

Statement to Parliament: Courts update by Lucy Fraser QC MP

Today, I am laying before Parliament legislation reducing court fees for certain proceedings in the civil courts and the Court of Protection in England and Wales. As a result, claimants bringing these proceedings will pay less to access the courts.

The reduction to these fees follows a thorough and detailed review undertaken by officials in the Ministry of Justice into the cost of these proceedings. Our review has identified a number of cases where the fees charged were above full cost recovery levels. We are therefore taking action to reduce those fees. We will also be establishing a refund scheme to reimburse people the amounts they have been over-charged. We are also taking action to refund those who have been overcharged fees to commence certain low value personal injury claims, known as “stage 3” claims. Officials are working on the detailed arrangements and full details of the scheme, including the types of case affected, and how to apply, will be announced in due course.

These changes affect the fees charged for certain proceedings in the Court of Protection; a number of civil proceedings in the magistrates’ courts; fees for general applications in insolvency proceedings; and the fees charged for High Court judges sitting as arbitrators. The intention when these fees were prescribed was that they should be set at, or below, full cost recovery levels and it was on that basis that they were approved by Parliament.

As part of our ongoing improvements we are making to the justice system, including the Government’s £1bn investment in Court Reform, we will continue our review of court fees, including the methodology for setting those fees, to minimise the risk of this issue re-occurring in future. The vision of the reform is to modernise and upgrade the court and tribunal system so that it works even better for everyone, from the victims of crime, witnesses and litigants to judges and legal professionals.