

Citizens Advice Scotland

Scottish Association of Citizens Advice Bureaux

www.cas.org.uk



Making Justice Work: Response to Courts Reform (Scotland) Bill – A Consultation Paper

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- Citizens Advice Scotland and its member bureaux form Scotland's largest independent advice network. CAB advice services are delivered using service points throughout Scotland, from the islands to city centres.
- Citizens advice bureaux in Scotland helped clients with over 500,000 new issues in 2011/12 – more than 1,400 new issues for every day of the year. Nearly 200,000 clients brought new issues to a bureau over the year.
- In 2011/12, Scottish bureaux achieved a financial gain of almost £140million for clients based on funding of £16.9million.

Introduction

Citizens Advice Scotland (CAS) welcomes the opportunity to contribute to the discussion around the Courts Reform (Scotland) Bill. In any discussion on access to justice, CAS represents the consumer¹ perspective in relation to civil matters and therefore all comments relate solely to civil justice.

The Citizens Advice Service in Scotland continues to support and represent users of the civil justice system and strongly advocates the principle of access to justice. Citizens Advice Bureaux (bureaux) across the country contribute an enormous effort in advice, support and representation in almost all areas of civil justice, predominantly in housing, debt and welfare benefits.

Specifically funded projects and wider advice work undertaken by the bureaux in Scotland in 2011/2012 recorded 380,000 enquiries where the potential resolution has the potential to involve formal legal methods and systems. This included almost 23,000 enquiries relating to civil legal process, almost 35,000 housing enquiries and more than 118,000 debt enquiries. However, many of these problems were solved before the need to engage with formal legal processes (courts and tribunals).

In assisting some of the most vulnerable clients to resolve their problems, bureaux undertake an invaluable role in preventing issues escalating into the legal system (for example in negotiating a payment plan between a landlord and tenant who is in arrears which stops the landlord bringing an action for eviction). If an issue does reach the stage of tribunal or Sheriff court, bureaux then undertake vital work to support and represent clients. In 2011/2012, bureaux represented clients in 5,504 civil court and tribunal cases – this included providing representation in housing, debt and small claims work in Sheriff courts as well as in welfare and employment tribunals.

¹ 'Consumer' will be used throughout this response to mean an end-user or party litigant of the civil justice system.

Key Points

- We believe that the current proposals rely too heavily on the assumption of justice as achievable only through traditional judicial means (courts). We would like to see a commitment to a ‘whole system’ approach from the outset of reforms: including a commitment to fully integrating advice and alternative dispute resolution into the civil justice system.
- We agree with the inquisitorial approach of the Summary Sheriff but feel that the design of this tier could be significantly more innovative including:
 - **Hearing civil business in non-court settings:** this would represent an opportunity for the ethos of the Summary Sheriff hearings to be fully aligned with the inquisitorial approach without the squeeze on civil business already extensively experienced within the setting of the Sheriff court. This move would also facilitate and foster the easy promotion of peripatetic Summary Sheriffs – an idea which would significantly increase proximate access to justice in rural areas and would make best use of Summary Sheriff specialisms.
 - **Separating civil from criminal business,** preferably by hearing civil business in non-court settings or the use of weekend and evening courts so that business is separated by virtue of timing. This separation can be encouraged further through Summary Sheriffs practising specialisms – it is unlikely and undesirable that a Summary Sheriff would be a specialist in both civil and criminal law. Not to split civil from criminal business would see a repetition of the current situation in sheriff courts where civil business is squeezed in favour of criminal business.
 - **Requiring Summary Sheriffs to sit without wigs and gowns** which will make this tier of the judiciary accessible to consumers and enhance the inquisitorial role.
 - **Clear and simple process which removes the need for lawyers from the outset.** Lessons can be learned from employment tribunals or small claims – both forums were designed to be accessible for consumers without the assistance of a lawyer, but this intention has been lost over time and the need for a lawyer has escalated into an expectation. Clear information and toolkits which would allow a confident consumer to prepare their own case should be developed. There should also be a robust network of lay representatives to support vulnerable consumers.
- We agree with the replacement of privative jurisdiction with exclusive competence including the rise of the limit to £150,000.
- We would argue strongly that the use of video technology and IT should be increased to best facilitate a civil justice system fit for consumers in the 21st century.
- Efficient and effective case management will be essential in making sure cases are heard at a level proportionate to the case, and also in making sure cases which are better suited to alternative dispute resolution are referred away from the Courts before first hearing.

