

## ITEMS CONSIDERED BY CORRESPONDENCE

### Purpose

1. To provide members with a note of the outcomes of matters considered by correspondence since the last meeting on 29 November 2021.

### Discussion

2. In considering matters by correspondence, members are advised that a nil response will be treated as consent, unless noted otherwise.
3. Two matters have been considered by correspondence since the last meeting.

#### A. Appointment on the new Chair for the Costs and Funding Committee

- **Paper 2021/25** invited members to approve the appointment of Lord Harrower as Chair of the Costs and Funding Committee. The IBC was issued on 9 December 2021 and closed on 23 December 2021.
- No responses were received. Lord Harrower's date of appointment runs for 3 years from 31 December 2021 (As per standing order 2.5).

#### B. Compulsory Pre Action Protocols for Disease and Clinical Negligence

- **Paper 2021/26** invited members to comment and approve the compulsory pre action protocols for disease and clinical negligence, and approve their remittance to the Costs and Funding Committee to develop a fee structures. The IBC was issued on 14 December 2021 and closed on 5 January 2022.
- No responses were received. Both Protocols have been remitted to the Costs and Funding Committee.

### Recommendation

4. Members are invited to note this update.

*Scottish Civil Justice Council Secretariat  
October 2021*