THE CIVIL PROCEDURE RULES AT 20
BONAVERO INSTITUTE OF HUMAN RIGHTS, 10 JUNE 2019
Introduction

The Bonavero Institute of Human Rights, the Oxford Law Faculty and Mansfield College are delighted to be hosting The Civil Procedures at 20 Conference, to mark the twentieth anniversary of the Civil Procedure Rules coming into force. The conference will consist of presentations and discussions on a range of procedural topics, covering both private and public law, from distinguished judges, practitioners and academics. Biographical details of participating chairs, panellists and speakers are set out below, and in the case of speakers, presentation titles and abstracts have also been included where possible.

We look forward to welcoming you on 10 June 2019.

For details on sessions times, and directions to Mansfield College, please consult the conference website and brochure, which is available online at https://www.law.ox.ac.uk/events/civil-procedure-rules-20-anniversary-conference.

The conference is generously supported by Herbert Smith Freehills (HSF), and we would like to formally thank HSF for the invaluable financial, design and logistical support they have provided.

If you have any questions or queries please do not hesitate to email us at cpr20@mansfield.ox.ac.uk

Yours Sincerely,

Andrew Higgins
Associate Professor of Civil Procedure
Faculty of Law and Mansfield College
University of Oxford
Presenter Biographies and Abstracts

Welcome

Professor Anne Davies
Dean, Faculty of Law, University of Oxford

Anne Davies is the Dean of the Oxford Law Faculty and Professor of Law and Public Policy. She was a Prize Fellow at All Souls College from 1995 to 2001, and the Garrick Fellow and Tutor in Law at Brasenose College from 2001 to 2015, and remains a professorial fellow of Brasenose College. Professor Davies is the author of five books and numerous articles in the fields of public law and labour law.

Overview: Past Challenges and Future Priorities for the CPR

Damien Byrne Hill
Herbert Smith Freehills

The Civil Procedure Rules Twenty Years on: A Practitioner’s Perspective

Cost and delay have always been the two great challenges facing the civil justice system. Lord Woolf sought to address these issues with his recommendations, which were largely implemented in the Civil Procedure Rules (CPR) twenty years ago. Lord Justice Jackson again took up the challenge in his Review of Civil Litigation Costs ten years later, leading to further significant reforms. And the reform process is far from over, with the rules on disclosure and witness statements currently in the spotlight. This presentation will consider how the CPR and the various reforms have worked in practice from the perspective of the commercial solicitor, and whether more needs to be done to address the challenges.

Damien Byrne Hill is a partner of Herbert Smith Freehills, based in the London office, and is the firm’s head of disputes for the UK and US. He has helped clients with company and commercial disputes in London and Asia across a wide range of industries, in both High Court litigation and international arbitration. Damien is recognised as a leading individual in Chambers UK and the Legal 500, and is ranked in tier one for his banking litigation practice in both. He was also named as the Dispute Resolution Individual of the Year (London) in Legal 500 UK 2019 awards.

Andrew Higgins
Associate Professor, University of Oxford

Keep Calm and Keep Litigating

This presentation will consider whether it is time to formally split the civil justice system’s dual function of rule creation and dispute resolution. It is universally accepted that the English legal system is largely inaccessible to individuals not eligible for legal aid or able to secure conditional or commercial funding arrangements. Yet the task of making the justice system more accessible by making it cheaper and quicker has met strong opposition due to concerns that this would undermine the quality of justice. The presentation will argue that Lord Woolf’s proportionality principle will only ever be realised if costs and time are treated as integral to justice, not independent of it. The presentation will also examine whether there is a deeper cultural objection in England to civil justice reform which lies in a general aversion to litigation as a divisive and often socially undesirable phenomenon. This cultural aversion has arguably held back reforms that would make the court system more accessible.

