**Opening Speech of the President of the Supreme Court of Cyprus**

Distinguished Guests, Dear Colleagues, Ladies and Gentlemen,

It gives me great pleasure to welcome you all to the formal presentation of the proposed Civil Procedure Rules to the Supreme Court of Cyprus.

Given the course of events since July 2020 which was the original target date for presenting the proposed Civil Procedure Rules to the Supreme Court, I am now addressing you as President of the Court. At a later stage during this event, I will present the proposed Rules as President of the Rules Committee.

The need for radical reform of the Civil Procedure Rules is not a new finding. A pressing need for radical reform of the rules, which had been subject to minimal reform since 1958, was identified in the Pikis Report as early as 1989. Other recommendations which followed this Report did not reach fruition and piecemeal reforms had little effect.

With a view to making the administration of justice more efficient and effective and addressing the excessive delays recorded in the European Union’s Justice Scoreboard and the reports of other organisations on Cyprus, as well as modernising the procedure for civil cases, the Supreme Court in January 2017, proposed a full review of the Civil Procedure Rules. A consensus in principle on the need for radical reform was established among all the major stakeholders, who agreed that the starting point should be the existing English Civil Procedure Rules.

The proposed new rules submitted to the Supreme Court today, give effect to key recommendations made by a group of experts headed by the Rt. Hon. Lord Dyson in cooperation with the Rules Committee, established by the Supreme Court, which were the subject of a public consultation launched on 15th June 2018.

Significant changes are proposed in the approach to the resolution of civil disputes by adopting some of the concepts introduced under the Woolf reforms, of enabling the court to deal with cases expeditiously, justly and at proportionate cost, thus setting the stage for a change in litigation culture. Remarking on these concepts some years after the implementation of the Woolf reforms in England, Sir Anthony Clarke, the Master of the Rolls observed:

*“How then did Woolf set about changing our litigation culture? How did he change the way the discrete reforms were implemented? As I see it, he did so in three ways: first through the introduction of active case management; secondly, through the introduction of the overriding objective; and thirdly, through the imposition of a duty on litigants and their representatives to assist the court in furthering the overriding objective”.[[1]](#footnote-1)*

These innovations form part of the proposed new rules to which further reference will be made during my presentation of the Rules.

The Supreme Court will consider the Rules within the timeframe set by the European Commission, the funders of the project, and the Council of Europe and will decide whether to adopt them. Their adoption, of course, will not mark the end of the road, but the beginning of a new journey before their implementation, during which they will be the subject of scrutiny and, where necessary, change.

No venture, of course, can be successful unless its importance and philosophy is understood. It is evident that for the proposed new rules to be truly effective they must be understood and accepted by all major stakeholders in the justice system, and the new practices and procedures properly implemented in the courts. The rules will require attitudinal changes towards more cooperation on the part of practitioners before and after the commencement of litigation and a more robust and practical approach by judges in the exercise of their active management role. These are matters which fall within the ambit of the next project in the reform process, that of training judges, lawyers and court staff on the proposed new rules.

I fully join Mr Erotocritou, whose speech I have had the advantage of reading in advance, in expressing the Supreme Court’s gratitude for the contribution of each and every participant in this project as more particularly referred to in Mr Erotocritou’s speech.

On behalf of the Supreme Court and the Cyprus judiciary, I would like to especially thank the European Commission and the Council of Europe for their continued support during this vast and demanding project and DG Reform of the European Commission for funding this project and making the Supreme Court’s vision for reform a reality.

The Supreme Court also expresses its gratitude and deep appreciation to all the members of the Rules Committee, for their commitment to the project and valuable input and last but not least to Mr George Erotocritou, the Project Manager and Director of Reform and Training, for his significant contribution and successful management of the project.

Nicosia, 26th November 2020

1. Sir Anthony Clarke, “The Woolf Reforms: a singular event or an ongoing process?” in Deirdre Dwyer (ed), *The Civil Procedure Rules Ten Years On* (Oxford University Press, 2010) 13,31. [↑](#footnote-ref-1)