



**APPG for the Private Rented Sector  
AGM and Meeting on Court Reform  
13<sup>th</sup> September 2023, 9.30am**

**Meeting notes and minutes**

**Attendees**

**Parliamentary:** Andrew Lewer MBE MP; Richard Bacon MP; Christopher Chope MP; Lord Cathcart; Lord Carrington; Lord Young of Cookham; Baroness Warwick of Undercliff; Lord Haselhurst

**Parliamentary staff:** Hadley Wells-West (Office of Andrew Lewer); Jack Logan (Office of Anne Marie Morris)

**Secretariat:** Ben Beadle (NRLA); Meera Chindooroy (NRLA); William Ward (Consultant to the NRLA)

**Speakers:** Richard Miller (Law Society)

**External organisations:** Robin Sillars (PayProp); Rosie Perkins (Crisis); Samuel Manship (NFU Mutual); Chris Hicks (Crisis); Emily Batchelor (Crisis); Jenny Lamb (Shelter); Conor O'Shea (Generation Rent); Harry Flanagan (CLA); Theo Plowman (BPF); Vicky Pearlman (GLA Housing)

**AGM Minutes**

- **Christopher Chope MP** was handed the chair to preside over the election of Chair of the Group.
- **Andrew Lewer MP** expressed a wish to re-stand as Chair and was renominated and re-elected unopposed. He then took the chair to preside over the election of vice chairs.
- **Lloyd Russell-Moyle MP, Richard Bacon MP, Selaine Saxby MP, Lord Carrington** and **Lord Stunell** all indicated their intention to re-stand as vice chairs of the Group and all were re-elected.
- It was agreed that the NRLA would continue as the Secretariat of the Group and as benefits-in-kind to the group did not exceed £12,500, no financial statement or declaration was necessary.

**Court Reform Meeting**

- **Richard Miller** was invited to provide the Law Society's view on the current state of the court system as it related to the private rented sector and how it might improve.
  - Mr Miller indicated that it was the view of the Law Society that the current court system was not about to handle the number of housing cases it was

faced with at the moment and that a number of factors, such as limited access to legal aid, were impacting on courts' ability to hear cases. He warned that waiting times, which were already long, were likely to grow, whilst tenants who could not access legal aid were likely to struggle to seek alternative legal support. He spoke of a significant backlog of cases in the courts at the moment, which the court system had been unable to make a significant dent in in the aftermath of the pandemic, and he said this would make the Renters (Reform) Bill less effective.

- He suggested that the Law Society were supportive of a number of measures which could help alleviate the backlog and make the court system more effective. Alongside expanding legal aid to ensure access to justice for all, the Law Society were supportive of expanding alternative arrangements such as mediation which could avoid the need to use the court system in the first place. An expansion and streamlining of Ombudsman services was also beneficial as a low-cost way of resolving issues and he indicated that the Law Society would be publishing a formal proposal of its own on this shortly. He said in some circumstances mediation or Ombudsman services may not be appropriate and therefore the courts still needed to be a viable option for tenants and landlords.
- **Lord George Young** asked who does the mediation and ultimately who pays for it. Mr Miller noted that the costs of the mediation are not government-funded, he said it would generally fall on the landlord. **Ben Beadle** said that landlords were supportive of mediation as a way forward and noted that it was important to ensure that this was accompanied by improvements across the whole system to ensure they all fit together.
- **Lord Cathcart** said that the difficulties within the court system could ultimately push landlords out of the sector. Mr Miller said it was important to ensure landlords could get swift access to justice and this was lacking at the moment due to the lack of investment in the sector.
- **Baroness Warwick** said the landscape was so complicated that the tenant was unable to work out what route to go down. Plans for a single Ombudsman had been initially suggested four years ago but had not moved very far. **Andrew Lewer** said that civil servants seemed reticent to moving towards this model as it wouldn't be easy to set up.
- **Richard Bacon** noted that the International Financial Court in Dubai had in 12 years developed an effective system which saw them rattle through small claims very quickly and suggested the UK should look at something similar. He noted that calls for expanded legal aid were unlikely to come to fruition and so courts needed to become more effective.
- **Christopher Chope** asked whether the Law Society had any insights into why the Renters (Reform) Bill had not yet had its second reading and also asked whether the Bill as it stands would lead to more adversarial litigation. Mr Miller said that the Bill

could lead to a more settled housing more generally as landlords would now need to rely on evictions based on fault. He said he expected more contested cases as a result of it.

- **Andrew Lewer** noted that the Government were not publishing the judicial impact assessment on the Bill, which other attendees expressed alarm about.
- **Ben Beadle** noted that we had no idea what court reform actually looked like in relation to housing. He said we needed to ensure the Government set out what its plans were for it and there were concerns around this uncertainty as the Bill moved towards its second reading.
- **Theo Plowman** asked if there had been any updates on digitalisation of the courts. Mr Miller said that the courts modernisation programme had commenced back in 2016 and the initial idea was about having a system that guided people through dispute resolution. He said that digitisation of small and money claims courts had been somewhat successful, but otherwise it was still in its early infancy. He noted the project keeps being pushed back and scaled down.
- **Timothy Douglas** asked how will the most serious cases be prioritised. Mr Miller said the solution to this was through listing so that less serious cases moved down the pecking order.