Andrew Higgins is an Associate Professor of Civil Procedure at the University of Oxford and a fellow of Mansfield College. He is currently the General Editor of Civil Justice Quarterly and the academic member of the Civil Justice Council. He has published on a wide range of procedure related topics including Legal Professional Privilege for Corporations: A Guide to Four Common Law Jurisdictions (OUP 2014). Andrew is also a Senior Teaching Fellow at Melbourne Law School and a part time barrister at the Victorian Bar.
**Key Note Address**

Sir Terence Etherton  
Master of the Rolls  

Sir Terence Etherton was called to the Bar in 1974 and was in practice at the Chancery Bar between 1975–2000. He was sworn in as a QC in 1990. Between 2001-2008 he was a High Court Judge in the Chancery Division. He was the Chairman of the Law Commission of England and Wales from 2006–2009. From 2009-2012, he was the President of the Councils of the Inns of Court. He was appointed as a Lord Justice of Appeal in 2008, and the Master of the Rolls on 3 October 2016.

**Reflections on Managing Civil Justice**

Lord Dyson  
Former Master of the Rolls and Justice of the UKSC  

Lord John Dyson is a former Master of the Rolls and Justice of the Supreme Court of the United Kingdom. Lord Dyson was called to the Bar of England and Wales in 1968, specialising in construction law, and took silk as a Queen’s Counsel in 1982. His Lordship was appointed to the High Court of Justice (Queen’s Bench Division) in 1993, and later to the Court of Appeal of England and Wales in 2001. Lord Dyson was appointed to the Supreme Court of England and Wales in 2010, before becoming Master of the Roles in 2012. Lord Dyson currently practises as an arbitrator and mediator at 39 Essex Chambers.

Lord Neuberger  
Former Master of the Rolls and President of the UKSC  

Lord David Neuberger is a former President of the Supreme Court of the United Kingdom. Lord Neuberger was called to the Bar in 1975, specialising in property law, and took silk as a Queen’s Counsel in 1987. His Lordship was appointed to the High Court of Justice (Chancery Division) in 1996, and later to the Court of Appeal of England and Wales in 2004. Lord Neuberger became Master of the Rolls in 2009, before being appointed President of the Supreme Court from 2012 to 2017. Lord Neuberger currently practices as an arbitrator at One Essex Court Chambers.

Chair: Professor Kate O’Regan  
Director Bonavero Institute of Human Rights  

Kate O’Regan is the inaugural Director of the Bonavero Institute of Human Rights in the Faculty of Law at the University of Oxford. She served as one of the first judges of the Constitutional Court of South Africa from 1994-2009 and as an ad hoc judge of the Supreme Court of Namibia from 2010-2016. She has served as the President of the International Monetary Fund Administrative Tribunal since 2011 and has also served on the boards of many NGOs working in the fields of democracy, the rule of law, human rights and equality.
The HMCTS Reform Programme and the Use of Technology in the Civil Justice Systems

Richard Goodman
HMCTS Change Director

Transforming the Courts & Tribunals System

Richard Goodman was appointed as Change Director at HM Courts & Tribunals Service in March 2016. He is responsible for the delivery of the £1bn HMCTS Change Programme that aims to make courts and tribunals better to use and more efficient to run. The programme spans the delivery of online courts and digital services through to changing the shape and structure of the organisation to better support the administration of justice. Richard was director of policy at the Financial Ombudsman Service from 2013 and prior to that was Director of International Operations at the UK Border Agency, where he led the agency’s overseas security work and visa operations.

Dame Hazel Genn
Professor,
UCL Laws

Will the Online Justice System Deliver more Access to Justice?

Courts and tribunals are in the process of radical change. In a joint vision statement in 2016 heralding transformation, the Lord Chief Justice and Senior President of Tribunals promised to harness the power of technology to provide a justice system that would work “even better” for judges, professionals and litigants. The vision involves more than banishing paper. It includes embedding online dispute resolution (ODR) and online final determination into court and tribunal processes via iterative processes – a fundamental procedural change. The programme is being taken forward at a rapid rate, with HMCTS already piloting online processes and virtual hearings. Taking into account the complexity of court and tribunal jurisdictions and the wide range of parties involved in civil and administrative disputes, this presentation reflects on the potential of technology for improving effective access to justice in relation to fundamental requirements of procedural fairness and substantive justice.

