

Academic Panel meeting – Minutes

Thursday 28th February, Womble Bond Dickenson

Present: Robert Thomas (RT); Naomi Creutzfeldt (NC); Margaret Doyle (MD); Richard Kirkham (RK); Sarah Nason (SN); Luc Altmann (LA); Ian Rowe (IR); Donal Galligan (DG); Heidi Bancroft (HB) and Sally Hunt

Apologies: Brian Thompson; Charlotte O'Brien; Chris Gill; Christopher Hodges; Cris Coxon; David Southern QC; Graham Gee; Grainne McKeever; Ann Sherlock; Helen Fenwick; Huw Pritchard; Tamara Hervey; Tom Mullen; Joe Tomlinson; Stephen Hardy and David Cowan

1. Welcome and Introductions

RT welcomed attendees to the 4th Academic Panel meeting.

2. Mapping Administrative Justice – Margaret Doyle

MD had raised the issue of mapping in the previous meeting and had agreed to provide a paper. She highlighted the importance of identifying the purpose of mapping, for example to assist in policy making, to identify gaps, or to provide guidance to members of the public. The paper sets out questions to be explored about purpose, approach and funding. UKAJI has identified that whilst administrative justice in Scotland, Wales, Northern Ireland and Jersey have been subject to mapping, there has been no mapping across England or UK-wide, although, as noted in the paper, mapping has been done of a number of specific sectors in administrative justice. This might be a more achievable approach than attempting to map all of administrative justice in England and UK-wide. An example is the current mapping project by Sarah Nason and Ann Sherlock, funded by Nuffield.

SN gave an overview of the mapping paths to administrative justice in Wales. The aim is to produce an online and interactive map of two sectors, education and housing, specific to the policy environment in Wales. The original intention was as a tool for policy makers to see gaps, but the Assembly is also interested in the map being a tool for members of the public.

The panel agreed that mapping administrative justice in England and UK-wide would be beneficial but ambitious, and instead it would be better to focus on smaller manageable projects. The panel is interested to consider the results of SN and AS's project in Wales and whether this might be expanded in future.

It was agreed that once SN had a prototype to share, they would arrange a session to discuss how a similar exercise could be carried out in England.

Action – SN to share completed prototype

3. SCS evaluation – Ian Rowe, HMCTS

Ian Rowe gave an overview of the [continuous online resolution evaluation in SCS](#). He outlined the process and logic maps (the logic map had four distinct stages - triage, engagement, resolution and outcomes). For their outputs they would explore how many people are engaging with the service and the stages at which people drop out. It would potentially funnel down to a small group - between 10 and 20%. They will collect data and look at engagement with appellants. The outcomes will be to deliver quicker decisions with fewer hearings and at a lower cost. It will reduce the stress and barriers for appellants, without having to attend a hearing.

IR informed the panel that they would question appellants throughout the process to gather feedback. The panel discussed when would be the most suitable stage for appellants to be questioned and whether they would give a less positive view if their appeal was unsuccessful. HMCTS would consider when would be the most appropriate stage based on the comments of the panel.

IR explained that their focus is on the pilots and private beta but they are open to suggestions on methodology including how, when and what they will measure. LA confirmed that they would continue to keep the panel updated as plans progress and would welcome feedback on the data they are collecting, so it is in a format where it can be evaluated more fully. They will share the follow-up survey with the panel.

Action – 1) LA to keep panel updated on progress of evaluation; 2) Academics to provide suggestions on methodology.

4. Ombudsman and Tribunal’s Familiarisation Programme - Donal Galligan

DG gave an overview of the ombudsman and tribunal’s familiarisation programme. The practical aspects of the programme are to make the system easier to navigate and for frontline workers and tribunals to signpost to each other, share best practice and make recommendations on problem areas.

They will start with the SEND tribunal and local government and social care ombudsman (LGSCO), as they had already initiated contact and this would be rolled out to other jurisdictions and geographical areas including Scotland, Wales and Northern Ireland. DG welcomed input from academics.

There was a discussion about whether the project could be rolled out to other redress mechanisms within SEND, but it was decided that this would be a bigger project and not within the scope of this particular programme.

NC expressed that it would be a great project for academics to be involved in, to give advice on the methodology and to assist with the design of the project. Interested academics should inform HB if they would like to join the working group. They would reconvene in June to discuss in more detail.

Actions:

- 1) HB to circulate ‘McKenna- Berg’ model protocol;
- 2) DG to speak to the legal interest group on the programme;
- 3) Interested panel members to inform HB to join working group;
- 4) HB/DG to widen membership to practitioners.

5. Update on events

a) Ombudsman Reform event – Richard Kirkham

RK gave an update on the event in Sheffield. He and Chris Gill would be publishing a book on their findings. It was agreed that he would pull together a three page overview which could be disseminated to government, MPs and peers who may want to make amendments when the Public Services Ombudsman Bill gets to Parliament.

b) Academic/Practitioner Pop-up event – Naomi Creutzfeldt

NC gave an update on the academic/practitioner pop-up event. There were good presentations but a low turnout from academics. It was suggested that a late evening event or outside London/England could work better for academics or having a recording for those who couldn't make it. It was agreed that the event was a good opportunity for academics to meet practitioners and that further events should be arranged.

6. AOB

There was a discussion on the attendance of members at panel meetings as it was proving difficult for academics to attend some of the meetings. It was decided that holding a panel meeting after a research event and outside London would encourage a better attendance. HB expressed that early notification of attendance at meetings would be appreciated.

The next meeting would take place on Wednesday 19th June.