

**ITEM 4.6B****RULES REWRITE WORKING GROUP: IMPLEMENTATION****Purpose**

1. To provide the Committee with an overview of the implementation plans for the Courts Reform (Sc.) Bill and Rules Rewrite Project.

**Background**

2. On 28 May the Scottish Civil Justice Council's Rules Rewrite Working Group (RRWG) published its [Interim Report](#). The Interim Report sets out the RRWG's recommendations for the Rules Rewrite Project, addressing the vision and objective of the new rules, how the new rules should be drafted and the priority areas for implementation of civil courts reform.
3. Following discussions at official level with the Scottish Government and SCS, the Group has agreed the following areas of the Courts Reform Bill as priorities:
  - the increase to the privative limit,
  - the introduction of summary sheriffs and a new simple procedure,
  - the creation of a Sheriff Appeal Court and the introduction of Appeal Sheriffs, and
  - the creation of a specialist personal injury court with civil jury trials.
4. At present, a target date of 2015/16 has been identified for implementation of the priority areas for civil courts reform.
5. To underpin these reforms the following suites or rules will be taken forward as a priority with drafting beginning on each of them during 2014:
  - Privative Limit
  - Judicial Structures (introduction of the new judicial office of summary sheriff and Appeal Sheriff)
  - Sheriff Appeal Court
  - The creation of a specialist personal injury court, with civil jury trials

- Simple procedure
  - Judicial case management
  - Enforcement / sanctions (to ensure adherence to the rules)
  - Compulsory pre-action protocols
  - Judicial Review
6. The Scottish Court Service (SCS) has recently published its [Corporate Plan 2014-17](#). The Corporate Plan outlines the SCS's vision for digital innovation which includes:
- Creating a state of the art ICT infrastructure
  - Introducing a modern civil case management system that moves away from paper based processes and allows business to be conducted electronically
  - Introducing technology to ensure easy access to SCS services
  - Ensuring wireless connectivity, digital evidence presentation and extensive video links are available across all courts.
7. Underpinning the Corporate Plan is the SCS's Business Plan for 2014-15. This outlines key activities that will be undertaken over the next year in support of the Corporate Plan. These include:
- Development and upgrading of the ICT platform
  - Procurement of a new case management platform and commencement of development of a new civil case management system by March 2015

### **Discussion**

8. It is clear that the timescales for the Rules Rewrite Project are ambitious and that activity will require co-ordination across a range of stakeholders. While these activities are joined up under the Making Justice Work programme, work is ongoing at official level to scope out the activities and tasks associated with implementation and in particular what are the rules dependent on and what is dependent on the rules.
9. With this in mind a meeting of stakeholders has been arranged for next month to discuss the implementation timetable and the various

implementation activities which will surround the development of rules, with a view to helping establish in more depth the critical path.

10. Of particular interest to this Committee will be the relationship between the development of the rules and the development of the ICT infrastructure to support civil courts reform. There is a need to ensure that the Rules Rewrite Project is dovetailed with wider implementation activity including ICT changes.

### **Recommendation**

#### **11. That the Committee notes:**

- a. **the priorities identified for the rules rewrite and implementation of the Courts Reform (Sc) Bill; and**
- b. **that work is ongoing to develop a detailed implementation timetable and that an update will be provided to the ICT Committee at its next meeting.**