

Access to civil justice

Efficiency, affordability and fairness



Two-week study programme
7 to 18 November 2011



PAI is accredited by the
British Accreditation Council
for Independent Further and Higher Education

About the programme

Civil justice is increasingly recognised as a major public service – as important in its own way as other services like health and education, and requiring a very large investment of public money. Yet the administration of justice is distinctive, not least because of the sensitivities surrounding judicial independence. How can judicial independence be reconciled with the need for public accountability and for the monitoring of efficiency? Should litigants be treated – as they are, increasingly, in the UK – as ‘customers’, whose needs and expectations should be given priority over the convenience of courts and lawyers? British judges have, in recent years, been given more responsibility for case-management; has this proved to be a positive development? Should litigants have unlimited rights of appeal? Can better use be made of information technology? How can access to justice be improved, particularly for people of limited financial means when only limited public funding is available – particularly at a time when public expenditure is being cut back? How effective are administrative justice procedures whereby the citizen can challenge the legality and fairness of official actions?

Who is it for?

This two-week programme is designed mainly for lawyers, judges, legal administrators and representatives from non-government organisations and funding agencies with an interest in the judicial sector. It will draw substantially upon recent and continuing developments in England and Wales and will also encourage the sharing of ideas and experiences among participants from other jurisdictions.

How participants will benefit

The study programme will:

- Introduce participants to the civil justice system of England and Wales
- Familiarise participants with recent and continuing initiatives to modernise the management and delivery of civil justice – such as the reports by Lord Woolf in the 1990s, the Constitutional Reform Act 2005 and the establishment of the Tribunals Service in 2006

- Enable participants to understand the financial and other obstacles to access to the civil justice system
- Discuss the roles of judicial review, of administrative tribunals and of ombudsmen in the delivery of administrative justice
- Compare experiences of delivering civil justice in participants’ own countries
- Identify aspects of UK experience which can be applied in other countries and aspects of overseas experience from which the UK system might benefit
- Help participants to identify practical ways of initiating relevant and sustainable change to enhance access to civil justice on their return to their own countries.

What the programme will cover

The programme will explore practical strategies for improving the delivery of civil justice and access to the civil justice system. Participants will examine how the key mechanisms and agencies, such as courts and tribunals, the Ministry of Justice and its executive agencies, the legal aid system and the legal professions relate to one another and deliver their services. Consideration will also be given to the role of alternative methods of dispute resolution (ADR), such as mediation and ombudsman systems. The programme will include seminar sessions, discussions, case studies, practical work and visits. It has been designed to be flexible so that it can be adjusted wherever practicable to meet the specific requirements of participants and their organisations.

The programme will comprise two main components.

- Participants will be briefed about the UK Government’s civil justice policies; the measures being adopted to modernise the various elements of the civil justice system in England and Wales; how successful these measures have been and how they fit into wider strategies for the delivery of accessible justice

- Participants will consider, in the light of shared experience, options for reform in their own countries, action plans and strategies for change.

Study programme participants will be invited to give informal presentations on their own system and to identify any particularly pressing problems relating to the management and delivery of civil justice in their home country.

Programme outline

| Week 1 | AM | PM |
|--------|--|---|
| Day 1 | Welcome and introductions Modernising government and the administration of justice | Participants' informal presentations: key issues and problems |
| Day 2 | Overview of the English and Welsh civil justice system Introduction to action planning | The role of the Ministry of Justice Modernising and managing civil justice |
| Day 3 | The work of the Legal Services Commission – Access to justice – Litigants as “customers” – The cost of litigation – Civil legal aid | <i>Visit to a lawyer's firm (out of London)</i> The day-to-day work of a law firm |
| Day 4 | <i>Visit to a lawyer's firm (out of London)</i> Practical impacts of changes in civil justice policies, including legal aid | <i>Visit to a local court (out of London)</i> Civil litigation; small claims procedures |
| Day 5 | Administrative law overview – Judicial review – The tribunal system – Ombudsman systems | <i>Visit to the Tribunals Service and/or the Administrative Justice and Tribunals Council</i> The work of administrative tribunals and recent developments in the tribunal system |
| Week 2 | AM | PM |
| Day 6 | Syndicate exercises <i>Visit to the Citizens' Advice Bureau at the Royal Courts of Justice</i> – Facilitating access to justice; helping litigants in person | <i>Visit to the Royal Courts of Justice</i> – Attend court hearing Optional walking tour of “legal London” |
| Day 7 | The appellate system – Court of Appeal – Other appellate courts – The Supreme Court <i>Visit to Civil Appeals Office, Royal Courts of Justice</i> | <i>Visit to the new Supreme Court</i> – The transfer of the House of Lords jurisdiction to a new Supreme Court. – Issues of change management and public access – Attend an appeal hearing |
| Day 8 | Enforcement processes – Enforcing court judgements | <i>Visit to an Ombudsman office or mediation agency</i> – Alternative dispute resolution – Complaints as a tool of administrative reform |
| Day 9 | The public financing of access to justice – Practical exercise | Action planning – participants' reports |
| Day 10 | Challenges and prospects for the future | – Evaluation of the programme – Presentation of certificates of attendance |

We reserve the right to change the programme as necessary.

