

MEETING OF THE ACCESS TO JUSTICE REVIEW EXPERT GROUP

(5th Meeting)

Held on Tuesday 14th April 2015 at 11:00am-12:00pm, Council of Ministers Meeting Room,
Cyril Le Marquand House

Attendees

Mr. T. Walker, Chief Minister's Department (Chair)
Mr A. Metcalfe, Chief Minister's Department
Advocate V. Dempsey, Law Officers' Department
Mr. M. Ferey, Citizens Advice Bureau
Mr. N. Benbow, Law Society of Jersey
Advocate D. Cadin, Bâtonnier
Ms. S Davis, Statistics Unit

Apologies: Howard Sharp QC - Solicitor General, Advocate P. Matthews - Deputy Judicial Greffier, Advocate J Speck – President, Law Society of Jersey.

Welcome

1. The Chair welcomed the Group to the fifth meeting. The meeting noted that Deputy J. Hilton and Connétable D. Mezbourian had joined the Advisory Panel which had met on 30th March. The composition of the Advisory Panel is now Senator P. Routier (Chair), Deputy M. Tadier, Connétable J. Gallichan, Deputy J. Hilton and Connétable D Mezbourian.

Interim Report (R.107/2014) and forthcoming Report in July 2015

2. The Group noted that an Interim Report had been presented to the States Assembly on 24th July 2014 by the Chief Minister. It was also noted that a further Report was due in July 2015. It was thought that this might be presented as a Second Interim Report with a Final Report being presented later in 2016.

Work on principal areas of interest identified in the Interim Report

3. The Group noted that the Interim Report had summarised the evidence received using a number of themes which could be grouped together, namely: a) legal aid, affordability and the legal profession; b) the courts, tribunals, panels and other adjudicatory bodies and alternative dispute resolution/non-judicial redress mechanisms; c) information, languages and plain English; d) simplification and reform of laws.
4. The Group discussed a number of initiatives which are underway, including: the Law Society of Jersey review of the legal aid system; the Jersey Law Commission reviews of divorce law and of administrative justice; work by the Law Officers' Department to revise the criminal procedure law; the work of the Royal Court Rules Review Group; work by the Citizens Advice Bureau and the Jersey Legal Information Board to improve the uptake of mediation services; Jersey Legal Information Board work on improved information for citizens and English translations of French laws; and Legislation Advisory Panel work on a restatement of contract law.

Way forward and next steps

5. The Group agreed to reconvene in order to review an initial draft of a Second Interim Report, which would seek to explain the work underway through this range of initiatives and what is expected to have been achieved and by when, so that the Advisory Panel can consider the draft Report at its meeting in June.
6. In regards to mediation (Community Mediation and Family Mediation) Mr. N. Benbow offered to convene a group involving CAB, JLIB, Judicial Greffe and others, in order to consider how use of mediation might be increased, having regard to the relative constraints on public finances at present. The Group agreed with this suggestion and asked Mr Benbow to report back at the next meeting.

Any other business

7. The Group noted that following the restructure of the Home Affairs and Chief Ministers departments, Mr. T. walker would lead a combined team covering Home and Constitutional Affairs, as well as strategic planning and policy development for justice and legal services constitutional affairs and social affairs¹. As such, the Access to Justice review would continue to be supported by Mr. Walker and by the new combined team.

¹ <http://www.gov.ie/News/2015/Pages/DepartmentsRestructured.aspx>