Friday October 17 2025

Meeting Opening: Welcome and Apologies

The Chair formally opened the meeting, welcomed members and observers, and thanked the outgoing Deputy Head of Civil Justice for his service to the Council. The Council welcomed his successor and new members of the Secretariat. The minutes of the July meeting were approved.

Reports for Discussion and Approval

Solicitors Act

Council considered a revised draft report on reform of Part III of the Solicitors Act 1974. The Working Group had responded to earlier feedback by setting out three broad options: repeal and replacement, modernisation of the existing framework, or modernisation followed by extension to a wider range of legal professionals.

Members supported the direction of travel but agreed that the report should present a clearer and more confident case for reform. Further work was requested on the intended scope of the proposed regime, the legislative objectives, its relationship with conditional fee and damages-based agreements, and the respective roles of the courts and the Legal Ombudsman. The consultation questions will also be refined and integrated into the report before the document returns to Council.

Annual Report

Council reviewed the draft annual report and agreed that a final version, including the Chair's foreword and financial information, should be circulated to members for comment before publication.

Updates on Council's Current Work

Use of AI in the Preparation of Court Documents

Council heard that the Working Group's next step is to prepare a report and draft consultation. Members recognised that this is a rapidly developing area and supported the group taking the time required to produce effective proposals.

Civil Work in the Magistrates' Courts

Council agreed to pause the project briefly so that it can take account of related evidence gathering on the volume and types of civil work undertaken in the magistrates' courts. The Working Group will remain engaged during this period and continue to develop its understanding of the issues.

National Forum 2026

Council considered the purpose and format of the 2026 National Forum, building on discussion at the July meeting. Members reaffirmed the importance of an inclusive, open event that appeals to a wide range of stakeholders, with networking remaining central to the programme.

Discussion considered how the Forum might combine the sharing of good practice with opportunities to generate new ideas. Members supported exploring rotating round-table discussions and short contributions from a range of sectors. A small task and finish group will assist the Secretariat with the next stage of planning.

Updates on Other Work

Legal Aid

Council noted continuing operational difficulties affecting legal aid services and the Justice Select Committee's call for evidence on their impact.

Civil Procedure Rule Committee

Council received a brief update on work relating to mental capacity, housing reform and the future of the small claims mediation pilot. A new Council representative to the Civil Procedure Rule Committee was approved.

Council Strategy and Governance

Publication of Minutes

Council approved a new, more structured format for its minutes. Members agreed that material intended for publication should be reviewed carefully so that confidential or sensitive information is not included.

2026 Strategy Meeting

Council considered the timing of its 2026 strategy meeting. Members discussed the practical difficulties of holding the meeting in January and the potential benefits of aligning it more closely with the financial and reporting year. The Secretariat will consider options with the Executive Committee.

Impact of Council Reports

Members discussed the importance of monitoring the implementation and impact of the Council's recommendations. Council agreed that a future meeting should review the response to recent reports, including work on mental capacity, litigation funding and enforcement, and consider the wider state of civil justice.

Future Work and Other Business

Mazur Judgment

Council discussed concerns raised across the legal sector about the possible practical consequences of the Mazur judgment, while recognising that the case may remain subject to further legal proceedings. The Council agreed to keep developments under review and return to the subject at a future meeting.

Recruitment and Membership

Council received an update on recruitment to Council and the Secretariat. Members also noted the reappointment of two existing Council members for further terms.