

## TERMS OF REFERENCE FOR THE SHADOW CIVIL JUSTICE COUNCIL

### **Background**

The creation of a Civil Justice Council is one of the key proposals flowing from the Review of Civil & Family Justice. The Review Group's Report on Civil Justice, published on 5<sup>th</sup> September 2017, recommends:

A Civil Justice Council comprising membership of the legal profession, judiciary, government departments and lay members to be set up as a matter of high priority in the first instance as a non-statutory body. [CJ225]

Chapter 25 of the report sets out in detail the case for the creation of a Civil Justice Council, taking account of the position in other jurisdictions; proposes (at paragraph 25.37) what the remit of such a council should be; and notes the high level of support for the proposal in the responses that were received in respect of the preliminary report on civil justice, which was published in October 2016.

In the absence of Ministers, it was agreed with the Permanent Secretaries of the Department of Justice and the Department of Finance that a shadow Civil Justice Council, with a more limited remit, should be established as an interim step. The establishment of the shadow Council was announced by the Lord Chief Justice in his public address at the opening of the new legal year on 5<sup>th</sup> September 2017.

### **Remit**

The remit of the shadow Civil Justice Council is to:

- oversee the co-ordination of a draft plan for the implementation of the recommendations of the Civil Justice Report;
- make proposals on which of the recommendations within the Report should be prioritised, taking account of available resources;
- engage with incoming Justice and Finance Ministers on matters relating to their responsibilities; and
- identify potential "quick wins" that could be taken forward in the short term.

## **Membership**

The shadow Council will be chaired by a Lord Justice of Appeal and its core membership will include representatives of the following:

- Court of Judicature of Northern Ireland
- County Court of Northern Ireland
- The Presiding District Judge
- The Presiding Master
- The Bar Council of Northern Ireland
- The Law Society of Northern Ireland
- Department of Justice
- Department of Finance
- Northern Ireland Courts & Tribunals Service
- Legal Services Agency
- Office of the Lord Chief Justice

Other nominated individuals may attend meetings of the shadow Council, with the agreement of the Chairman, for particular items of business.

## **Advisory Group**

An Advisory Group will be established to allow stakeholder organisations to provide their input to the work of the shadow Council and to reflect the views of particular interest groups. The Advisory Group will be chaired by a designated member of the shadow Council and will meet at least twice a year.

## **Sub-committees**

A number of sub-committees may, with members' agreement, be established to undertake detailed consideration of specific areas of work and report back to the shadow Council. The membership of the sub-committees may, where appropriate, encompass other organisations or individuals with an interest in the subject matter under consideration. This may include, but not be confined to, the organisations represented on the Advisory Group.

**Frequency of meetings**

The shadow Council shall meet at least once a term.

**Secretariat**

The Office of the Lord Chief Justice will provide secretariat support for the shadow Council.