

THE ANNUAL REPORT
of the
SCOTTISH COMMITTEE
of the
COUNCIL ON TRIBUNALS

for the period 1 August 2003 to 31 March 2004

Laid before the Scottish Parliament
at the request of Scottish Ministers

SE/2004/203

Foreword

I have pleasure in presenting our nineteenth Annual Report. This tells you about the work of the Committee in fulfilling its role to keep under review the constitution and working of tribunals and inquiries.

This is the first Report we have produced to coincide with our new reporting year: it covers a shorter period from 1 August 2003 to 31 March 2004.

If you have read one of our Reports before, you will be aware of the emphasis we place on training and I am particularly pleased that we have been able to open our Report by detailing a major step forward in the production of our Training Register. We hope that this will be the first step in enabling tribunals in Scotland to share training resources to the benefit of all.

Invariably, in preparing a document like this, one looks back over recent years. I believe that we, as a Committee, have had a number of achievements. We have made our views known on a number of major legislative proposals ranging from ethical standards in public life and enhanced protection of children through to planning matters, freedom of information and the proposed new Mental Health Tribunal for Scotland. We have produced two special reports on matters of wide application in the Scottish community - our report on Education Appeal Committees in 2000 and that on Children's Hearings in 2002. Both of these were objective assessments of what we had observed during our visits.

In particular, we have put our heads above the parapet in two distinct ways. Firstly, having participated fully in the Council on Tribunal's preparation and publication of its Framework of Standards, we now have the necessary tool to give feedback to tribunals on how well their panels meet those standards. Following a visit to a tribunal, we write stating our view as to whether the hearing we sat in on – and such general features as we observed – met our standards. Our comments are designed to be constructive. The responses to these comments from the tribunal systems themselves bear out the benefits of '*seeing ourselves as others see us*'.

Secondly, in 2003, for the first time, we hosted a conference of tribunal heads and members of the relevant hearing panels. We have a particular role here in that we can facilitate discussion within a wide range of tribunals, whether large or small and both Scottish ones and those operating throughout Great Britain. This conference was the basis which enabled us to develop our Training Register. We followed this up with a second conference in May 2004 where we promoted co-operation and the sharing of good practice.

We have to build on this in the future. Our value is in what we achieve and we must constantly challenge ourselves and others in order to improve administrative justice. The proposed Tribunals Service should secure valuable benefits and we would like to see these benefits, for example in shared resources, extend to Scottish-only tribunals.

Our role and responsibilities may change in the light of developments in administrative justice but I believe that the way in which we have developed in the last few years gives us a sound footing to go forward to meet new challenges.

John Elliot, Chair

Members of the Committee

John Elliot

Chairman of Lindsays WS, Edinburgh. Deputy Keeper of Her Majesty's Writers to the Signet. President of the Law Society of Scotland 1997-98. Chairman of the Committee and member of the Council since 1998.

Ann Abraham

Parliamentary Commissioner for Administration. *Ex-officio* a member of the Committee and the Council since 2002.

Barbara Bruce

Consultant providing post-qualifying training for solicitors. Deputy Convener of the Peterhead Bay Authority. Trustee of Grampian Primary Care NHS Trust. Member of the Committee since 1998.

Elizabeth Cameron

Formerly worked for the Citizens' Advice Bureau, latterly in Edinburgh Sheriff Court as manager of the In-Court Advice Services and co-ordinator of the Mediation Service. Member of the Scottish Mediation Network. Lay member of the Scottish Solicitors' Discipline Tribunal. Member of the Committee and the Council since 2002.

Douglas Graham

Solicitor in private practice, with experience in Employment Tribunals, community organisations and the third sector. Chair of Audit and Risk Committee and member of the Board of the Big Lottery Fund and member of its Scottish Land Fund Committee. Member of the Committee since 2000.

Steve Mannion QPM

Former Assistant Chief Constable with Strathclyde Police and former Scottish Area Commander of the British Transport Police. Lay member of the Employment Tribunal Service until 2001. Member of the Committee and the Council since 2001.