COURTS REFORM (SCOTLAND) BILL



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

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Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

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3. Permissions - I am responding as...

Individual

Group/Organisation

Please tick as appropriate

(a)

Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes

(c)

The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish

(b)

Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

Are you content for your **response** to be made available?

Please tick as appropriate

Yes No

(d)

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

Yes

No

CONSULTATION QUESTIONS

CHAPTER 1

Moving civil business from the Court of Session to the sheriff courts

Q1. Do you agree that the provisions in the Bill raising the exclusive competence and providing powers of remit will help achieve the aim of ensuring that cases are heard at the appropriate level?

Yes No

CAS agrees with the aim of ensuring proportionality in the hearing of cases through raising the exclusive competence. We also think that the power of remit is a positive introduction but this can only be achieved successfully through effective and efficient case management.

Effective case management is essential at all levels of the civil court system – not only to ensure cases are heard at the appropriate level but also:

- to manage the expectations of consumers – making sure that a case does not call at first instance in one court before being remitted to another without prior explanation of proceedings
- to have consumer's views taken into account in realising the most appropriate path to the resolution of their dispute whether that be in a court or otherwise through alternative dispute resolution (ADR).

Case management must be used consistently (both between judicial tiers and between judges working in the same tier) and without bias towards the courts as the sole and primary forum for dispute resolution in civil cases.

If alternative dispute resolution is the better option for a consumer at any level of judicial application the facilities to undertake ADR should be available and parties should be actively encouraged to engage with ADR.

Q2. Do you think that the Court of Session should retain concurrent jurisdiction for all family cases regardless of the value of the claim?

Yes No

Although family matters are not an area on which CAS would generally make comment, it is worth noting that under the proposed rules designing the jurisdiction of Summary Sheriff (which retains concurrent jurisdiction with the Sheriff court), the potential is created for concurrent jurisdiction of family cases at all tiers of the judiciary: Court of Session (CoS), Sheriff Court (SC) and Summary Sheriff (SS).

This does not appear to adhere to the aim of ensuring that all cases are heard at the appropriate level and could lead to instances where applicant parties raise actions in higher courts as a mechanism to deter or prevent the defence of those actions. This could be especially disadvantageous in family actions where one party is dominant or possesses greater resource.

If concurrent jurisdiction is retained, effective case management should be employed to mitigate disadvantageous situations where possible.

Q3. Do you think that the Court of Session should retain concurrent jurisdiction in any other areas?

Yes No

Comments

Q4. What impact do you think these proposals will have on you or your organisation?

Comments

CHAPTER 2

Creating a new judicial tier within the sheriff court

Q5. Do you think that the term "Summary Sheriff" adequately reflects the new tier and its jurisdiction?

Yes No

The term “Summary Sheriff” may bring discussions within the legal profession about appropriateness of language but for consumers, the name is not as important as what this tier of the judiciary will signify. Whether or not the name remains, this tier represents a massive opportunity to enhance accessibility for consumers.

CAS believes that the establishment of a new judicial tier within the civil justice system is a rare opportunity to design a forum which understands and acknowledges the needs of consumers. In line with this, CAS agrees with and supports the inquisitorial approach the Summary Sheriffs are to adopt (as outlined in paragraph 72 of the consultation paper and ss 70-78 of the Bill). We consider that this can be best achieved through the specialism of Summary Sheriffs who, as a result of their specialist knowledge, can best make use of the inquisitorial approach by knowing the right questions to ask. We see specialism as being fundamental to the success of Summary Sheriffs.

However, we strongly believe there would be a missed opportunity in assuming that this tier should represent an extension of current judicial practise. We think the function of civil Summary Sheriff hearings should be designed with accessibility for consumers as the primary consideration.

In relation to the name, this means making sure that whatever name is decided upon is well promoted and publicised with clear explanation of the jurisdiction of this tier, how this tier relates to the other judicial tiers and ADR, and how this tier facilitates access to justice.