Dame Hazel Genn is Professor of Socio–Legal Studies in the Faculty of Laws at UCL. She was Dean of the Faculty 2008–2017 and is currently Director of the UCL Centre for Access to Justice and Co–director of the UCL Judicial Institute. She is a leading authority on access to justice and has conducted numerous internationally influential empirical studies including the seminal Paths to Justice: What People Do and Think About Going to Law. In 2013 she founded the UCL Centre for Access to Justice, and in 2016 developed an innovative “Health Justice Partnership” with a GP practice in Stratford delivering free legal assistance to patients. She has since been funded by the Legal Education Foundation to develop a National Strategy for Health Justice Partnership. In October 2017 she delivered the Gray’s Inn Annual Birkenhead Lecture entitled “Online Courts and the Future of Justice.”

Adrian Zuckerman
Emeritus Professor,
University of Oxford

Artificial Intelligence – The Implications for the Adversarial Process, The Rule of Law and Personal Autonomy

Computer–driven systems are increasingly used for decision making in both public administration and in private enterprise: for instance, decisions about eligibility to welfare benefits, to accept mortgage applications, or to invite job applicants for an interview. In legal practice, artificial intelligence is used in managing voluminous documentary discovery. And now, digital assistance will be offered to unrepresented litigants who bring actions in the online court. Machine learning is in its infancy and it is not possible to predict to what extent it would be able to replicate human activities such as constructing legal arguments or providing legal representation in litigation, let alone providing adjudication in contested proceedings. However, it is already clear that machine learning is developing at fast and accelerating pace and that before long we may be faced with machines competing for legal work at all levels. I will therefore address the consequences for the adversarial process, for the rule of law and for personal autonomy of replacing lawyers and judges with machines.

Professor Adrian A S Zuckerman, Emeritus Professor of Civil Procedure at Oxford University and Emeritus Fellow of University College Oxford, has been the foremost civil litigation scholar in England and a prominent commentator on the administration of civil justice generally. He has influenced litigation policy and judicial practice for many years, especially with regard to case management and litigation costs. He contributed to the Woolf Report on Access to Justice, and to the Jackson Review of Civil Litigation Costs. Zuckerman on Civil Procedure (now in its 3rd ed, 2013) has been cited at all levels of the English courts and elsewhere in the common law world.
The HMCTS Reform Programme and the Use of Technology in the Civil Justice Systems

Transformation from First Principles
Sir Ernest Ryder is the Senior President of Tribunals and a Justice of the Court of Appeal of England and Wales. Sir Ryder was called to the Bar of England and Wales in 1981, and took silk as a Queen’s Counsel in 1997. His Lordship was appointed to the High Court of Justice (Family Division) in 2004, before being appointed to the Court of Appeal in 2013. Sir Ryder succeeded Sir Jeremy Sullivan as Senior President of Tribunals in 2015.

Lord Michael Briggs is a Justice of the Supreme Court of the United Kingdom. Lord Briggs was called to the Bar of England and Wales in 1978, specialising in commercial and chancery law, and took silk as Queen’s Counsel in 1994. His Lordship was appointed to the High Court of Justice in 2006, and later to the Court of Appeal in 2013. Lord Briggs became the Deputy Head of Civil Justice in 2016, before being appointed to the Supreme Court in 2017. Lord Briggs was author of the Civil Courts Structure Review (2016) which was a major milestone in the reform path towards greater use of digital technology in the civil justice system.

Reforming Disclosure

Discovery to Disclosure and Beyond?
Sir Peter Coulson is Deputy Head of Civil Justice, succeeding Lord Briggs in that role. Sir Peter was called to the Bar of England and Wales in 1982, specialising in construction and professional negligence, and took silk as a Queen’s Counsel in 2002. He was appointed to the High Court of Justice (Queen’s Bench Division) in 2008, before being appointed to the Court of Appeal in 2018.

