

ITEM 7.1: PUBLIC CORRESPONDENCE

Purpose

1. To provide members with an update on correspondence received relating to the Committee's work.
2. To seek members' views on next steps.

Discussion

3. Two items of correspondence have been received from Bryan Clark, Strathclyde University, and Rosanne Cubitt, Relationships Scotland, commenting on the Committee's literature review on ADR methods. The Committee is referred to additional research and provided with comment on some of the points made throughout the review and particularly on the Key Considerations provided in the final chapter.
4. The Secretariat has responded to advise that the Committee is currently focused on the development of rules for a new simple procedure, that work in the area of ADR is to be taken forward as a medium term priority (as set out in the Rules Rewrite Working Group's [Interim Report](#)) and that comments will be put to the Committee for consideration alongside that work in due course.
5. **Members are invited to note that the two items of correspondence referred to will be provided at a future meeting, and that any further correspondence relating to areas of work which are currently 'on hold' (see Item 2.2, Paper 2.2) will be presented to the Committee at the relevant point, in line with its priorities and programme of work.**

6. Another item of correspondence [**Paper 7.1A**] has been received from a member of the public, Mr Warrander, suggesting rules changes on service and enforcement of decisions of the court, as a result of his recent experience in the small claims court.
7. A process has recently been put in place for handling proposals for rule changes which originate from members of the public whereby the relevant Committee will provide initial consideration and thereafter instruct the Secretariat to prepare advice if the proposal is considered to have merit.
8. **Members are invited to provide initial views on whether there is merit in pursuing the proposals provided in Paper 7.1A. If so, advice and any policy options will be provided alongside the rules on a new Simple Procedure at the next meeting.**

Recommendations

9. **Members are invited to:**
 - a) **note that correspondence received on matters relating to the Committee's ADR literature review will provided for consideration at a later date;**
 - b) **note that any further correspondence on areas of work which are 'on hold' will be presented to the Committee at the appropriate point in time; and,**
 - c) **consider and provide initial views on whether there is merit in pursuing the proposal for changes to court rules contained in Paper 7.1A.**

Scottish Civil Justice Council - Secretariat

February 2015