**Minutes of Meeting**

Edinburgh Sheriff Court held a meeting of the Personal Injury User Group on **25 February 2025 at 4.15pm**

Present:

Sheriff Robert Fife, Chair

Sheriff C Dickson

Sheriff I Nicol

Sheriff K Campbell KC

Sheriff D Keir

Sheriff A Noble

Sheriff CA Walls

Kate Bennett, Advocate

Simon Hammond, Digby Brown

Gordon Tolland, SLAB

Peter Crooks, Lanarkshire Accident Law

Stephen Bryceland, BTO

Andrew Lothian, DWF- FOIL

Fiona McEwan, Clyde & Co

Richard Poole, Thorntons Law

Andrew Ireland, DAC Beachcroft

Eoin Quinn, Keoghs

Mary Morrison, Dundee City Council

Morag Shepherd, NHS CLO

Richard Singer, Thompsons

Eleanor Brown, Court of Session PIUG member

Fiona Pryke, HEO

Daniel Malloy, Sheriff Clerk Depute

Naomi Porter, Sheriff Clerk Depute

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

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| **1.**  **2.**  **3.**  **4.**  **5.**    **6.**  **7.**    **8.**  **9.**  **10.** | **Apologies etc**  Natalie Gibb, Catherine Currie and Sheriff Campbell KC  **Minutes of Previous Meeting: 27 August 2024**  No amendment, minutes were approved.  **Matters Arising from Minutes not otherwise on the Agenda**  Further Seminar(s) for Young Solicitors:  Sheriff Fife confirmed that after discussions with the PI sheriffs there would be a further Q&A session in September 2025, however, there would be a different set of questions from the Q&A session in September 2024.  Stephen Bryceland asked if focussing the session on a particular topic might be of use e.g. motions to help focus minds. Sheriff Fife confirmed this would be possible if users suggest topics. Any topics suggested would be considered and a decision would be taken in May 2025.  Sheriff Nicol advised that the variety of questions at the Q&A session in September was quite extensive and the sheriffs were able to deal with a whole host of issues. According to the feedback, this went down quite well. Sheriff Nicol raised a concern that restricting the next Q&A session to one specific topic, young solicitors may not get the full benefit of the session  **Stats Update November 2024 to January 2025**  Writs warranted – 1683  Motions lodged – 4060  Opposed motions lodged – 253  Proofs/PBAs/debates proceeded – 12  Proofs discharged due to lack of court time – 1  Sheriff Fife confirmed numbers continue to increase. There has been a significant increase in the number of motions lodged year on year.  **IT Developments**  Simon Hammond confirmed civil online case tracking is now available for Court of Session cases.  SH noted the main development is the initiation of actions e.g. lodging initial writs and NIDS via civil online. The aim is for this to go live in the summer.  Fiona Pryke confirmed she had a meeting in March with the Sheriff Principal, Les MacIntosh and Gary White to discuss a pilot with the lodging of initial writs via civil online in ASSPIC. PI writs are structured in such a way that it would be the easiest type to test.  **National Personal Injury Court (NPIC)**   * Changing the court name is an ongoing process. There is a cost to change the court name. Sheriff Fife will provide users with updates as and when there are developments. * Document styles must remain under ASSPIC until the change of name is official. * Sheriff Fife is hopeful the change of name will be official by September 2025. There is a 10 year celebration of PI court planned for September 2025   **Court 19**   * Court 19 update – progress is being made. Sheriff Fife was optimistic the court will be operational by around end of March. * Additional PI sheriff JABS update - JABS appointment of additional PI sheriff anticipated to be announced in May 2025 with June 2025 start. * Court 19 business –the primary use of court 19 would be for priority proofs. Proofs for PI Court 2 proofs will run between a Tuesday and Thursday. WebEx proofs for PI court 2 will continue until court 19 in operation, then in-person/hybrid proofs will proceed in the 2 courts: court 18 and court 19 every week i.e. 2 PI sheriffs allocated for proofs each week. * Sheriff Fife observed that recent experience is proofs are settling later. There is a trend of late stage settlements: after court hours on a Monday and on a Tuesday morning. * Simon Hammond asked if there was any plan to revert the PI procedural court back to in-person hearings. Sheriff Fife advised that until directed otherwise procedural courts would remain in person. Sheriff Dickon noted that the rules state that the default is that procedural business should proceed by electronic means (OCR 4A).   **Procedural court business, Proofs and opposed motions**   * PI procedural courts running Monday and Friday each week. * Sheriff Fife confirmed opposed motions continue to be allocated for a hearing in around 7 days. * Naomi Porter noted the PI Motion team are currently receiving on average over 100 unopposed motions per day and are currently 5 days behind. * Fiona Pryke encouraged users to contact the court if their motion is urgent and the court will deal with this motion at short notice on request. * Parties should ensure all relevant productions for opposed motions are lodged in advance of the hearing to give the PI sheriff sufficient time to review.   **Court of Session PIUG**  Report on meeting 27 January 2025   * Sheriff Fife reported briefly on the meeting on 27 January 2025 –the focus of the meeting was on protocols and re-convening the Chapter 42A Rules of the CoS 1994 and Practice Notes working group. It is hoped progress will be made on both fronts in due course. * Eleanor Brown mentioned that the Court of Session target end-to-end time for personal injury cases (chapter 42) was 70-weeks. However, this target was consistently not being met. Consequently, this matter went to the programming board who agreed the end-to-end target should increase to 90-weeks.   **AOCB**  Opposed Motions inbox operational   * Sheriff Fife confirmed the dedicated opposed motions inbox is now operational. * Naomi Porter confirmed the opposed motion inbox is working well and all users are using the inbox correctly.   Lodging of inventory sheets for OC productions vs full productions by email or utilising civil online   * Fiona Pryke raised the issue of users lodging inventories of productions via Objective Connect but not emailing a copy of the cover sheet to the National PI Inbox for uploading onto ICMS. * Daniel Malloy mentioned this was causing issues for the timetable team when processing valuations as various platforms were having to be searched to locate supporting documents. * Sheriff Nicol noted it was beneficial for the sheriffs when preparing for a procedural court, on occasion, to see the productions lodged in a case. Sheriff Nicol confirmed it would be helpful for inventory cover sheets to be lodged on Civil Online. * The court strongly encouraged practitioners to use Civil Online for lodging productions. * Simon Hammond asked if it was acceptable for practitioners to lodge inventory cover sheets only on Civil Online. Sheriff Fife confirmed there was no problem with this practise.   Court room attire   * Practitioners appearing in PI courts should be dressed appropriately for the said court. Sheriff Fife asked users to pass on this message.   Delay between lodging and remit of account to Auditor of Court   * Richard Poole mentioned that it seems to take longer for a pursuer to have their account of expenses resolved and paid out in ASSPIC than it does in some of the local Sheriff Courts. Richard asked the court if there were specific reasons for this. * Fiona Pryke confirmed that due to other backlogs the court had been bulking accounts and dealing with them once a month/every few weeks. However, with this issue being brought to the courts attention the system has now been changed. * Fiona Pryke confirmed accounts would now sit for a period of 7-10 working days before being remitted to the auditor, to allow parties a period to reach potential resolution. * Simon Hammond asked if there is any prospect of utilising the services of auditors in local courts alongside the auditor at the Court of Session. Sheriff Fife would give this some consideration.   **Date of next meeting: 27 May 2025 at 4:15pm by WebEx** |  |