Audrey Watson

Solicitor with the legal services section of West Lothian Council, responsible for training JPs. Depute Clerk of Court and Depute Clerk of the Peace. Project co-ordinator for the District Courts Association. Consultant providing training in relation to the practice and procedure of the District Courts. Panel member for the Health Professions Council and Depute Clerk to the Scottish Solicitors Discipline Tribunal. Member of the Committee since 2001.

Mary Wood

Former senior Governor in the Scottish Prison Service, involved in developing training in the new Prison Service Code of Conduct. Manager, Ayrshire Centre, Scottish Marriage Care. Former part-time resource worker with the Richmond Fellowship Scotland and Citizen's Advocacy Support Services volunteer. Member of the Committee since 2000.

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Summary

The topics covered in this report include:

- the publication of our Tribunal Training Register and the continuing need for a national training resource in Scotland
- the Framework of Standards and our feedback to tribunals on how those standards are being met
- the progress of legislation for the Additional Support for Learning Tribunal and our evidence to the Education Committee
- our routine visits to a range of tribunals - our observations of many positive aspects

Tribunal Training

1 We strive continually to highlight the need for proper training for tribunal members to equip them for the vital role they perform within the justice system. Over many years we have praised those who offer training for tribunal members and encouraged those who do not to recognise the enormous benefits which relevant training can bring. We have tried always to make the case that training need not be revolutionary nor complex nor indeed resource-intensive. Although tribunal members will need to understand their own legislation and case law, many of the skills necessary to be an effective tribunal member are generic whatever the subject matter of the tribunal might be.

2 Using this tenet as a basis, we have continued our discussions with tribunal heads over the last few months and explored just what material is available. Our statutory remit limits our role but one thing we can do is act as a catalyst and promote the idea of sharing. With significant co-operation and help from a number of tribunal systems in Scotland we have now published the first version of our Tribunal Training Register. This lists the training material which a small number of tribunal systems have and which they are prepared to share with others. At present the Register is quite basic but we shall update it annually and hopefully it will be expanded gradually as other tribunal systems adapt or develop their own material. The Register will only be as useful as the contributions we receive for it and accordingly we would encourage all concerned to contribute to it so that it can be developed and maintained as a resource of use to the contributors. It is available on our website.

3 We are still pressing the case for a national training resource in Scotland to mirror the tremendous work done by the Judicial Studies Board in England and Wales in developing training courses for, and cascading information to, tribunals. The JSB has been extremely helpful in providing information to Scottish tribunals and indeed welcoming Scottish tribunal members to benefit from its courses and publications. Notwithstanding that co-operation, we believe firmly that there should be an equivalent service in Scotland to promote and co-ordinate local training. It is our view that the lack of a national training resource in Scotland is hindering the proper development of tribunals north of the border, particularly those who do not benefit from GB-wide resources. If this resource were in place, all tribunals in Scotland would benefit from economies of scale and effort and might not need to reinvent the wheel and start with a blank sheet. With the assistance of Lord Wheatley, Chairman of the Judicial Studies Committee, we have held two meetings of tribunal heads to look at pan-Scottish issues of training. Our discussions with the Scottish Executive on this are ongoing.

Feedback after visits

4 Our policy of giving feedback after our visits, which we introduced fully last year following the Council on Tribunals' publication of its Framework of Standards, continues to be one of the most important and satisfying aspects of our work. Gone now are the days when we made a visit, left with our own thoughts and the tribunal system heard nothing from us until perhaps months later when we arranged the next visit.

5 One thing which strikes us is how most panel members themselves appreciate feedback - for many, especially in systems where there is no internal appraisal or performance management, it is the only opportunity for them to find out how the tribunal's actions and behaviour are perceived by outsiders. We are not inspectors but we are determined to be as open and positive as we can about what we observed in the hearing process. We find that if we comment less than favourably on aspects such as accommodation and facilities, this is often reinforcing exactly what the members themselves feel but have no other opportunity of making their views known to those who run the system. Equally importantly, we are more than often able to praise the actions of panel members when we give our written feedback to the tribunal head.

