**Minutes of Meeting**

Edinburgh Sheriff Court held a meeting by WebEx of the Personal Injury User Group on **28 May 2024 at 4.15pm**

Present:

Sheriff Fife, Chair

Sheriff Campbell KC

Sheriff Dickson

Sheriff Primrose KC

Sheriff Nicol

Kate Bennett, Advocate

Simon Hammond, Digby Brown

Bruce Shields, Thompsons

Catherine Currie, BTO

Gordon Tolland, SLABB

Peter Crooks, Lanarkshire Accident Law

Andrew Lothian, DWF

Stephanie Watson, Thorntons Law

Natalie Gibb, Clyde & Co

Laura-Anne Langlands, NHS Central Legal Office

Craig Anderson, Court of Session PIUG member

Fiona Pryke, HEO

Daniel Malloy, clerk

Dave Young, Senior Executive Officer, Edinburgh Sheriff and Justice of the Peace Court

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| 1.  2.  3.  4.  5.  6.  7.  8.  9.  **10.** | **Apologies etc.**  Sheriff Noble, Morag Shepherd, Richard Poole  **Minutes of Previous Meeting: 28 May 2024**  Removal of extraneous punctuation, otherwise no amendments were proposed. The minutes were approved.  **Matters Arising from Minutes not otherwise on the Agenda**  • Item 5 IT/Civil Online update  Gary White reported there had been a delay in the case tracking functionality going live due to code merge. It was hoped case tracking would go live over summer 2024.  Development work for submitting Initial Writs online is to start in July 2024  • Item 9 stats on lengths of proofs  The number of sitting days ranges from 1 – 4+. On average, proofs run for 2-3 days.  • Item 11 AOCB training of young solicitors  Following a small group discussion a Qs/As session will be arranged for September 2024 (Sheriff Fife and Sheriff Nicol).  A date will be advised in due course.  **Stats between February 2024 and April 2024**  Writs warranted – 1307  Motions lodged – 3268  Opposed motions lodged – 278  Proofs/PBAs/debates proceeded – 10  Proofs discharged due to lack of court time – 2  The stats are pretty consistent with a continuing trend of increasing registrations.  **Procedural Court/Opposed Motions/ASSPIC**   * Procedural Court 2 (PI2)) will commence from Thursday 13 June 2024 and we are now populating the court for hearings. * Meantime, we will continue to have additional opposed motions courts. * Bruce Shields queried and was advised that Procedural Court 2 would be a mirror image of Procedural Court 1 with the exemption of Chapter 36A cases calling in PI1 unless otherwise requested.   **ADDITIONAL RESOURCES**   * Sheriff Fife advised he had today (28 May 2024) received confirmation that the Scottish Government had formally approved the appointment of an additional sheriff to Edinburgh Sheriff Court, being an additional specialist PI Sheriff (increasing the number of specialist PI sheriffs to 7). * ASSPIC were appointing 2 additional part-time PI sheriffs pending the new PI sheriff being appointed. * ASSPIC were increasing staff to manage the increasing business:   3x AOs (hopefully in place in around 6 weeks or so)  1x EO as an additional clerk.  **Procedural hearings sought after sist**   * In order to improve efficiency, the court will monitor sisted actions and will appoints a hearing if there has been no progress following a sist. There should be no need to request a hearing following a sist unless there are particular reasons for so doing. * Fiona Pryke to arrange for procedural notes on website to be removed / revised re: sists and opposed motions.   **Proofs**  **Adjournments due to lack of court time**  Inevitably, there will be adjournments due to lack of court time from time to time, but on a regular basis .Any rumours about churn are misinformed:   * November 2023 – January 2024 0 * February 2024 – April 2024 2   We continue to monitor and address proof business in ASSPIC to minimise the risk of adjournments.  **WATCH THIS SPACE**  **Court of Session PIUG**   * There is now a good exchange of information between ASSPIC/PIUG and Court of Session PIUG following the meeting on 17 April 2024. * There was a positive follow up meeting with Craig Anderson of CoS on 9 May 2024 and ways for collaboration agreed. * CoS PIUG meetings are now to take place 3x a year.   **QOCS**   * Sheriff Fife reminded everyone of the recent decision of SAC in Manley v McLeese[2024] SAC(Civ) 16 the first SAC decision on QOCS. * PI sheriffs continue to hear QOCS applications in the PI court.     **AOCB**   * Unreported decisions database (follow up to meeting on 23 November 2023)   After discussion, the PI sheriffs decided not to take this forward.   * Dressing room facilities for counsel   Fiona Pryke advised that having made enquiries and due to limited space within ESC the only accommodation possible is the use of the jury room or the second witness room and only with prior consultation with the PI Clerk in court 18.   * Absence of Wi-Fi in court 18   Dave Young reported on ongoing upgrade for the whole of Edinburgh Sheriff Court – await further update  **Date of next PIUG meeting WebEx Tuesday 27 August 2024 at 4:15pm** |  |

Agenda

**Personal Injury User Group Meeting**

**Tuesday, 28 May 2024 at 4:15pm WebEx**

1. Apologies
2. Minutes of previous meeting
3. Matters arising, not otherwise on agenda
4. Stats update
5. Procedural Court/Opposed Motions/ASSPIC

* Procedural Court 2
* additional resources
* procedural hearing sought after sist ( clogging up the courts- DM)

1. Proofs

* adjournments due to lack of court time

1. Court of Session PIUG

* report following meeting on 17 April 2024
* report on follow-up meeting with Craig Anderson (PIUG) on 9 May 2024

1. QOCS

* SAC
* general update

1. AOCB

* unreported decisions (follow up to meeting on 23 November 2023)
* dressing room/ facilities for Counsel
* Absence of WiFi in Court 18

1. Date of next meeting

Stats

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| --- | --- | --- | --- | --- |
|  | FEBRUARY | MARCH | APRIL | TOTAL |
| Registration | 523 | 482 | 511 | 1,307 |
| Motions lodged | 1123 | 1082 | 1063 | 3268 |
| Opposed motions | 77 | 101 | 100 | 278 |
| Proofs that (ASSPIC only ) proceeded | |  | | --- | | 3 | | 2 | 5 | 10 |

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| --- | --- | --- |
|  | Proofs fixed for month | discharged lack of court time |
| February | 285 | 0 |
| March | 285 | 2 |
| April | 245 | 1 |