In operational terms, CAS believes that the design of Summary Sheriff practise should strive towards new standards of accessibility and should not be based on current judicial standards. To achieve a judicial tier fit for the 21st century and fit for consumers requires a new and modern approach including:

- **Hearing civil business in non-court settings:** this would represent an opportunity for the ethos of the Summary Sheriff hearings to be fully aligned with the inquisitorial approach without the squeeze on civil business already extensively experienced within the setting of the Sheriff court. This move would also facilitate and foster the easy promotion of peripatetic Summary Sheriffs – an idea which would significantly increase proximate access to justice in rural areas and would make best use of Summary Sheriff specialisms.
- **Separating civil from criminal business,** preferably by hearing civil business in non-court settings or the use of weekend and evening courts so that business is separated by virtue of timing. This separation can be encouraged further

through Summary Sheriffs practising specialisms – it is unlikely and undesirable that a Summary Sheriff would be a specialist in both civil and criminal law. Not to split civil from criminal business would see a repetition of the current situation in sheriff courts where civil business is squeezed in favour of criminal business.

- **Requiring Summary Sheriffs to sit without wigs and gowns** which will make this tier of the judiciary accessible to consumers and enhance the inquisitorial role.
- **Clear and simple process which removes the need for lawyers from the outset.** Lessons can be learned from employment tribunals or small claims – both forums were designed to be accessible for consumers without the assistance of a lawyer, but this intention has been lost over time and the need for a lawyer has escalated into an expectation. Clear information and toolkits which would allow a confident consumer to prepare their own case should be developed. There should also be a robust network of lay representatives to support vulnerable consumers.

CAS seeks assurance that the design of Summary Sheriff practise will achieve the fullest possible innovation and in doing so will achieve the best possible forum for consumers to bring their disputes. We are fully supportive of the intention that Summary Sheriffs represent a new *type* of judge (paragraph 71 of the consultation) based on the design principles outlined above.

We would like to see a working group comprised of judicial and consumer members to devise the operation and rules relating to Summary Sheriffs. This could take the form of a Committee overseen by the new Scottish Civil Justice Council and no Summary Sheriffs should be recruited or appointed until there is a clear idea of how the role will function. We would hope that the new form of judiciary would lead to a more diverse group than operate currently.

CAS would also like the assurance of an independent, external audit of the operation of Summary Sheriffs (in terms of administration, jurisdiction and consumer experience) to be undertaken and reported to the Scottish Parliament. This will ensure the design of the third tier is absolutely right as the forum for which it was intended and will ensure Summary Sheriffs are accountable.

Q6. Do you agree with the proposal that the qualifications for appointment as a Summary Sheriff should be the same as that for a sheriff?

Yes No

CAS believes that Summary Sheriffs should be more specialised than the level of specialism currently demanded for in the appointment of sheriffs. Specialism will be fundamental to the successful fulfilment of the third tier of the judiciary which CAS envisage and so a level of specialism gained through practise is highly desirable.

In the achievement of that specialist knowledge, 10 years seems to be a reasonable bar at which to set experience and CAS agrees that candidates seeking appointment as Summary Sheriff should be legally qualified. However, gaining experience out-with a practitioner environment should not be considered a negative attribute. We firmly believe that the training of a Summary Sheriff should include experience in the non-practitioner environment of a Summary Sheriff specialism.

In relation to housing and debt for example, there are often circumstances outside the blinkers of court focus which have been the root cause of a client coming before the court. Understanding these co-relating problems makes a significant difference to enabling sustainable solutions to be passed in judgement and achieved.

For example, in a case where a client presents to a bureau with an issue around payday loans, the adviser they see will explore the wider context of that issue and possible related issues such as non-payment of rent. An adviser is then able to deal with the financial issues relating to the payday loan issue, as well as communicating a payment plan to the landlord addressing the arrears. The whole problem has been resolved and not just the single presenting issue.

The client in this case is prevented from eviction action, has had advice and help on their financial situation and is potentially offered debt and/or money advice to help them avoid situations where they may take out a high-interest payday loan in the future. If the client does fall in to debt again, they are more likely to return to the bureaux for early assistance.

In our experience, it is rare for a problem to consist of an isolated issue. In 2011/2012, clients presented with an average of 2.7 problems when they first visited a bureau.