6 Of course not everything is praise but we are pleased to report that instances of the Framework standards not being met are decreasing. There are still hearing premises which do not offer adequate facilities for disadvantaged appellants and this will become even more important in October when the Disability Discrimination Act comes into full effect. We have also noted on several occasions that security measures, introduced of necessity to ensure the safety of the tribunal, will need to be reviewed with appellants in mind: for example, buildings where keypad codes are needed to access toilet facilities. Two of our members visited different tribunals where one could leave the hearing room to access facilities but could not re-enter - embarrassing for appellants to have to explain to administrative staff where they had been in order to get back into their own hearing.

7 There are also those tribunals where training is not provided for panel members. These too are reducing but they do exist still, particularly within local authorities where resource constraints are cited as the reason for the lack of training. Apart from jeopardising the likelihood of an appellant having a fair hearing, panel members are being placed in the very difficult position of being asked to make a judicial decision – often one which might affect an appellant for the rest of his or her life - without the benefit of proper training for that role. This lack of training can lead to volunteer panel members becoming

disillusioned with their role and ultimately to them deciding that they can no longer continue without the benefit of proper training. We understand that progress is finally being made in the Govan Law Centre's production of a training package for clerks, members and chairs of Education Appeal Committees thanks to generous financing from Glasgow City Council. We hope that this training will be made available during 2005 because it is needed now, not in the indefinite future.

Freedom of Information

8 The Freedom of Information Act 2000 established a general right of access by the public to all types of recorded information held by public authorities in England and Wales. As a cross-border public body, under the auspices of the Department for Constitutional Affairs, we come under the provisions of that Act.

9 The Publication Scheme covering the Council on Tribunals and its Scottish Committee, which was approved by the Information Commissioner and published in February 2004, list the classes of information which will be made available. The Scheme is posted on the Council's website.

Additional Support for Learning

10 We were particularly interested in following the progress of this Bill. In our previous two Annual Reports we commented on the consultation stages of this important proposal to establish a new tribunal and we expressed our belief that an expert tribunal was the right way to safeguard the interests of children with special needs, rather than rely on the existing system of Education Appeal Committees where relevant specialist knowledge is unlikely to be found. We welcome particularly the proposed new role for mediation in these cases because we believe that this will reduce the stress for parents, will result in speedier and more consensual resolution of the dispute and could minimise the need for hearings.

11 Our Chair had the opportunity to give evidence to the Scottish Parliament's Education Committee during the Bill's passage. He was able to stress our view that representation for appellants at a hearing was to be encouraged but that it does not have to be legal as long as it is effective. He discussed how the appeals process might work and how the new tribunal could avoid letting that process become unwieldy, too costly and too long by having good, well-trained panel members; sound administration to ensure speedy listing of cases; and reasonable statutory time limits.

12 We await the first draft of the procedural rules for the new tribunal. In particular we will be looking closely at the advice which is to be given to those appealing. We are concerned that this advice must be absolutely clear especially with the continuing involvement of Education Appeal Committees for children who have additional support needs and the consequent possibility of an appeal being required to two different appeal systems.

White Paper on Administrative Justice

13 As this Report is prepared we have had our first opportunity to see the White Paper 'Transforming Public Services: Complaints, Redress and Tribunals' published by the Department for Constitutional Affairs. We will be considering the proposals carefully over the coming months, especially in relation to devolved issues.

Tribunal systems and our routine visits to them

14 Visiting various tribunal hearings and inquiries continues to be a cornerstone of our work – without that, realistically we could not satisfy our statutory role of keeping procedures under review. Some systems sit rarely while others have hearings every day. We try to visit all major systems at least once in any reporting period and the summary below illustrates our observations this year.

15 Our two visits to sessions of **Appeals Service** hearings confirmed the benefits which panel members get from a well-resourced and trained tribunal system. Panels, or chairs sitting alone, are confident in their approach and have the skill to draw out relevant points and facts from appellants who are sometimes unrepresented and are often ailing and worried. These qualities make a significant contribution to the fairness of hearings. The Service's administrative facilities are geared well for a large throughput of cases and the result is a streamlined process which embraces modern technology to the benefit of all concerned.

16 One of our members attended an Appeals Service Regional training day. Significant resources are allocated to induction, refresher and specialist training and it was clear that the panel members were enthusiastic and focused.

