**Minutes of Meeting**

A meeting of the Edinburgh Sheriff Court Personal Injury Users Group was held in the Conference Room at Edinburgh Sheriff Court at 4.00pm on Thursday 19th June 2014.

Present:

Sheriff Kathrine Mackie (chair)

Sheriff Isabella McColl

Gary White – Secretary to the Users Group

Peter Crooks – Bonnar & Co

Isobel Duff – Head of Civil Department Edinburgh Sheriff Court

Samantha Jackson - PI Clerk - Summary Cause

Ian Leach – HBM Sayers

Helen Lawrence – Digby Brown

Scott Wood - PI Clerk - Ordinary Cause

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| No. | Item | Action |
| **1.**  **2.**  **3.**  **4.**  **5.**  **6.**  **7**  **8**  **9** | **Apologies**  Apologies were received from Kim Leslie, Robert Milligan QC and Sheriff Principal Stephen, Sheriff Arthurson QC, Peter Anderson and Katrina Whyte  **Minutes**  The minutes of 14th January 2014 were discussed and approved by the users group.  **PI Website link on SCS website**  The group were made aware that the link is now up and running again. GW explained where the link can be found.  **Emailing Interlocutors**  The group then discussed the issue of emailing interlocutors by the Sheriff Clerk’s Office. ID has spoken with the Court of Session staff in relation to this. She was advised that C.O.S didn’t charge fee’s as agents had a copy card which entitled them to use the photocopier and their company would be billed for using the copier. It was agreed that interlocutors granted in chambers would be issued for free.  ID advised that emailing interlocutors would be an issue and could result in an increase work for the PI team. GW and SW suggested that adding agents gerenic email addresses to CMS would reduce time and work of PI team if this could be done.  It was agreed that that PI team would issue interlocutors by email when a generic email address is provided. It was agreed that these would be unsigned copies and would only be issued when the team have a signed interlocutor from one of the PI Sheriffs.  The topic of email interlocutors is being continued to the Sheriff’s and PI team meeting for further discussions.  **Motions and Joint Minutes**  Sheriff Mackie stated that she had concerns about the volume and quality of motions coming into the court, and in particular the number to allow parts of process late. She raised concerns about agents not managing their diaries effectively.  Sheriff Mackie then pointed out to the group that joint minutes as agreed should be lodge within 28 days from the date of the interlocutor granted after case has settled. It was then discussed how best to get the message back out to agents. PC suggested the PI team write to offending firms reminding them of the practice.  Missed a bit of the meeting due to having to take an urgent call  Diet of assessments and Diets of approval in summary cause PI actions were discussed among the group. GW pointed out that the accounts of expenses are not being lodged. Agents are often not advising the court that these diets are no longer needed resulting in having to assign new dates and issuing new interlocutors.  Sheriff Mackie advised that in the future that failure to lodge the account of expenses or advising the court the diets are no longer needed then a By Order hearing will be assigned.  **Adminitration of Justice Petitions**  The group discussed the increasing number of these petitions. Sheriff Mackie and HL discussed the form in which they are presented and Sheriff Mackie said that there appears to be a provision for the Sheriff to use his or her discresion.  Sheriff Mackie then asked for HL/Digby Brown to provide a style/proposed form for these petitions.  It was agreed by the user group that in the short terms these petitions would go before one of the PI Sheriff’s before warranting.  **Reports in Terms of Chapter 34 and 36 procedure**  ID advised that a meeting has taken place with the C.O.S staff. A substantiall amount of money was spend by the I.T ream to upgrade CMS for the reports that GW provided to Sheriff Mackie and that Edinburgh Sheriff Court was the only court that has requested this information to be made available. The function is available for all Sheriff Courts however.  The group then discussed what is made available by the C.O.S and GW is to send to all members of the user group a copy of the points Sheriff Mackie would like to see provided in the stats to allow the agents to suggest which stats would be useful to the group  The issue of the stats will be discussed at the next meeting between the PI team and the Sheriff’s.  **Clinical Negligence**  Sheriff McColl then advised the group that she is still looking into this and will continue to do so. The topic was continued to the next meeting.  **AOCB**  Sheriff Mackie brought up the pre action protocol. The group agreed it should not send in a group response and that the deadline for responding had been extended until 30th June 2014.  Mr Crooks asked if it was the understanding of the Sheriff’s that all simplified procedure would be dealt with by all Sheriff Courts and not centralised like the upcoming personal injury court.  ID then advised that group that the PI team should receive a new AO to take the team to 3AO’s and 1 EO. The extant date of this is not known yet but should be in the short term.  Date of next meeting: TBC | **ID**  **GW + SW**  **KM**  **PC**  **ID** |