

SWANSEA CIVIL JUSTICE CENTRE

COURT USER MEETING

MINUTES OF MEETING HELD ON WEDNESDAY 12TH NOVEMBER 2008

Present:

His Honour Judge Seys Llewellyn QC
His Honour Judge C Vosper QC

District Judge P Llewelyn OBE
District Judge P Evans

Paul Bevan
Ben Francis
Amanda Jones
Aled Griffiths
Jackie Cooksey
Denise Weeks
Louise Davies
Simon Thomas
Peter Morgan
Geraint Davies
Peter Stacey
Liz Hope
Alison Donovan
David Norton

Marilyn Edwards MBE
Bryan Currie
Claire Hobbs*
Hayley Foulkes
Laura Venn*

*Members of the Customer Service Improvement Group Swansea CJC

1. District Judge Llewelyn OBE welcomed everyone to the Court User Meeting and introduced His Honour Judge Seys-Llewellyn QC as the new Designated Civil Judge for Wales.

2. **Apologies for Absence**
District Judge Garland-Thomas
Paul Booth

3. New rent and mortgage possession procedure

District Judge Llewelyn outlined the new procedure of pro-forma being completed by practitioners for rent and mortgage possessions.

4. Applications to vacate trial window

District Judge Llewelyn explained that applications to vacate a trial window will be listed before the Circuit or Trial Judge and that any applications of this nature should be marked as suitable for Circuit Judge.

5. Case Management Conferences – Applications to adjourn

Designated Civil Judge for Wales
Resident Civil Circuit Judge Swansea CJC
Swansea CJC
Swansea CJC

Beor Wilson and Lloyd
Beor Wilson and Lloyd Thompsons
Leo Abse and Cohen
Family Housing
Family Housing
Family Housing
Hutchinson Thomas
Hutchinson Thomas
T R Harris Arnold
City and County of Swansea
Morgan Cole
Iscoed Chambers
Peter Williams and Co

Court Manager
Diary Manager
Customer Service Officer
Swansea CJC
Swansea CJC

Swansea CJC
Assistant Official Receiver

Action: Practitioners

Action: Court Staff

District Judge Llewelyn reiterated the comments of His Honour Graham Jones raised at the previous Court User Meeting that CMC's are unlikely to be adjourned at short notice. If the parties request an adjournment, directions will be given as the District Judge thinks appropriate.

A concern was raised about telephone conference CMC's being inappropriate for certain complex cases and also whether enough reading time is available for these types of cases.

This was answered as follows:

- Wherever possible, cases are listed with Judicial continuity in mind.
- Any request for an oral hearing would be considered.
- Reading time is built into the time estimate for a telephone CMC.
- Parties should ensure that case management bundles are filed in good time.
- If any party considers more reading time is necessary, extra time can be built into the Judge's list if the Court is given sufficient notice i.e. before the hearing is listed.

A further concern was raised about CMC's not being vacated from the list when a consent order is filed weeks before the hearing date.

District Judge Llewelyn explained that the Court deals with a vast amount of paperwork and requested that if a problem of this nature arises that the Court is contacted for an update. It was also requested that parties file only one copy of any document e.g. if a letter is faxed, do not send a hard copy. The initial point that CMC's are unlikely to be vacated was emphasised.

A request was made that the Court acknowledges e-mails by "read receipt". It was explained that the customer facing e-mail accounts should automatically acknowledge e-mails.

6. AQ's – usefulness of draft or agreed directions

District Judge Llewelyn explained that AQ's are now dealt with on an urgent basis. Parties should file draft or agreed directions with the AQ so that less time is taken for Judges to give directions in a case.

7. Disposals

District Judge Llewelyn stated that disposal hearings will only be allotted 30 minutes. No evidence will be allowed and the hearing will simply consider assessment of damages.

8. Trial Bundles filed late

District Judge Llewelyn reminded court users that trial bundles should be filed in good time.

9. Late Settlements

Hearing fees were raised as it was thought that the payment of these fees may reduce the amount of cases which settle late. It was noted that no real difference has been seen and there were no further concerns.

Action: Practitioners

Action: Practitioners

Action: Practitioners

10. Backing Trials

A concern was raised regarding the Court moving the start time of cases due to the possibility of Counsel being instructed on more than one case.

The concern was noted and Court Users reassured that this is only done when absolutely necessary e.g. if a Judge overruns on a previous case. It was explained that the court has to utilise Judicial time in the best way it can.

11. Mortgage Rescue Team

His Honour Judge Vosper QC outlined a Welsh Assembly scheme aimed at people who may need Local Authority housing if their homes are repossessed.

£5m has been made available throughout Wales for this scheme. Local Authorities will be able to give financial advice or redeem mortgages in part or in full, where appropriate, so that the homeowners would become tenants. Swansea and Llanelli Local Authorities are involved in the pilot of this scheme. Advertisements will be made in the local press and leaflets are available. The Court will be sympathetic to applications to adjourn made at the first hearing to allow this scheme to be investigated.

12. How is the Court performing?

No issues were raised.

13. Fee Concession Applications

Any Court User that requires information on completing these applications correctly should contact Sue Lewis, who will arrange for staff members to take a session demonstrating the correct completion and requirements for each of the three concessions.

A concern was raised about customers not being aware of the fee concession facility and it was suggested that a protocol be drafted detailing when and where this information will be supplied. It was confirmed that this information is available at the counter, on the phone, on the notice boards and in all information packs.

14. Photocopying charges for faxes and e-mails

District Judge Llewelyn confirmed that all copying, including faxes received at Court for representatives attending hearings, will be subject to the photocopying charge, unless the Judge orders otherwise. Judges all have authorisation cards to hand to parties when this event arises.

The copying charges as at the date of the meeting are:

£5.00 for the first ten pages and 50 pence thereafter.

15. Any Other Business

Family Housing raised the point of the issue of a suspended possession order in cases where entry to a property is needed to check a gas meter, as an alternative to an injunction. This

had been discussed with District Judge Marshall Phillips. Both District Judges' Llewelyn and Evans strongly disagree with this approach as they consider it disproportionate. There is an application which can be made at the Magistrates' Court under the Environment Protection Act for an order which will allow forced entry.

District Judge Evans has an article regarding this application which can be provided on request.

16. Date of Next Meeting

Wednesday 20th May 2009 at 16:00.