

**Approved Minutes
Court of Session and Sheriff Court Rules Council
IT Committee**

Parliament House, Edinburgh on 14 March 2007

Present

The Hon Lord Macphail (Joint Chair)
D Morris
G McKeand
R Cockburn
D Murray
M Wood
K Stewart (Secretariat)
D Bruton (Secretariat)

1. Apologies

Sheriff Peebles QC (Joint Chair), R McPherson, D Boyle, R Conway, S Warren, A Johnston, C Armstrong

Absent

R MacNiven, P Cackette, Sheriff Fletcher, R Clancy QC, J d’Inverno, , P Ryan

2. Minutes of the previous meeting

The minutes of the meeting of 6 December 2006 were approved.

3. Business Update

Committee members noted progress.

There was discussion on what data may be available in future to assess usage of electronic evidence in civil cases. Mr Morris advised that it would be possible for such data to be produced in future by Scottish Court Service (SCS).

In relation to the announced Civil Courts Review, the chairman undertook to write to The Lord Justice Clerk to explain the work the committee has undertaken to date.

4. Project Timetable

The chairman welcomed Mrs McKeand to the committee following her letter of invitation from Sheriff Peebles on behalf of the Sheriff Court Rules Council.

Mrs McKeand advised the committee that she is preparing a report to SCS Chief Executive setting out a business case and making recommendations to include:

- ♦ Investigation of SCS civil case management system to ensure accurate and uniform data and maximise potential of the system
- ♦ Electronic transmission of documentation
- ♦ Civil Judicial Statistics – to meet with demands for extended data

The Chairman questioned what role this committee will be fulfilling meantime. Mr Morris advised that whilst looking at the SCS business case, advice and input from the committee will be useful and helpful.

5. Electronic Transmission of documents / Signatures

The committee discussed the note from the draftsperson received following the instruction of draft rules. The question of whether the committee can make further progress in respect of issues raised by the draftsperson and the pending SCS business case was discussed at length.

It was agreed that the 'commercial court' was a possible 'pilot' for electronic transmission and that this be put forward as a suggestion for inclusion in the SCS business case report along with a note of prospective benefits.

It was agreed that no further rules of court be instructed pending the outcome of the SCS business case report.

6. AOB

It was noted that the Faculty of Advocates has offered the use of electronic diaries for counsel.

The Secretariat will circulate for members interest, documents received on the subject of IT provision in other jurisdictions.

7. Date of next meeting

Wednesday 6 June 2007 at 2.00 pm in Parliament House, Edinburgh