Agenda

**Personal Injury User Group Meeting**

**NPIC (ASSPIC)**

**Tuesday, 25 February 2025 at 4:15pm WebEx**

1. Apologies
2. Minutes of previous meeting
3. Matters arising, not otherwise on agenda

* Further seminar(s) for young solicitors?

1. Stats update (to follow)
2. IT developments
3. National Personal Injury Court (NPIC)

* Changing name
* Ongoing process
* September 2025 10 year celebration/event

1. Court 19

* Additional PI sheriff JABS update
* Court 19 business

1. Procedural court business, Proofs and opposed motions

* Numbers
* Case management of proofs
* Adjournments due to lack of court time

1. Court of Session PIUG

* Report on meeting 27 January 2025

1. AOCB

* Opposed Motions inbox operational
* lodging of inventory sheets for OC productions vs full productions by email or utilising civil online
* Court room attire
* Delay between lodging and remit of account to auditor ( Richard Poole – Thorntons Law)

1. Date of next meeting
2. **STATS 2023/24 v 2024/25**

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| --- | --- | --- | --- | --- | --- |
|  |  | NOVEMBER | DECEMBER | JANUARY | TOTAL |
| Registration 2023/24 |  | 552 | 427 | 508 | 1487 |
| **Registration 2024/25** |  | **548** | **516** | **619** | **1683** |
| Motions lodged 2023/24 |  | 1143 | 979 | 1054 | 3176 |
| **Motions lodged 2024/25** |  | **1391** | **1238** | **1431** | **4060** |
| Opposed motions 2023/24 |  | 75 | 57 | 63 | 195 |
| **Opposed motions 2024/25** |  | **103** | **73** | **77** | **253** |

Calendar year 2023 - 4936 chapter 36 cases raised in national court

Calendar year 2024 - 6575 chapter 36 cases raised in national court ( approx. 500 more than projections)

2024/25 proof overview

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Proofs allocated | Proofs allowed  (record) | Called  (looking to proceed) | Discharged LOCT | Proceeded |
| November | 420 | 335  79% | 6  1.5% | 1 | 5  83% |
| December | 381 | 238  62% | 4  1.8% | 0 | 4  100% |
| January 2025\* | 510\* | 196  38% | 3  1.25% | 0 | 3  100% |
| **TOTAL** | **1311** | **469**  **35%** | **13**  **2.36%** | **1** | **12**  **92%** |

\* COURT 19/ WEBEX OPERATIONAL