmed that the report gives no mention of a National Forum because there wasn't one in 2025.