

RULES REWRITE PROJECT SUMMER TOUR EVENTS

Purpose

1. To provide the Council with a summary of the Rules Rewrite Project Summer Tour Events.

Background to Events

Introduction

2. At its meeting on 20 March 2017, the Council agreed to the proposal that a “Summer Tour” be planned to publicise “The New Civil Procedure Rules” report as part of the Rules Rewrite Project. The publication of the report follows completion of Phase One of the Rules Rewrite Project Plan and sees the beginning of wider engagement with the public and professions about the project and the scale of the changes ahead.
3. The Tour was intended to focus on explaining both the work to date and the next steps of the project plan and to ensure that interested parties are aware of the changes ahead at an early stage so their views can be canvassed as the next phase of the project plan is implemented.

Presenters/facilitators

4. It was agreed that a member of the Council would attend each event to speak to the role of the Council, with two members of the Rules Rewrite Drafting Team speaking to the current reforms and the future work.

Locations

5. It was agreed with the Rules Rewrite Team that the Secretariat would assist in producing a plan for the events which members could participate in to ensure relevant coverage of Scotland. It was agreed to seek permission from Sheriff Principals for the project team to visit sheriffdoms to hold an information event to which court staff, public and professions would be invited to attend.
6. Locations were identified within each Sheriffdom and in May 2017 eight venues were agreed as follows:
 - Kirkcaldy Sheriff Court – 25 July 2017
 - Glasgow Sheriff Court – 27 July 2017
 - Aberdeen Sheriff Court – 8 August 2017
 - Airdrie Sheriff Court – 10 August 2017

- Dundee Sheriff Court – 16 August 2017
- Edinburgh Sheriff Court – 17 August 2017
- Stirling Sheriff Court – 24 August 2017
- Paisley Sheriff Court – 31 August 2017

THE EVENTS

Attendees

7. The events concluded on 31 August 2017, with almost 163 people attending the sessions. Registers from the events held demonstrate that there was a cross section of attendees at the sessions with the majority of attendees being solicitors in private practice. A summary of those in attendance can be seen below:

	Number registered to attend	Solicitor	Sheriff	In-court adviser	SCTS staff	Public	Other
Kirkcaldy	13	4	0	0	7	0	2
Glasgow	23	15	0	0	5	3	0
Aberdeen	12	4	0	2	5	0	1
Airdrie	20	11	0	1	5	1	2
Dundee	17	3	1	0	11	0	2
Edinburgh	58	28	0	1	11	0	18
Stirling	9	1	0	0	8	0	0
Paisley	11	6	0	0	1	2	2
Total	163	72	1	4	53	6	27

Presentations

8. A power point presentation, delivered by Council members and lawyers from the Lord President's Private Office Rules Rewrite Project, covered an introduction to the Council and its functions, an outline of the reforms so far, "The New Civil Procedure Rules" first report and the work streams. There was also discussion on commencement and initial case management, evidence, proof and hearings and alternative dispute resolution.

Feedback

9. Attendees were provided with the opportunity to ask questions at the event and to provide feedback via a questionnaire which could be either completed on the day or taken away and emailed at any point in the future. Over the eight events, a total of 6 completed questionnaires were returned.
10. Feedback on the rules of court indicated that there was general support for the 'big bang' approach for all new rules for both sheriff court and Court of Session

coming into force on same day. However, it was noted that some practitioners in Edinburgh had resource concerns following issues with the All Scotland Personal Injury Court and the Simple Procedure Rules which only came to light post-implementation.

11. Concerns were also raised around changing terminology which is well understood by court staff and should be equally understood by the public.
12. Other concerns raised included affordability, use of and access to technology, the use of pre-recorded evidence diminishing role of lawyer, provision of ADR and mediation and timescales for an appeal in simple procedure.
13. Some of the questions received at the sessions focused on the new rules relating to simple procedure, the Sheriff Appeal Court (civil) as well as the new case management system, ICMS, being introduced by Scottish Courts and Tribunals Service.
14. Many of the questions raised in relation to the Sheriff Appeal Court (civil) focused on the practical arrangements around administration of cases rather than the content of the rules.
15. All the feedback received has been passed on to the relevant legal drafter/policy support to be considered by the relevant Committee in due course.

Feedback on the event

16. Overall feedback received via the questionnaires and from the facilitators at the event suggests that the Tour has been successful in raising both the profile of the Council and in publicising “The New Civil Procedure Rules”.
17. There were a number of attendees that were interested in receiving the SCJC *Update* newsletter, which will inform stakeholders of the work as it progresses.

Recommendation

18. **The Council is invited to note this paper.**

Rules Rewrite Drafting Team and Scottish Civil Justice Council Secretariat

November 2017

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