

Response by Council of the Sheriffs' Association

To

The Sheriff Court Rules Council Consultation on Proposals for Procedural Rules for Personal Injury Actions in the Sheriff Court

Council is grateful for having been afforded the opportunity to comment on the Sheriff Court Rules Council's proposals for procedural rules for personal injury actions in the Sheriff Court.

We note that the proposed rules are based on Chapter 23 of the Rules of the Court of Session, with appropriate modifications. We are told that the evaluation of those rules is to be published shortly and that the evaluation is likely to be favourable in the main.

We are aware of the pilot scheme in Glasgow, which is based on Chapter 40 of the Ordinary Cause Rules 1993. The rules for the Glasgow pilot are not otherwise written down but it appears that there is a large measure of flexibility.

Until the Glasgow pilot is evaluated and we see the report on the Court of Session experience, we do not consider ourselves able to offer any comment as to the respective merits of either approach or the alternative of leaving things as they are.

We are conscious also of the impending Civil Justice Review, which may involve yet further reform.

For all these reasons we consider it premature to respond in detail to the consultation document.