

Respondent Information Form

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Providing your response

If you have chosen to provide a separate written response, then please complete the first page of this Respondent Information Form and attach it to your response.

If you wish to include your responses within this Respondent Information Form, please insert your responses to each consultation question in the (expandable) boxes below:

Proposal 1 - Consolidation

Question 1 – Do you agree that the 2 existing sets of regulations from 2002 should be replaced with 1 new consolidated instrument? If not why not?

Yes, I agree that the 2 existing sets of regulations from 2002 should be replaced with 1 new consolidated instrument.

Proposal 2 – Adopting unit based charging:

Question 2 – Do you agree that a change to “unit based charging” can provide improved transparency on the level of fee being charged? If not why not?

I support the change to unit based charging but don't see that will provide increased transparency on the level of fee being charged compared to the current system.

Question 3 – Do you agree that the baseline “monetary value” should start at £5.40 and that 1 unit of time should be fixed at 6 minutes? If not why not?

Yes, the low monetary value enables the current table of fees to be easily converted to the unit based system and the 6 minute unit of time aligns with the rest of the legal profession.

Question 4 – Do you agree that the proposed changes to the general regulations will support the adoption of unit based charging?

Yes, I agree.

Question 5 – With regard to annex 4, do you have a view on whether any of the current 60 line items shown are no longer required, or whether any of the baseline unit of work should be amended? If so why?

There are plenty of changes that I would like to see made to the current line items / baseline units of work but believe a working group should be established to fully investigate these potential changes and the current proposals for moving to a unit based system should simply be implemented as outlined.

Question 6 – Do you have a view on any unintended consequences that might arise from implementing a change to unit based charging?

Yes, if we transition to a time unit based charging system then there may be pressure put on court officers in the future to justify a fee charged with reference to the amount of time spent undertaking the particular instruction, whereas the current system makes no reference to the amount of time spent on each instruction and has never been a consideration.

Proposal 3 - Adjusting for inflation in advance:

Question 7 – Do you have a view on the proposed change to the Council progressing inflation adjustments in advance?

I support this proposed change as it brings court officer fees into line with other areas of the Scottish legal system and will allow for improved planning, budgeting and investment by sheriff officer firms.

Question 8 – Do you have a view on which indices (*CPI, CPIH* or a combination of both) should be use when forecasting inflation?

I believe a blended CPI/CPIH index should be used when forecasting inflation.

Other

Question 9 – Are you aware of any other opportunities to modernise how these regulated fees are set by the courts and charged to end users?

Yes, as mentioned in the answer to Question 5, there are numerous opportunities to modernize how the fees of court officers are set and charged but this should be considered separately to the current proposal.