

ITEM X.X: COSTS AND FUNDING COMMITTEE

Purpose

- 1) To seek the Council's approval of the proposed remit and membership of the Access to Justice Committee

Discussion

- 2) At its meeting on 10 June 2013 the SCJC agreed in principle that an Access to Justice Committee should be established in early course to give consideration to matters including lay representation, guidance to lay support and party litigants, and the use of Alternative Dispute Resolution.

Remit

- 3) The proposed remit of the Access to Justice Committee is detailed at **Paper 6.2A**. The remit has been framed with a view to enabling the Committee to give consideration to the proposal in the draft Courts Reform (Sc) Bill for a 'simple procedure' to replace the existing small claims and summary cause procedures and other topics. This is in addition to the matters that were suggested should be considered by such a committee at the Council's last meeting.
- 4) It should be noted that there is potential for overlap between this and other SCJC committees, and in particular the Personal Injury and Family Law Committees in respect of the procedure to be followed in actions before the proposed 'summary sheriff'. The Secretariat will identify areas of potential overlap between committees with a view to assisting the SCJC in delegating specific matters between its committees in due course..
- 5) The Chair has recommended that the committee membership is as detailed in **Paper 6.2B**. This draws on a range of experience from users of the justice system and those that have expressed an interest in serving on such a committee.
- 6) Should the Council agree to these proposals, letters will be issued to the proposed members of the committee advising them of the membership and remit of the committee and arranging a meeting in due course.

Recommendations

- 7) **Members are invited to:**
 - a) **consider and approve the Committee's remit and membership; and**

- b) note that the Secretariat will identify areas of potential overlap between committees with a view to assisting the SCJC in delegating specific matters between its committees in due course.**

**Scottish Civil Justice Council – Secretariat
September 2013**