

MEETING OF THE ACCESS TO JUSTICE COMMITTEE
MONDAY 25 August 2025 – 16:30
JUDGES CONFERENCE ROOM, PARLIAMENT HOUSE, EDINBURGH

MINUTES

Present: Lady Carmichael (Chair)
Sheriff Principal Wade
Sheriff Martin-Brown
Fiona Drysdale
Dean Purdie
Employment Judge d'Inverno
Thomas Docherty
Joel Conn
Hazel Thoms
Alison Dillon (SCTS)

In attendance: Gary White (SCTS)
Paul Bremner (SCTS)
Chris Fyffe (SCTS)
Eleanor Brown (SCTS)
Susan Young (Observer, Scottish Government)

Support: Jessica Flynn (SCJC)
Sarah Jane McNicol (SCJC)
Paula Preston (SCJC)

Item 1: Welcome and apologies

1. The Chair welcomed those present and noted apologies from Kirsty Hyslop. She noted that the default position was now that meeting papers were open, unless agreed to be private, given the recent amendment to standing orders.

Item 2: items by Correspondence

2. The Chair introduced paper 2.1, which set out one item by correspondence which related to minutes from previous meetings.

Members noted the item by correspondence

Item 3: Work Programme

Item 3.1 Mandatory Civil Online

4. The Chair introduced this item and reminded members about the need for a post implementation review for mandatory civil online. This review needs data capture and interrogation to continue. Members were asked for input on how best to capture data on paper claims submitted to courts.
5. The Committee noted that Sherifffdom Business Managers would be best placed to capture this data and that this would be discussed at the Sheriffs Principal meeting in September. Members noted a spreadsheet containing the case reference, date of lodging, parties and the reason for lodging in paper would help to capture the information while minimising the demand on court staff. Members noted this could be implemented for a trial period and revisited at a later meeting.
6. Members discussed the number of rejections in relation to claims lodged by the legal profession and considered if there was a reason for this. Members also highlighted the difference in numbers of claimants who are represented and those who are not. It was agreed that further discussion is required with SCTS to determine the best way for this information to be captured and reported on.
7. The SCTS digital strategy has to be finalised before it will be shared with members at a future meeting.
8. Members noted that discussions with HMCTS in regards to their digital strategy had taken place however; they were unavailable for this meeting due to the public holiday in England and Wales. Staff at HMCTS have noted they would be available for a future meeting if members thought this would be useful.

Members noted that information on the progress of the above matters will be provided at a future meeting

Item 3.2 Modes of Attendance

10. The Chair introduced this item and asked members for their views on the proposed Call for Evidence. Members indicated their support of this and noted it was a sensible exercise.
11. Members discussed there may be merit in defining the meaning of procedural hearing as members noted this is not currently defined and can have a broad meaning. Members noted that there was still not enough data on this at this stage.

12. Members discussed the use of telephone hearings at Glasgow. These remain a mode of attendance due to resourcing issues but it is something that is under constant consideration by the Sheriff Principal. Members noted that this will continue to be considered by the Committee.

13. The Committee discussed the proposed questions for the Call for Evidence and noted the following:

- The list of consultees will be circulated to members for their consideration;
- The call should run for the full 12 weeks to ensure maximum input and should be mindful of the dates as we are nearing the end of the year;
- There might be merit in including representatives of the media in the list of stakeholders, given the importance of open justice, and the role of the press;
- The definition of hybrid is unclear and it may be useful to have a separate question covering technical issues;
- A question on telephone hearings should be included and;
- An additional open question on the merits of virtual hearings should also be included.

Members agreed that the secretariat would distribute a list of consultees and a list of revised questions for consideration by members by IBC within 7 days.

A.O.B

16. Two items of AOB were raised:

- It was brought to the attention of members that Aberdeen Sheriff Court had been omitted from the list of sheriff courts at Annex 4 of Paper 3.1. The Annex will be updated accordingly.
- Members were asked if the papers should be marked private. There were no objections raised at the meeting.

**Scottish Civil Justice Council Secretariat
August 2025**