

ITEMS CONSIDERED BY CORRESPONDENCE

Purpose

1. To provide the Council with a note of the outcomes from the items considered by correspondence since the Council meeting held on 15 June 2026.

Matters considered

2. There have been six matters considered by correspondence since the June 2026 meeting. They are as follows:

Administrative Matters

- **IBC 2026.06** was issued to members on 17 June 2026. It invited members to consider and approve the draft minutes from the Council meeting held on 15 June 2026. Four responses were received. The minutes and agreed papers were then published on the Council's website.
- **IBC 2026.08** was issued to members on 27 July 2026. It invited members to approve the reappointments of four members to Council. Four responses were received. Members were reappointed for further three-year periods.

Progression of work programme

- **IBC 2026.10** was issued to members on 14 July 2026. It invited members to consider and approve draft rules in relation to existing Act of Sederunt (Taxation of Judicial Expenses Rules) 2019) and an updated BRJA. The changes sought to provide an inflationary uplift to 'party and party' paying expenses and to provide additional clarification on the ability to claim court fees and reductions applicable under taxation rule 3.7. Two responses were received. The statutory instrument was submitted to the Court of Session for approval and enactment.
- **IBC 2026.11** was issued to members on 30 July 2026. It invited members to approve the draft Summary Cause Rules and forms of claim to support the operation of section 22 of the Domestic Abuse (Protection) (Scotland) Act 2021. Six responses were received. Responses were shared with LPPO for

consideration. Statutory instrument was submitted to the Court of Session for approval and enactment.

- **IBC 2026.12** was issued to members on 03 August 2026. It invited members to approve drafting instructions relating to the appointment and supervision of judicial factors. Five responses were received. Three of which contained comments. Drafting instructions have been issued to LPPO.
- **IBC 2026.14** was issued to members on 04 September 2026. It invited members to approve drafting instructions to amend RCS Chapter 82 to include any applications for a Declaration of Incompatibility. Three responses were received. One containing a legal matter for consideration. The legal matter is being explored by secretariat and drafting instruments will thereafter be issued to LPPO.

Recommendation

3. Members are invited to note the contents of this update.

**Secretariat to the Scottish Civil Justice Council
October 2026**