17 A member was also present at the third meeting of the unified User Group for the Appeals Service and Social Security and Child Support Commissioners. User groups are becoming more common across the tribunal world and it is an excellent way for tribunal systems to exchange views informally with representatives and advisors who are involved and to bring interested parties up to date with legislative and procedural developments affecting the system. Unfortunately we

have not yet found a User Group in any system which includes the actual user, that is the appellant, but perhaps this might be problematical in terms of confidentiality and related matters. This is an area which we wish to explore further.

18 We made five visits to sessions of **Children's Hearings**. In last year's Report we were able to outline the various courses of action which both the Scottish Executive and the Scottish Children's Reporter Administration had taken or agreed to take following our special report into the Children's Hearings system in 2002. We were pleased to learn that last autumn's recruitment campaign for new panel members was particularly successful.

19 Our visits this year continue to confirm all the positive aspects which we highlighted in that report; caring, focused panels which were particularly well trained for their role. We know that The Reporter Administration is continuing apace with its property strategy to either upgrade, where necessary, existing hearing centres or provide new accommodation so that all will be compliant with the Disability Discrimination Act.

20 We still have concerns, which are shared by many panel members, at the inability of some local authorities to implement fully the decisions made at hearings, especially in the availability of sufficient social work staff or secure residential placements. As we write this Report the Scottish Executive is completing its initial consultation on a Review of the Children's Hearings system and we understand that proposals may be published later this year. We look forward to seeing these but, as we said in the conclusion to our special report, we hope that all that is good in the system will not be lost in any reforms.

21 Our member's visit to a session of **Criminal Injuries Compensation Appeal Panel** hearings confirmed a system which met our Framework of Standards in full in terms of the conduct of the hearing; the panel worked well as a team with sensitive, patient handling of a difficult case. However we are concerned at the delays within this system before a case comes before the Appeal Panel. We acknowledge the benefit of certain classes of appeal, especially where abuse is involved, being held back for consideration by a specialist panel and we understand that it might take a little longer for those specialists to be assembled but it seemed to us that the length of time needed to do that was excessive. We shall continue to monitor this.

22 We made four visits to **Education Appeal Committee** hearings. Mention is made earlier in this Report of the continuing lack of training in some local authority areas: it is noticeable to us which authorities have done something other than rely on the possibility of members

having existing skills acquired through their professional lives or other activities. Where there was no training we rarely saw probing of the facts, or weighing, examining or summing up of the evidence before a decision was reached. Sometimes there was a lack of any direction from the chair, who in one case was appointed to that role only at the start of the hearing so had had no time to prepare. A number of panel members themselves expressed genuine regret that no training was available to them. We think it is regrettable that these conscientious people are not given the support which they deserve; we trust that the Govan Law Centre project, to which we referred earlier, will start soon to make a difference.

23 The contrast with authorities where training is available is marked. We observed one case with excellent introductions and a panel which participated fully, impartially and in a structured way. In some authorities members are not allowed to sit on appeal hearings unless they have had at least induction training and we believe this is the minimum necessary.

24 One case we observed related to a child with special needs. Although the panel had received some basic training and members did weigh the evidence, they openly acknowledged that they had no experience of, or expertise in, special needs issues. We have no doubt that appeal committees do their best in the circumstances but this highlights to us the pressing need for the Additional Support for Learning tribunal to be brought on stream as soon as possible so that at least in some circumstances, educational issues for children with special needs can be properly addressed. But education appeal committees will still have to hold hearings for children who have special needs regarding matters of refused placing requests and exclusions; thus relevant training will have to be provided.

25 We continue to find education appeal hearings being held in premises clearly not independent of the decision-making authority. Local authorities do not have to spend money finding totally neutral premises; within their estates there must be offices or meeting rooms available which are not part of the main Council buildings and at the very least are not in the same building as the education authority.

26 We visited three **Employment Tribunals**. Panel members are well trained for their role and they value especially the recently introduced Members' Handbook and the regular refresher training which keeps them up to date with legislative developments and case law. Members worked together well as teams and in all cases we saw, the relevant legislation was kept to the forefront of their deliberations.

