



Civil Justice Council: 2011-12 Work Plan

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Activity: Jackson Report Implementation (1) | |
| Body Responsible: Predictable Damages Working Party Chair: Peter Smith | |
| | July 11 |
| Objective | To examine the feasibility of establishing a predictable damages regime for personal injury damages claims as recommended in the Jackson Report. |
| Outcome: Working Party to make recommendations on feasibility of predictable damages to the Council. Council to consider and report conclusions to the Lord Chancellor. | |

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Activity: Jackson Report Implementation (2) Chair: Robert Jordon | |
| Body Responsible: Summary Assessment (N260) Working Party | |
| | July 11 |
| Objective | To examine the Jackson recommendation to reform the CPR summary assessment form, examine the feasibility of the proposed revised form and make recommendations, if appropriate, regarding the introduction of a new form |
| Outcome: Working Party to make recommendations to the Council on the N260 form. Council to consider and report conclusions to the Lord Chancellor and the Civil Procedure Rule Committee. | |

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Activity: Jackson Report Implementation (3) Chair: John Pickering | |
| Body Responsible: Experts working group | |
| | July 11 |
| Objective | To examine the feasibility of: (i) a standard format for medical reports (ii) amending the MRO agreement to allow direct communication between solicitors and medical experts instructed. |
| Outcome Working Party to make recommendations to the Council. Council to consider and report conclusions to the Lord Chancellor and the Civil Procedure Rule Committee. | |

| | |
|--------------------------------------------------------------------------------|---------------------------------------------|
| Activity: Jackson Report Implementation (4) Chair: Tim Wallis | |
| Body Responsible: ADR Mediation Handbook working party | |
| | October 2011 |
| Objective | To finalise a ADR Handbook for publication. |
| Outcome: Publication of ADR Handbook | |

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Activity: Jackson Report Implementation (5): PAP Reform Chair: Graham Jones | |
| Bodies Responsible: (1) PAP working party | |
| | October 11 |
| Objective | (1) To conclude a review of various PAPs and produce recommendations for reform. To examine the Jackson Report recommendations regarding PAPs. |
| Outcome: Working parties to make recommendations to the Council. Council to consider and report conclusions to the Lord Chancellor and the Civil Procedure Rule Committee. | |

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Activity: Technical Aspects of Jackson Implementation Chair: Alistair Kinley | |
| Body Responsible: TAJI Working Party | |
| | 31 October 11 |
| Objective | The CJC expert working party will help develop practical proposals to assist with the implementation of secondary legislation (regulations, court rules) in the following areas: <ul style="list-style-type: none"> • Qualified one way costs shifting – atypical cases and behavioural aspects • Introduction of an additional sanction/reward under Part 36 • The detail of the proportionality test – content of a Practice Direction - examples of when the test should not be applied. |
| Outcome: Working Party to produce set of options papers to assist MOJ in the implementation of certain aspects of the Jackson Report. | |

| | |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| Activity: MOJ Legal Aid and Jackson consultations Chair: Janet Tilley | |
| Body Responsible: Legal Aid Consultation Working Party | |
| | 14 February 11 |
| Objective | To respond to the MOJ's legal aid consultation, and contribute to post-consultation policy development |
| Outcome Working Party to produce draft response for approval by the Executive Committee | |
| | |

| | |
|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Activity: EU Collective Redress Consultation Chair: Graham Jones | |
| Body Responsible: EU Collective Redress Working Party | |
| | In accordance with the time scale to be set by the Commission |
| Objective | To respond to the EU's various ongoing consultations on the development of European collective redress mechanisms in order to ensure that they facilitate access to justice for English and Welsh litigants. |
| Outcome: Working Party to produce draft response for approval by the Executive Committee | |
| | |

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Activity: Access to Justice for litigants-in-person study Chair: Robin Knowles QC | |
| Body Responsible: Access to Justice working party | |
| | October 2011 |
| Objective | To examine the current issues regarding the growth of litigants-in-person and their impact on the proper administration of justice, the problems they face in achieving effective access to justice and the courts face in ensuring they receive effective access to justice. To further consider the effects which changes in the legal services market are having and will have on litigants' access to justice, especially in respect of those changes which are flowing from the Legal Services Act 2007 reforms. |
| Outcome: Working Party to make recommendations to the Council. Council to consider and make recommendations to the Lord Chancellor. | |
| | |

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| Activity: ADR Education Chair: Tim Wallis | |
| Body Responsible: ADR Education working party | |
| | March 12 |
| Objective | To carry out an empirical study of the present state of ADR education at University level and in vocational training courses. |
| Outcome: Working party to oversee research project and report findings to the Council. Council to consider and make recommendations to the Lord Chancellor. | |
| | |

| | |
|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Activity: Social Housing Consultation Chair: Robert Jordon | |
| Body Responsible: Social Housing Consultation working party | |
| | April 11 |
| Objective | To produce a response to the DCLG Social Housing Consultation, insofar as it has an impact on access to civil justice, and contribute to post-consultation policy development and implementation. |
| Outcome: Working party to produce draft response to consultation for approval by the Executive Committee | |
| | |

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Activity: Civil Procedure Rules – Complexity Study Chair: To be confirmed | |
| Body Responsible: CPR Complexity working party | |
| | March 11 |
| Objective | To examine whether, and if so to what extent, the CPR are more complex than they need properly to be, to identify what the causes of any unnecessary complexity are, and to make recommendations to the Lord Chancellor and CPRC on how the CPR can be simplified. |
| Outcome: Working party to make recommendations to the Council. Council to consider and report conclusions to the Lord Chancellor and the Civil Procedure Rule Committee. | |
| | |

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Activity: Third Party Funding Code Chair: Michael Napier | |
| Body Responsible: Third Party Funding Working Party | |
| | October 11 |
| Objective | To examine and redraft, where appropriate, the draft third party funding self regulatory code in light of the 2010 CJC consultation responses. |
| Outcome: Working Party to produce a revised code, which commands the support of the stakeholders, for approval by the Executive Committee and publication. | |
| | |

| | |
|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| Activity: Access to Justice - Solving Disputes in the County Courts Response Chair: Robin Knowles QC | |
| Body Responsible: Green Paper Working Party | |
| | 30 June 11 |
| Objective | To prepare a response to the Government's consultation paper |
| Outcome: Working Party to produce response to the consultation paper for approval by the Council. | |

Activity: Defamation Bill Response

Chair: Robin Knowles QC

Body Responsible: Defamation Bill Working Party

30 June 11

Objective

To prepare a response to the Government's Draft Defamation Bill

Outcome: Working Party to produce response to the draft Bill for approval by the Council.