Disclosure: Should we have stayed with the RSC?
Lord Woolf’s Access to Justice Report took the view that disproportionate litigation costs were spent on discovery. The CPR was intended to change that. What has been the experience of CPR 31 over 20 years and would it have been better (as for example Hong Kong has done) to retain in substance RSC ord 24?

Charles Hollander QC practises from Brick Court Chambers London and Temple Chambers Hong Kong and is a Deputy High Court Judge. He is the author of “Documentary Evidence”, first published in 1985 and now in its 13th edition, an editor of “Phipson on Evidence”, and also writes “Conflicts of Interest,” currently in its 5th edition. He has argued many of the leading cases on disclosure and privilege over the last generation.

Chair: Ed Crosse
Ed Crosse is a partner at Simmons & Simmons LLP with over 20 years’ experience of handling complex financial and civil fraud related disputes. Ed was President of the London Solicitors Litigation Association 2016-2018, an association which represents the interest of over 2,900 litigation solicitors in London. He is an elected member of the Law Society Council, representing the City of London. He has played a leading role for the profession on significant court reform initiatives by participating as the solicitor representative on judge-led working groups, including the Rolls Building Disclosure Working Group and was involved in the drafting of the new rules on disclosure for the pilot in the Business and Property Courts in England and Wales.
Class Actions in England

**Rachael Mulheron**

Professor, QMUL

The Aggregate versus the Individual: Reflections on Merricks v Mastercard Inc

The United Kingdom’s Competition Law Class Action, enshrined into law in October 2015, was a ground-breaking procedural reform, given that it introduced to this jurisdiction its first opt-out class action. That regime is being shaped and defined by crucial judicial decisions at its outset, and none more important than the first appellate attention received in *Merricks v Mastercard Inc*, which was delivered by the Court of Appeal in April 2019. The outcome of that decision, which is critiqued in the presentation, will have important ramifications for how economic evidence is prepared, and for how certification is tackled, in future cases.

Rachael Mulheron is Chair of Tort Law and Civil Justice at the Law Department, Queen Mary University of London, where she has taught since 2004. Her principal fields of academic research and publication concern torts, medical negligence, class actions jurisprudence, and aspects of civil justice. Rachael served as academic member of the Civil Justice Council 2009–18, and chaired and/or participated in a number of working groups dealing with civil justice matters during that time. Following the completion of that tenure, Rachael has undertaken (with Nicholas Bacon QC) the Damages-based Agreement Reform Project; and is currently serving as court-appointed monitor of the two-year Disclosure Pilot in the Business and Property Courts. Prior to her academic career, Rachael practised as a litigation solicitor in Brisbane, Australia, principally in construction law.

**Stephen Wisking**

Herbert Smith Freehills

Taking Stock of the Collective Proceedings Regime in the Competition Appeal Tribunal – A Successful Compromise?

In October 2015 a UK-wide collective redress regime for competition law claims in the Competition Appeal Tribunal (CAT) was introduced. Notably and controversially this included provision for opt-out claims. This was part of a wider package of reforms to promote private litigation to challenge and obtain compensation for anti-competitive behaviour as well as establish the CAT as the primary forum for competition law claims. Commentators also saw this as a “pilot” for the extending the availability of collective actions into other areas of law. However, despite much anticipation, applications to bring collective proceedings in the CAT have been made in only four matters to date, of which three are now pending (following the Court of Appeal’s decision to overturn the CAT’s refusal to certify the MasterCard claim). The design of the collective redress regime sought to strike a balance between promoting access to justice for individual consumers and SMEs and not creating a “US style litigation culture”. This presentation will consider the operation of the regime to date, whether the balance was struck in the right place and what this may mean for the broader availability of collective action.

Stephen Wisking is a partner of Herbert Smith Freehills, based in London, and is the global head of the firm’s competition, regulation and trade group. He specialises in all aspects of EU and UK competition law with a particular emphasis on competition litigation. Stephen advises clients across a broad range of sectors including energy, TMT and pharma and has conducted cases before national competition authorities, in the European courts and the High Court of England and Wales, as well as being involved in numerous cases in the CAT since its inception. He is a member of the CAT Users Group. Stephen is a solicitor advocate and has appeared as counsel in the CAT and the European Court of Justice. Stephen speaks and publishes extensively on competition law issues.