27 We had a very good discussion with Mr Colin Milne, President, and Mrs Shona Simon, Regional Chairman, earlier in the year. It had

appeared from the statistics published in the tribunal's 2003 Annual Report that some offices in Scotland performed less effectively than those south of the border. We now appreciate how the agency's 26 week target for a hearing, which from available statistics seems not to be met satisfactorily, is much easier to achieve in a straightforward case which can be cleared in one day: the figure takes no account of the complexity of cases, some of which are multi-jurisdictional, involving heavyweight litigation which can last up to forty days. We now understand also that the basis for calculating throughput of cases is not quite the same in Scotland: here, the Employment Tribunal Service has developed the approach of asking parties in the case when they want the hearing to be held, taking account of their availability and that of their witnesses and representatives. If this is later than the target time it will appear that the Service has not met the timetable. This contrasts with the practice in England where a mandatory date within the target time is set.

28 We had also wondered about the delays encountered in continued hearings and it was interesting to be told that many of the problems in this respect come from the users of the system, mainly the chosen representatives who have not always accurately assessed the time needed to hear the case and who then find it more difficult to schedule continuations into their busy diaries. It is hoped that the current revision of the Rules of Procedure will address this issue by enabling the tribunal to require certain actions to be undertaken earlier, thus identifying potential problems before the hearing stage. It is understood that the new Employment Rules of Procedure, which are due to come into force on 1 October 2004, will give chairmen and tribunals the power to make a wasted costs order against a party's representative where that representative has behaved improperly, unreasonably or negligently. We shall continue to monitor the position.

29 We also attended Employment Tribunal User Group meetings which helped us to understand better the processing of cases through this system.

30 One of our members attended the annual Scottish training day for **General Commissioners of Income Tax**. It was a very worthwhile day with first class, appropriate sessions delivered through a variety of training media. A lot has been achieved in a short time by this jurisdiction.

31 Six of our members visited **Immigration Appeal Tribunal** hearings in Glasgow because we wanted as many members as possible to get the feel for a tribunal conducted by video-link where the tribunal members sit in their permanent offices in London while the appellant and his or her representative attend the relevant Tribunal office. At the time of our early visits we had concerns about some of

the practical features. For example, we thought the television screen was rather small and could not necessarily be seen well by everyone – including the appellant - in the Glasgow hearing room. The camera in London was so placed that at times all one could see was the top of the heads of the London panel. There were not always full introductions so the panel in London did not appreciate who was present in Glasgow: crucially, on one visit this included the appellant so the panel members were discussing aspects of the case without realising that the appellant was aware of their conversation. We also remarked on the need for a slightly different skill to be used by the panel in London, namely to be aware that their actions or reactions could take on a whole new meaning when seen on a distant screen. We observed what was doubtless innocent laughter amongst the panel in London but to the appellant in Glasgow, whom we could see, it was clearly upsetting because she did not know what it was about and she could have assumed it referred to her and that the matter was not being taken seriously.

32 Subsequently the room layouts and the panels' practices have been amended to eliminate these problems.

33 We agree that there are benefits in using video-linking, not least in resource and scheduling terms, and we conclude that there are no significant disadvantages to an appellant providing the tribunal recognises that a slightly different approach has to be adopted. The system for the Immigration Appeal Tribunal has now settled down. Video-linking is likely to become more widely used and we hope that other systems embarking on this medium will take care to ensure that fairness and transparency of treatment are maintained.

34 We were also represented at an Immigration Adjudicators' Users meeting. We understand that there is still a large backlog within the Department before cases are released to the Appellate Authority but this is a problem throughout Great Britain.

35 We attended a hearing of the **National Appeal Panel for entry to the Pharmaceutical List**. We are pleased to record that steady progress has been made in this small jurisdiction recently to provide regular refresher training: panel members told us that they are keen to attend and they are complimentary about the content of the training sessions. We found the members to be serious and responsible about their task. We maintain the view, which we have expressed in previous years, that the underlying Regulations are flawed as they are out of date and restrictive but we applaud the tribunal system for introducing the improvements which it has done, within the existing legislation, to make for a better and fairer hearing. We understand that proposals for the modernisation of the NHS community pharmacy service in Scotland are currently under consideration by the Scottish Executive.

