



JUDICIARY OF  
ENGLAND AND WALES

THE RIGHT HONOURABLE THE LORD THOMAS OF CWMGIEDD

Caroline Wallace, Strategy Director and Julie Myers, Corporate Director  
Legal Services Board  
One Kemble Street  
London WC2B 4AN

4 February 2015

*Dear Ms Wallace and Ms Myers*

I write in response to the consultation on the Legal Services Board's draft 2015-18 strategic plan and draft 2015/16 business plan sent to my office on 10 December 2014. Having reviewed the document and consulted Mrs Justice Rose and Mr Justice Singh, we have only one observation in relation to paragraph 31.

The judiciary has over recent years actively encouraged ADR in appropriate cases as part of the judges' case management function when litigation is in its early stages. Judges frequently invite and encourage parties to take part in mediation and will usually order a pause in the court proceedings to enable this to take place. The desirability of different kinds of judge-led ADR such as early neutral evaluation leading to settlement or financial dispute resolution in individual property litigation was discussed and recommended in the Chancery Modernisation Review and is already taking place in other jurisdictions. Judges also recognise the importance of making sure that court orders, particularly in cases where there are litigants in person, are written in clear and easily understandable language. This helps to avoid problems with non-compliance and the need for further visits to court. I would welcome further discussion with the Board on other ways in which the judges can assist in making sure that disputes that can be settled are identified and dealt with economically and fairly.

Otherwise, the contents of paragraphs 45 and 57-61 are welcomed by the judiciary.

*Lord*  
*Thomas*