**Chair: Justice Robert Sharpe**

ONCA

Robert Sharpe has been a member of the Court of Appeal for Ontario since 1999. Before his appointment as a trial judge in 1995, he was a professor and Dean at the Faculty of Law, University of Toronto. He is a Fellow of the Royal Society of Canada, a Visiting Professor at Oxford University and was awarded LL.D. degrees from the Law Society of Upper Canada and the University of Windsor in 2011. He has written several books including Good Judgment: Making Judicial Decisions (U of T Press, 2018).
Procedural Aspects of Judicial Review

Mrs Justice Nathalie Lieven EWHC

Interventions in Judicial Review Proceedings

Mrs Justice Nathalie Lieven is a Justice of the High Court of Justice of England and Wales. She was called to the Bar of England and Wales in 1989, specialising in administrative law, and took silk as Queen’s Counsel in 2006. Mrs Justice Lieven was appointed as a Deputy High Court Judge in 2016, before being appointed to the High Court of Justice (Family Division) in 2019.

Professor Maurice Sunkin Essex University

The Empirical Case for Reforming the Judicial Review Procedure: Past and Future

This presentation will consider the background to the recent reforms to the judicial review procedure introduced to reduce abuse and cost of the process, including those required by the Criminal Justice and Courts Act 2015. I will look at these matters from an academic perspective drawing on the empirical evidence that was available at the time. I will also consider what is known; and what, if anything, still needs to be known about the use and effects of judicial review litigation.

Maurice Sunkin is Professor of Public Law and Socio Legal Studies at the University of Essex. He is General Editor of the journal Public Law and an Associate Member of Landmark Chambers, London. His main research interests concern the use and effects of judicial review and administrative justice. Until recently he was Co Director of an ESRC funded project on human rights in an age of big data which is based at the Human Rights Centre, Essex. For the parliamentary session 2013–2014 he served as Legal Adviser to the House of Lords Select Committee on the Constitution. He was a Trustee and member of the management committee of the Public Law Project from 2000 to 2011. In 2018 he was awarded a Q.C. (Honoris Causa) in recognition of his pioneering empirical work on judicial review.

Chair: Helen Mountfield QC Principal of Mansfield College

Helen Mountfield is Principal of Mansfield College, Oxford, and is also a founder member of Matrix Chambers. She is an award-winning specialist in constitutional and administrative law, best known for her appearance in the Supreme Court in Miller v Secretary of State for Exiting the EU and a number of leading cases on equality law. Helen is a bencher of Gray’s Inn, a deputy High Court judge, a recorder and an accredited mediator. She edits the section of the White Book on the Human Rights Act 1998.

National Security, Secret Courts and Fair Trials

Martin Chamberlain QC Brick Court Chambers

Are Closed Material Procedures Fair? Are they Necessary?

This presentation will examine the arguments advanced by special advocates and others against the extension of closed material procedures (CMPs) prior to and during the passage of the Justice and Security Act 2013. In the light of experience since the coming into force of that Act, Martin will ask whether and to what extent the arguments against CMPs have been shown to be correct; whether and when CMPs are necessary; whether they are better than the alternatives; and whether and when they are capable of providing the “substantial measure of procedural justice” their proponents promised.

Martin Chamberlain QC is a barrister practising in public law and human rights from Brick Court Chambers in London. Between 2003 and 2016, he was a special advocate, appearing in that capacity in SIAC, POAC, the High Court, Court of Appeal, House of Lords and Supreme Court. He has also acted as counsel to the Investigatory Powers Tribunal. He continues to practice in the national security field. Martin has written extensively on closed material proceedings, given evidence to Parliamentary committees and lectured on the subject in the UK, the USA and Canada. He is Chair of the Constitutional and Administrative Law Bar Association and sits as a Deputy High Court Judge.
National Security, Secret Courts and Fair Trials

Dr Hayley J Hooper
Christ Church College

Close Material Procedures and Disclosure Duties: the Search or a Normative Rationale

