

Meeting of the Access to Justice Review Advisory Panel

held on Monday 30th March 2015
at 13:30 in the Concord Room, 4th Floor, Cyril Le Marquand House, St Helier

Attendees

Senator P.F. Routier, M.B.E. (Chair)
Deputy J.A. Hilton
Connétable D.W. Mezbourian
Deputy M. Tadier

Apologies: Connétable J. Gallichan.

Also in attendance: Mr T. Walker and Mr A. Metcalfe, Chief Minister's Department.

Welcome

1. The Chairman welcomed members to the fifth meeting of the Panel. The Chairman noted that two new members had agreed to join the Panel following the Elections, namely Deputy Hilton and Connétable Mezbourian, and that Deputy Tadier had agreed to continue to serve as a member of the Panel.

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

2. The Panel recalled that an Interim Report had been presented to the States Assembly on 24th July 2014 by the Chief Minister. It was 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 Panel noted that 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. The Panel received an oral update from officers on a number of initiatives which were underway and which would address many of the points raised in written submissions, including work by the Jersey Law Commission on divorce reform and administrative justice, work by the Legislation Advisory Panel on a re-statement of contract law, work by the Royal Court Rules Review Group, work by the CAB and others to improve the uptake of mediation services, work by the Law Officers' Department to update the criminal procedures law which dates back to 1864, and work by the Jersey Legal Information Board on improving CAB legal information notes and providing English translations of French language laws. It was agreed that the Chair would write to the Bailiff seeking an update on the work of the Royal Court Rules Review Group. It was also agreed that the Chair would write to the Law Society of Jersey to support a proposed review of the current legal aid system to ensure that legal aid remains fit for purpose, enhance transparency and simplicity, and ensure that the system continues to support those who lack the necessary resources for legal representation.

Way forward and next steps

4. The Panel requested that officers meet with the Expert Group in order to seek to establish timelines and expected outcomes for the each of the initiatives underway. The Panel will reconvene in June in order to review a 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. The Panel will also invite the Law Society to a public hearing to be scheduled after the summer in order to discuss progress with a review of the legal aid system.

Any other business

5. The Panel noted that the Chief Minister was progressing with the development of a White Paper on the possible establishment of a Judicial and Legal Services Commission for Jersey.

ENDS