Specialisation will allow the Summary Sheriff to ask the right questions and pass sustainable judgements. We would like to see these judgements encourage engagement with local advice and support services which are resourced to help clients resolve all of their issues. Early contact contributes to early sustainable solutions.

Specialisation could also allow for the possibility of greater diversity in the appointment of part-time Summary Sheriffs whose speciality may not be required full-time but who could lend a significant benefit to a topic area.

Q7. Do you agree with the proposed competence of Summary Sheriffs in family cases?

Yes No

Comments

Q8. Do you agree that Summary Sheriffs should deal with referrals from children's hearings?

Yes No

Comments

Q9. Do you think that in addition to summary crime, Summary Sheriffs should have powers in other areas of criminal jurisdiction?

Yes No

CAS do not take a position on criminal matters but would like to emphasise that we see specialism as the key to Summary Sheriffs as a successful tier of the judiciary.

This specialism should not see criminal and civil business being dealt with by the same Summary Sheriff.

Q10. Do you agree that the allocation of cases where there is concurrent competence between sheriffs and Summary Sheriffs should be an administrative matter for the relevant Sheriff Principal?

Yes No

Leaving the decision of case allocation to the relevant Sheriff Principal should only be the solution if it does not impact on the time a case takes to come before a judge. Greater use of effective case

management, including pre-hearing meetings, should alleviate the pressure on the Sheriff Principal in making decisions.

The effectiveness, efficiency and consistency of case management should be carefully monitored by the Sheriff Principal. The Sheriff Principal should be required to submit interim reports on the success of case management over the first 3 years of implementing the requirement for management in this way.

Q11. What impact do you think these proposals will have on you or your organisation?

These proposals will have an impact on CAS, bureaux and clients.

For clients, the introduction of Summary Sheriffs has the potential to significantly increase access to justice. This is both in terms of proximity - in Summary Sheriffs being peripatetic - and in terms of the approach and design of this forum for dispute resolution as outlined above in Q5.

For bureaux and for CAS, the introduction of a new judicial tier will bring demands on advice giving in ensuring the information available to clients through an adviser in a bureau is correct, as well as the information any consumer is able to access on our advice website Adviceguide. This will require clear and effective communication of the changes from the Scottish Government and the Scottish Courts Service to CAS in a timely manner so that the information can be made accurate and disseminated.

CHAPTER 3

Creating a new sheriff appeal court

Q12. Do you agree that criminal appeals should be held in a centralised national appeal court?

Yes No

Comments

Q13. Do you think that civil appeals should be heard in the sheriff appeal court sitting in the sheriffdom in which they originated?

Yes No

Maintaining access to locally delivered justice is a highly desirable aim, particularly when a consumer is undertaking an appeal. It should be assured however that accommodating civil appeals will not have an impact on other civil business waiting to be heard. Sheriff court appeals should be taken into the consideration of the Scottish Court Service closure proposals as an additional area of business to be accommodated in a court receiving business from a closing court.

Q14. Do you agree that the sheriff appeal court should be composed of appeal sheriffs who are Sheriffs Principal and sheriffs of at least five years experience?

Yes No

Comments

Q15. What impact do you think these proposals will have on you or your organisation?

Comments

CHAPTER 4

Creating a specialist personal injury court

Q16. Do you agree that establishment of a specialist personal injury court?

Yes No

Comments

Q17. Do you agree that civil jury trials should be available in the specialist personal injury court?

Yes No

Comments

Q18. What impact do you think these proposals will have on you or your organisation?

Comments

CHAPTER 5

Improving judicial review procedure in the Court of Session

Q19. Do you agree with the three month time limit for judicial review claims to be brought?

Yes No

Comments

Q20. Do you agree that the introduction of the leave to proceed with an application for judicial review will filter out unmeritorious cases?

Yes No

Comments

Q21. Do you agree that these proposals to amend the judicial review procedure will maintain access to justice?

Yes No

Comments

Q22. What impact do you think these proposals will have on you or your organisation?

Comments

CHAPTER 6

Facilitating the modernisation of procedures in the Court of Session and sheriff courts

Replace the existing rule making powers with more general and generic powers

Q23. Do you agree that the new rule making provisions in sections 85 and 86 of the draft Bill will help improve the civil procedure in the Court of Session and sheriff courts?