This presentation examines the contexts in which non-government parties to a closed material procedure (CMP) have a right to a “core irreducible minimum” of the allegations against them. It might reasonably be assumed that this would be available in all cases where a CMP is used, but this is not the case. The core irreducible minimum applies to situations engaging articles 5 and 6 ECHR following the ruling in Home Secretary v AF (No. 3) [2009] UKHL 28. Despite the fact that a CMP is now technically available in any civil proceedings involving national security, the procedural fairness guaranteed in AF (No. 3) is not universal. This implicitly suggests a hierarchy of rights and interests to which the level of procedural fairness is tailored. In light of this, this presentation will examine whether there is an appropriate normative rationale for the non-application of this disclosure requirement in the contexts from which it is excluded.

Dr Hayley J Hooper is a Fixed-Term Fellow in Law at Christ Church, University of Oxford. She teaches Constitutional Law, Administrative Law, and European Union Law. Hayley completed her doctorate on the subject of the Closed Material Procedure and is currently writing a book on the subject to be published by Cambridge University Press.

Chair: Lord Kerr
UKSC

Lord Brian Kerr is a Justice of The Supreme Court of the United Kingdom. Lord Kerr was called to the Bar of Northern Ireland in 1970, and to the Bar of England and Wales in 1974. Lord Kerr served as Lord Chief Justice of Northern Ireland from 2004 to 2009, and was the last Lord of Appeal in Ordinary appointed before the creation of The Supreme Court in 2009.

Funding Justice

Alison Pickup
Public Law Project

Reforming Judicial Review Costs Rules in an Age of Austerity

This presentation explores the institutional dynamics surrounding recent attempts to reform judicial review procedure: a dynamic where the government is both the key designer of and the main “repeat player” litigant in the same process. The paper focuses on costs and it argues that, over a sustained period of time, the government’s responses to Sir Rupert Jackson’s landmark review on civil litigation costs—and its recommendations on judicial review—reveal a worrying tendency to purposively disengage with the range of evidence available, ignore independent proposals, and insulate its policy preferences from debate. The most recent proposals stand as little more than the consolidation of this position. The perverse upshot is that, parallel to an independent review that has sought to improve the accessibility of judicial review for claimants, the rules have been tilted further against claimants.

Alison Pickup is PLP’s Legal Director. She leads PLP’s work addressing unlawful and unfair systems in the context of benefit sanctioning, promoting and safeguarding the rule of law during (and following) Brexit, and the access to justice project. Before joining PLP, Alison was in private practice at Doughty Street Chambers where she had a claimant-focused public law practice with a particular focus on migrants’ rights. She acted in a number of legal aid cuts cases, including representing PLP in its successful challenge to the proposal to introduce a residence for legal aid. Alison was awarded the Legal Aid Barrister of the Year in 2015 and was also recognised as Chambers and Partners UK Bar Awards’ Public Law and Human Rights Junior of the Year.
Funding Justice

Rabeea Assy
Associate Professor,
University of Haifa

Professional De-Monopolisation and Access to Justice

Most jurisdictions confer upon lawyers a monopoly over the provision of legal services. The typical justifications are customer protection and public interest: in return for monopoly, lawyers are expected to satisfy professional and ethical standards to ensure a high quality of legal services and, in litigation, help the court deliver correct judgments. High lawyers’ fees, however, is a major obstacle undermining access to justice. Unfortunately, criticism of the profession’s monopoly has centered merely on its over-inclusiveness, i.e. that some legal activities, mostly out of court, do not require comprehensive legal knowledge and therefore could be performed reasonably well by non-lawyers. I shall argue for a more diverse and competitive market where non-lawyers can provide legal services, including representation services. This should exert downward pressure on lawyers’ fees and can provide new solutions for litigants who cannot afford lawyers or whose cases are not economically attractive to lawyers. I will discuss the possibility of limiting representation in suitable circumstances to lay representation only, and so avoid the inequalities created by a right to choose the form of representation. This possibility is particularly attractive in the light of the new online court, which signals an important shift in preference towards affordable litigation.

