

Seventh Progress Report of the Litigants in Person Reference Group

(Meeting 20th April 2021)

Introduction

At its inaugural meeting on 12th February 2019, it was agreed that a Progress Report summarising key decisions and activities of the Reference Group should be published following each meeting. This is the seventh of those reports and relates to the meeting held on 20th April 2021.

1. Sixth Progress Report

This was considered by the Reference Group and approved and is to be added to the Reference Group webpage as soon as possible.

2. Follow- up to NICTS presentation on Modernisation Programme

It had been agreed at the meeting On 8th December 2020 that Reference Group should provide written feedback to NICTS following the NICTS presentation on the Courts Modernisation Programme. The Chair's draft feedback was discussed. A number of amendments were agreed to include:

- more emphasis on the need to capture data on the experiences and views of litigants in person directly;
- highlighting the importance of drawing lessons from the roll out of other major programmes of reform e.g. Welfare Reform.

Action: Written feedback would be finalised and sent to NICTS and published on the new Reference Group website once the work on the website has been completed.

Continuing on the theme of capturing the experiences of litigants in person and the importance of finding a mechanism for direct engagement with individual litigants, it was suggested that the RG consider organising an online discussion /webinar for personal litigants, perhaps in partnership with Law Centre NI, to allow feedback on the Modernisation Programme to be gathered from individual litigants in person. The Chair agreed to follow up this suggestion with the Law Centre Director and report back at the next meeting.

Action: Chair to explore the possibility of Law Centre NI facilitating a webinar to gather views on the Modernisation Programme from litigants in person.

It was also noted that with Peter Luney will be leaving his post as NICTS Chief Operating Office and that early engagement with his successor will be important for the RG.

3. Future training events

At its meeting in December 2020 the Reference Group agreed to explore possibilities for a training webinar to be held in autumn 2021. It was also agreed that this, the Reference Group's second training event, should have a focus that would encourage the participation of litigants in person, as the first training event (*Dealing with distressed clients – February 2020*) had been aimed primarily at the legal practitioners.

Following the Civil Justice Council report 'Vulnerable witnesses and parties within civil proceedings: current position and recommendations for change' (Feb 2020), there has been a change to the Civil Procedure Rules in GB to make clear that dealing with a case justly includes ensuring that the parties can participate fully, and goes much wider than litigants in person, this development is clearly potentially very relevant. It was agreed that further consideration should be given to developing this into a webinar and that an outline event proposal would be circulated for further consideration by members of the Reference Group.

Action: Proposal to be circulated to the group for consideration in advance of the next meeting

4. Website

There has been a delay in setting up the new website but the domain name has been secured i.e. litigantvoice.co.uk and a new logo should be available shortly to circulate to the Reference Group

Action: New logo to be circulated to the group when available

5. External Engagement

Shadow Family Justice Board

The Chair of the Shadow Family Justice Board. Judge Keegan had written to the Chair of the Reference Group some time ago to say that the Board would be inviting her along to talk about the work of the group. As the next meeting is 17th May, it was agreed that the Chair should follow this up.

Meeting with the Law Society

The meeting with the Law Society had not yet taken place and the Chair agreed to follow this up.

Stakeholder Advisory Group

The first Stakeholder Advisory Group meeting took place on 17th December 2020 with the Reference Group representative attending. There is concern that reforms/changes were being tested with the legal profession first and only then with service users including litigants in person. The importance of seeking the views of litigants in person at an early stage in relation to the roll out of reforms has been highlighted by the Reference Group on a number of occasions hence the importance of the proposed Reference Group/Law Centre webinar.

Justice Minister's statement.

It was noted that the Justice Minister had made reference to the work of the RG in her statement to the Assembly on 23rd March 2021. It was also encouraging to note that the Minister recognises the importance of getting feedback from service users on participation in the legal process.

6. Membership

It was noted that efforts are continuing on the recruitment of new litigant in person members.

It was also agreed that as Les Allamby will be stepping down from the Reference Group at the end of his term with NIHRC, the colleague who will be replacing him on the Reference Group should be invited to attend the next meeting.