Yes No

Although the provisions may make some difference, CAS does not believe the new rule making provisions go far enough in guiding the rules to be developed. In this way, there is a danger that the (non) development of appropriate rules will hinder the reform of the new civil justice system.

This is especially so in relation to alternative dispute resolution (ADR). To achieve a civil justice system which most benefits consumers and is fit for the 21st century, the system must acknowledge information, advice and ADR as integral components. The focus on dispute resolution should not be solely on courts, nor should the impetus for ensuring encouragement of ADR.

We acknowledge that sections 85 and 86 of the draft Bill provide that the Court of Session (CoS) **may** make, by act of sederunt, provision to “encourage settlement of disputes and the use of alternative dispute resolution procedures”. However, these sections do not **require** rules to be made.

We are concerned that the Scottish Government is not being consistent in its policy for the development of ADR. There are no guarantees in this strategy, which could see rules for different courts developed in isolation and does not foster consistency for consumers.

We strongly advocate that courts should be the forum of last resort for the resolution of most civil disputes. This rationale should underpin the new civil justice system from the outset. While flexibility may benefit rule making powers in some situations, this should not be to the detriment of achieving a ‘whole system’ approach which respects ADR as an equally valid forum of resolution to courts.

This is also the case for the introduction of video technology, the review of forms of documents and other elements of the rule making provisions listed.

For example the use of video conferencing could be of huge benefit to consumers of the civil justice system, allowing people to appear in hearings without having to travel extensive distances (this is especially so in relation to locations where court closures are proposed). To work to maximum efficiency would require certain protections to be put in place however, including:

- Ring-fenced civil court time – this is desirable in all civil business but particularly in video conferencing where court users at the other end of a video link should not be required to wait for long periods without their case being called
- An appointments based system – again to lessen the waiting time of a court user in a reciprocal video conferencing outlet
- A video conferencing court – to mix physical with video appearances could lead to significant delays and inefficiencies.

However, we (as the Scottish Court Service and Government seem to) do not see the use of this technology as only beneficial to victims and witnesses. It is possible that in making rules without guidance and influence from outside bodies the Court of Session or the SCJC may also omit certain groups or factors from their consideration and therefore certain rules should be the subject of more open consultation.

Flexibility in making rules should be limited through guidance from a body such as the SCJC. That body should be required to undertake consultations on the development of such rules as well as assessment of how the rules making provisions have worked for consumers (including possibly the re-establishment of the Sheriff Court Users Group).

This will be necessary to ensure that the right rules are developed at the right time and that the positive possibilities for the use of ADR and video technology, as well as other developments, become more than just desirable possibilities.

Q24. Are there any deficiencies in the rule making provisions that would restrict the ability of the Court of Session to improve civil procedure in the Court of Session and sheriff courts?

Yes No

One major deficiency comes in the lack of requirement for any rules to

be made. A programme of desirable outcomes should be established each year to guide the development of rules in areas of identified need. This need could be identified through the policy function of the SCJC.

Q25. What impact do you think these proposals will have on you or your organisation?

Comments

The creation of new powers in the Inner House of the Court of Session to sift and dispose of appeals with no reasonable prospects of success.

Q26. Do you agree that a single judge of the Inner House should be able to consider the grounds of an appeal or motion?

Yes No

Comments

Q27. What impact do you think these proposals will have on you or your organisation?

Comments

The abolition of the distinction between ordinary and petition procedure in the Court of Session.

Q28. Do you agree that the distinction between ordinary and petition procedure should be abolished?

Yes No

Comments

Q29. Do you foresee any unintended consequences for this change?

Yes No

Comments

Q30. What impact do you think these proposals will have on you or your organisation?

Comments

New procedures for dealing with vexatious litigants.

Q31. Do you agree that the new procedure will ensure that courts are able to deal appropriately with vexatious litigants?

Yes No

Comments

Q32. What impact do you think these proposals will have on you or your organisation?

Comments

Scotland-wide enforcement of interdict and interim orders

Q33. Do you agree that an order for interdict should be capable of being enforced at any sheriff court in Scotland?

Yes No

Comments

Q34. Should interim orders and warrants have similar all-Scotland effect and be capable of enforcement at any sheriff court?

Yes No

Comments

Q35. What impact do you think that these proposals will have on you or your organisation?

