

REMIT OF THE RULES REWRITE WORKING GROUP

The remit of the Working Group is, in light of a) the Report of the Scottish Civil Courts Review and b) the proposals in the draft Courts Reform (Sc) Bill, to develop and submit to the Scottish Civil Justice Council a “rules rewrite methodology”. In particular, the Working Group is to:

- a) consider the vision and objective of the new rules;
- b) undertake a review of the approach that other jurisdictions have taken when undertaking similar projects such as England and Wales and Australia to establish if any lessons can be learned;
- c) create a “style guide” to underpin the drafting of the new rules (there requires to be consistency in approach to rule drafting (for example, in relation to terminology and language) between the civil courts and across the different disciplines such as family and PI);
- d) agree the format and guidance for “drafting instructions” whether this be through the committee structure or the SCJC Secretariat; and
- e) develop an annual rules rewrite programme which enables specific phases of rules to be prioritised.

RULES REWRITE WORKING GROUP MEMBERSHIP

Lord President (Chair)

The Rt Hon Lord Menzies (Judicial Member/Vice Chair, SCJC member)

Sheriff Principal CAL Scott (Sheriff Principal of Glasgow and Strathkelvin)

Kenneth Forrest (Advocate)

Duncan Murray (Solicitor, SCJC member)

Jonathan Brown (Scottish Government, Office of the Scottish Parliamentary Council)

Sarah Wolffe QC (Advocate, SCJC member, Papers member)

Administrative Support

Roddy Flinn (Legal Secretary to the Lord President and Secretary to the Scottish Civil Justice Council)

Ondine Tennant (Deputy Secretary to the Scottish Civil Justice Council)