

## Meeting of the Access to Justice Review Expert Group

held on Friday 28th March 2014  
at 15:00 in the Meeting Room, 9th Floor, Cyril Le Marquand House, St Helier

### Attendees

Mr T. Walker, Chief Minister's Department (Chair)  
Mr S. Cartwright, Chief Minister's Department  
Mr T. Le Cocq, Attorney General  
Advocate V. Dempsey, Law Officers' Department  
Mr P. Matthews, Judicial Greffe  
Mr M. Ferey, Citizens Advice Bureau  
Ms A. King, Jersey Consumer Council  
Advocate O. Blakeley, Jersey Chamber of Commerce  
Advocate T. Hanson, President, Law Society of Jersey  
Mr N. Benbow, Law Society of Jersey  
Mr D. Cadin, Bâtonnier

### *Welcome*

1. The Chairman welcomed the Group and thanked them for agreeing to contribute their expertise to the review.

### *Terms of Reference*

2. The Terms of Reference for the review, as agreed by the States Assembly on 21 January 2014, were noted (P.158/2013 refers). It was thought that the description of the current legal aid scheme to be provided (2.1 a) should include the ex gratia payments made available through the Judicial Greffe. It was also noted that the scope of proposals to be made was quite broad (2.1 c) and that whilst consideration might be given in due course on whether to focus such proposals on the legal aid system, it was felt that it was probably unnecessary to constrain the scope of the review at the outset.

### *Advisory Panel Meeting 17 March 2014*

3. It was noted that the Advisory Panel had held its first meeting on 17 March and that the minutes would be published in due course.

### *Openness and Transparency*

4. The members of the Group indicated that they were content in principle to proceed as openly and transparently as possible and for the minutes of Group meetings and other relevant documents to be made available via the gov.je web site.

### *Royal Court Rules Review Group*

5. The establishment by the Bailiff of a *Royal Court Rules Review Group* under the Chairmanship of the Deputy Bailiff was noted. The Group considered that this was a positive development and noted the helpful cross over in membership between the two groups. The Group considered that it would be helpful if minutes of meetings could be shared. It was noted that the Royal Court Rules Review Group intended to place an advertisement seeking suggestions from members of the public and legal profession as to areas, issues or

improvements in Royal Court procedure which should be considered. It was thought that there may be areas of overlapping evidence submitted to the reviews and that it would be helpful, therefore, if such evidence could be shared. The Chairman of the Advisory Panel would liaise with the Deputy Bailiff.

#### *Call for Evidence*

6. The Group noted the intention that the first stage of the review should be a Call for Evidence. It was felt that, whilst the legal aid system is central to the review, access to justice is a holistic and interconnected system which needs, therefore, to be taken as whole. However, it was thought that potential respondents to the Call for Evidence may welcome being given a steer as to the overall direction of travel and the broad topics that might be addressed. It was also felt that the Call for Evidence should be positive and encouraging, so as not to put off any potential respondents. The Consumer Council and others may be a good route to seek out the views of islanders and techniques beyond written submissions, such as focus groups, might also be considered. It was noted that there would be an opportunity for interested parties to attend a Public Hearing with the Advisory Panel in order to expand upon points made in written submissions.

#### *Interim Report to the Chief Minister and States Assembly*

7. The need to provide an Interim Report to the Chief Minister and States Assembly within six months was noted. It was understood that, ideally, the Chief Minister might be in a position to present an Interim Report to the States Assembly in July. However, it was recognised that this was an ambitious timetable and that a period up until September may be required. Given the challenging timetable in which to provide an Interim Report, and the longer timescale for the subsequent production of a Final Report, it was thought that the initial report might focus on providing a) the description of the legal aid system (2.1 a), b) a summary of the points arising from the Call for Evidence (likely to comprise an analysis of perceived problems and suggested solutions) and c) recommendations on how the review might progress to a Final Report in 2015 containing firm proposals improving access to justice.

#### *Any Other Business*

8. The Group considered how media comment and press might be handled. Whilst the Advisory Panel would naturally take the lead in communications regarding the review itself, in particular the Chair of the Panel, it was recognised that some of the organisations represented in the Group will wish to submit evidence and that this is likely to involve discussion and consultation. Given the commitment to transparency, and the need to ensure public debate regarding the issues, it was considered that open discussion and media comment on these matters would be welcomed.

#### *Date of Next Meeting*

9. The Panel noted that its next meeting would be 2 May 2014.

ENDS  
28 April 2014