Dr Rabeea Assy is an Associate Professor (Senior Lecturer) at the Faculty of Law at the University of Haifa, and the Head of the LLM Program in Administrative and Private Law. His book Injustice in Person: The Right to Self Representation (Oxford University Press 2015) is recognised as a leading text in the field. He has received a number of distinguished research grants and prizes for his research including the EU’s Marie Curie Actions Research Grant, and the Cheishen and Zeltner Prizes, which are the most competitive prizes for law academics in Israel. Dr Assy was a visiting Fellow at Mansfield College and research fellow at New York University, and has taught frequently at Oxford University and City University of Hong Kong.

Dr John Sorabji
Royal Courts of Justice/UCL Laws

The Long Struggle for Cost Reform

The Woolf reforms were intended to increase access to justice through reducing excess litigation cost. Within ten years of their introduction, it was accepted that this aim had not been achieved, and further reform was needed. This further reform, which built on, rather than rejecting the Woolf reforms, was implemented in 2013 following the Jackson Costs Review. This paper considers the Woolf and Jackson costs reforms, particularly focusing on the continuing struggle to introduce a fixed costs regime for civil litigation and its prospects for successfully curbing the “costs crisis” in English civil justice.

Dr John Sorabji is the Principal Legal Adviser to the Lord Chief Justice and Master of the Rolls and a Senior Teaching Fellow at University College London, where he convenes its LLM course on Principles of Civil Justice and its LLM and LLB courses on ADR. He is General Editor of the White Book and has published widely on civil justice, including English Civil Justice after Woolf and Jackson, and, as a contributing author, Foskett on Compromise and Civil Litigation in a Comparative Context. He is a member of the ELI-UNIDROIT project developing draft model rules of European Civil Procedure.

Sir Rupert Jackson
Former Justice EWCA

Civil Justice Reform – Where Next?

Sir Rupert Jackson is a former Justice of the Court of Appeal of England and Wales. Sir Rupert was called to the Bar of England and Wales in 1972, and took silk as a Queen’s Counsel in 1987. Sir Rupert was appointed as a Recorder from 1990 to 1998, and later to the High Court of Justice (Queen’s Bench Division) in 1993. Sir Rupert served as the judge in charge of the Technology and Construction Court from 2004 to 2007, before being appointed to the Court of Appeal in 2008. Sir Rupert was author of the seminal Review of Civil Litigation Costs (2009). Sir Rupert currently practices as an arbitrator at 4 New Square Chambers.
Professor Sime is the Course Director of the full-time Bar Professional Training Course at the City Law School, where he teaches civil litigation, international commercial arbitration and company law. He was a practising barrister until 2005. In his early career he spent a number of years in the litigation department of the Treasury Solicitor’s Office. He is an editor and author on Blackstone’s Civil Practice, and is the author of A Practical Approach to Civil Procedure and co-author of A Practical Approach to ADR, the Jackson ADR Handbook and Blackstone’s Guide to the Civil Justice Reforms 2013.
About the Bonavero Institute of Human Rights

The Bonavero Institute of Human Rights was formally opened in June 2018 by the late Kofi Annan, former Secretary General of the United Nations. The Institute benefits from being part of the Faculty of Law at the University of Oxford and is one of five research institutes in the University’s Faculty of Law. The Institute is dedicated to fostering world-class research and scholarship in human rights law, to promoting public engagement in and understanding of human rights issues, and to building valuable conversations and collaborations between human rights scholars and human rights practitioners.

About Mansfield College

Mansfield was founded in the nineteenth century to allow Dissenters to study at Oxford University, and it was also one of the first “men’s” colleges in Oxford to admit women to study for degrees (Constance Todd in 1913). That spirit of openness and inclusion continues into the twenty first century. Mansfield has the highest proportion of state school educated students in Oxford. Mansfield is also home to the Bonavero Institute of Human Rights. The Institute is a perfect reflection of the spirit of the College: plural, tolerant, and broadminded, respecting the dignity of all.