Application form

Access to civil justice: efficiency, affordability and fairness

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Please complete this application form and post, fax or email it to:

Clare Walters
Programme Manager
Public Administration International
10 Bayley Street
London WC1B 3HB UK
T + 44 (0)20 7580 3590 F + 44 (0)20 7580 4746 pai@public-admin.co.uk

Applications can also be completed online. Please see our website for details.
www.public-admin.co.uk

Please print clearly in black ink and in capital letters

Personal details

First name _____

Family name _____

Title (Prof. Dr. Mr. Mrs. Ms. etc.) _____

Nationality _____

Dietary requirements _____

Disabilities _____

Have you participated in a PAI study programme before? _____

If yes, which programme(s)? _____

Date of programme(s)? _____

Current position

Title of post _____

Employer _____

Address _____

Telephone _____

Fax _____

Email _____

Brief description of your main role and responsibilities _____

Application form

Education and professional training

Please provide brief details of your education and professional qualifications and training

School/college/university

Relevant professional qualifications or membership of professional bodies

Particular interests

Please indicate which aspects of the programme are of most interest to you

Sponsoring organisation

Who will pay your fees?

Who will pay your other costs such as travel and living costs?

How did you find out about the programme?

Value Added Tax (VAT)

I certify that I am employed by the Government of _____ in furtherance of its sovereign activities (please refer to note on VAT under 'Fees and other costs')

Signature

Date

We reserve the right to cancel the programme if there are not enough participants to make it viable. In these circumstances, fees already received will be refunded in full.

Language

The programme will be conducted in English. Participants will be expected to have a good working knowledge of the language.

Location and arrival arrangements

The study programme will be based mainly in central London and is likely to include one night's stay outside London. It will include presentations from and visits to people and organisations with direct experience of managing the civil justice system, including the court service and non-government organisations. On request, PAI can assist with finding suitable hotel accommodation and can arrange travel to and from the airport.

Fees and other costs

The fee for the two-week study programme will be £3,050. This includes tuition, travel to and from the airport in London, travel on scheduled visits, return travel for the scheduled visit outside London and one night's accommodation while outside London¹. The fee also includes all documentation. UK Value Added Tax (VAT) will not be charged if applicants can provide written confirmation from their Government or its accredited representative that they are employed by the Government in furtherance of its sovereign activities. In all other cases, VAT (currently 17.5%, rising to 20% in January 2011) will be charged in addition to the fee. Payment in full must be received by PAI no later than 7 November 2011. Cheques should be made payable to Public Administration International. Alternatively, PAI is able to invoice individuals or government agencies. Payment by bank transfer is also acceptable.

Airfares, accommodation costs (apart from the one night on the scheduled visit outside London), daily travel (other than on visits scheduled in the programme), meals and living expenses are not included. We suggest that approximately £120 per person per day should be allowed for a modest standard of

accommodation, local travel in the UK, meals and other incidental expenses. Participants requiring a higher standard of accommodation (for example a 4 star hotel) will need to allow approximately £175 per person per day.

Discount

We offer a 10% discount on the tuition fee if a funding organisation sponsors more than three participants in any one calendar year. Please ensure that when you book your fourth participant (in any one calendar year) you let us know so that we can apply the discount.

Insurance

Participants are advised to arrange travel and health insurance cover before leaving their home country.

Public Administration International (PAI)

PAI specialises in management consultancy and development services for organisations in and associated with the public sector worldwide. We provide advice and support for governments undergoing political, economic, structural and legislative change. Our extensive network of associates includes practitioners, academics and independent consultants. The promotion of good governance and best practice are our key objectives. This programme is one of a number of specialist UK-based study programmes designed to meet the needs of public services worldwide.

Programme Director

The Programme Director will be Professor Gavin Drewry. Gavin Drewry is Emeritus Professor of Public Administration in the University of London and Honorary Professor in Law at University College London. He is a specialist in public administration and public law and has published widely in the field. He is also an experienced tutor and presenter. Our other contributors include a range of practitioners involved in the civil justice sector.

¹Travel to and from the airport in London, travel on scheduled visits in the programme, return travel and one night's accommodation on the visit outside London, are provided at cost.

How to apply

Please complete the attached Public Administration International application form and post, fax or email it to:

Clare Walters
Programme Manager
Public Administration International
10 Bayley Street
London WC1B 3HB
UK
T + 44 (0)20 7580 3590
F + 44 (0)20 7580 4746
pai@public-admin.co.uk

Applications can also be completed online. Please see our website for details: www.public-admin.co.uk

If you would like to discuss the programme or to find out more about Public Administration International and our services, please contact:

Claire Cameron
Director
Public Administration International
T + 44 (0)20 7580 3590
pai@public-admin.co.uk

We also have extensive experience of designing tailor-made programmes (from one day to two or three weeks) which can be run in your own country or in the UK to meet the specific needs of groups or individuals at all levels within your organisation. Please contact us if you would like further information.

Public Administration
International

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