Comments

CHAPTER 7: THE PROPOSALS: Alternative Dispute Resolution

Q36. Do you think that ADR should be promoted by means of court rules?

Yes No

CAS strongly believes that the design of a new civil justice system is an opportunity to put the interests of consumers first. We welcome innovative modernisation of the civil justice system and envisage a whole system approach integrating information, advice, ADR and formal dispute resolution.

We are therefore extremely disappointed by the focus on courts in this consultation. CAS believes that the focus which would best facilitate the development of a successful civil justice system should be on how courts fit in to a whole system approach rather than on how ADR can be bolted on to existing operating systems.

CAS would advocate that ADR should be promoted by court rules, but that the development of these rules should not be left to the discretion of the Court of Session or the SCJC in relation to Sheriff court rules (see also question 23 above). We strongly advocate that the courts should be the forum of last resort in the resolution of many legal disputes but this can only be achieved through facilitating and encouraging alternatives to court.

A recent report on legal capability by Consumer Focus Scotland entitled "*Facing up to legal problems – towards a preventative approach to addressing disputes and their impact on individuals and society*" (available at <http://www.consumerfocus.org.uk/scotland/publications/facing-up-to-legal-problems-towards-a-preventative-approach-to-addressing-disputes-and-their-impact-on-individuals-and-society>) showed that even when faced with a 'legal' problem, many consumers do not identify their problem as 'legal.' In this way, court proceedings can present a barrier to justice when this is not the resolution a litigant expected or wanted in attempting to resolve their problem.

In better understanding a person's motivations for seeking resolution to their problem, CAS believes there is a positive opportunity to align services to an individual's pursuit of justice. At an early stage of a dispute, advice and negotiation could produce the desired outcome, where parties are willing to come together mediation may be the right route and where parties just want a decision, arbitration should be available.

In providing services locally for alternative dispute resolution, many

cases (especially small claims) may be resolved in a satisfactory way before a case need be heard before a Sheriff or Summary Sheriff (thus mitigating travel time and costs relating to the proposed programme of closures). The ability to opt for mediation, including telephone mediation, at an early stage (possibly before preliminary hearings if both parties agree and subject to the sheriff's power to order an oral hearing where appropriate) is an option which should be positively considered in any review of court services. As should the option for an arbitration court where all submissions are submitted via an online portal.

We do not think parties should be compelled to use ADR, but if awareness improves, use, knowledge and expectation will also improve where there has been positive experience. The cycle of awareness – use – knowledge – expectation should be thought of as a whole. Public awareness and uptake require an efficient and accessible system from the start to ensure positive experience and in turn positive communication of that experience by consumers. Word of mouth is a powerful tool.

This cannot happen without signposting however. Parties must be encouraged to access resolution which is proportionate to their dispute and this involves belief in the whole system : judicial process should not look down on advice and mediation just as advice and mediation should acknowledge the appropriateness of judicial process as a forum for many cases which they cannot resolve.

Facilitating choice in opting for ADR can be aided by the availability of accessible information and advice which promotes all forms of dispute resolution from ADR to courts. Therefore, we would like the Scottish Government to ensure that provision is made in the Bill for a new justice system that provides such information and advice and embeds within it dispute resolution *options*, including alternatives to litigation.

Q37. What impact do you think these proposals will have on you or your organisation?

As it stands, these proposals will not have the impact on consumers which we could like to see. We would like to see more done to ensure the success of a 'whole system' approach through a commitment to information, advice and ADR.

It is essential to get these elements right so that consumers and others can access proportionate, timely and affordable resolution which is relative to their dispute and expectations. The importance of allowing consumers to make informed decisions about the right route to their resolution and ensuring – from the outset – that a consumer is on the right path justice cannot be understated.

ASSESSING IMPACT

Equality

Q38. Please tell us about any potential impacts, either positive or negative, you feel any or all of the proposals in this consultation may have on a particular group or groups of people.

Comments

Business and Regulatory

Q39. Please tell us about any potential economic or regulatory impacts, either positive or negative, you feel any or all of the proposals in this consultation may have.

Comments

Legislation

Q40. Please give any comments on the legislation as set out in the Draft Bill. Are there any omissions or areas you think have not been covered.

Comments