Planned changes include a new contract for pharmaceutical care services. Also, provisions for the planning of services by Health Boards may affect the way in which contracts are let. Work is currently underway within the Executive to bring about changes to primary and secondary legislation which will underpin the introduction of a modernised community pharmacy service in Scotland and the working of the National Appeal Panel will fall to be considered in the light of these developments. We shall follow these developments with interest.

36 A member attended a training event for the **Pensions Appeal Tribunal for Scotland**. There was a high turn out of panel members: as well as the training itself this event gave them the opportunity to discuss their concerns with each other. Such was the success of the event that the tribunal will need to seek larger premises for its next training event. We also understand that future training sessions will be extended to allow the medical and legal members of the panel to have more specialist discussion of issues.

37 We made two visits to **Police Appeal** Tribunal hearings. By their very nature the proceedings are formal but we found them to be well organised. We have criticisms, however, about how these panels are assembled. The Regulations stipulate the make-up of the panel as serving and retired officers of certain ranks and lists of those suitable for empanelling are supposed to be maintained by the Scottish Executive. But the clerk to the tribunal told us of the extreme difficulty he had had in accessing this information and identifying tribunal members. We have asked the Executive to look into this.

38 One of our members attended a **planning inquiry** which confirmed our long-held view that the Inquiry Reporters unit is a well organised and resourced system.

39 Earlier in the reporting year we had considered the Scottish Executive's consultation on modernising public local inquiries. We agreed with a number of suggestions which would reduce time delays and make the system clearer. However we warned that the focus on the costs involved in the process should not be at the expense of a fair and transparent system. Although we understand the suggestion of reserving the planning inquiry process for cases where oral examination was required to resolve complex and important arguments, we pointed out that the right to appeal is fundamental and changes should not be introduced which could erode the right of an individual to be heard and to advance his or her views. We said that a distinction needed to be drawn between a large corporate developer with unlimited resources at its disposal and an individual without access to such resources. This is especially relevant in the proposal to reduce set timescales even further, creating an early closed record after which no new evidence can be submitted: we think this increases

the likelihood of individuals or community groups being put at a disadvantage.

40 Finally we agreed with the suggestion that negotiation and mediation should be introduced into the local inquiry process but we asked for it to be a requirement rather than, as drafted, an expression of hope. By doing this all authorities would have to work to the same rules and appellants would thus receive the same opportunities irrespective of location.

41 We were impressed on our visit to a **Rent Assessment Committee** hearing by the way this tribunal is addressing many issues to improve the service it provides to users. The case in point was one where the hearing was partly held in the appellant's property and we complimented the panel on the sensitive way in which it conducted the necessary inspection; on the assistance given by the panel Chair to the unrepresented appellant; and on the courtesy the panel afforded to both parties. Induction and refresher training is now held regularly in this jurisdiction and an appraisal system is expected to be introduced in the near future.

42 We visited a **VAT and Duties Tribunal** and saw a well-run, courteous and very fair hearing.

43 One of our members also went to a combined meeting of the VAT and Duties Tribunal User Group and the Special Commissioners' User Group. In our Report last year we commented on Customs and Excise's policy for seizure and non-restoration of vehicles. Our view was that it is quite wrong for someone's goods and vehicle to be destroyed before any appeal is heard. We also want to see an end to the confusion caused by seizure cases being heard in the Sheriff Court while non-restoration appeals go to the VAT and Duties Tribunal. We were disappointed to be told at the User Group that although some progress has been made in determining policy, an early legislative slot could not be identified to bring the necessary changes into being. These cases might not be everyday occurrences but they can be very harrowing and a proper system for dealing with them needs to be established as soon as possible.

Conclusion

44 Our visits continue to reinforce our view that whilst there is much in the system of administrative justice to be applauded and in particular the valued contribution of panel members, there continues to be a number of areas where improvements would produce even better systems for the user.

Annex A - the role of the Scottish Committee

1 Each year members visit a wide variety of tribunals and public inquiries to see at first hand the operation of current procedures. Some tribunal systems hold infrequent hearings, others many hundreds a year, and we ensure that each system receives at least one visit every two years. If there has been a change in the governing legislation we might increase the number of visits to see how the changes are affecting procedures. From time to time we also make extra visits to a chosen tribunal system in order to produce a more in-depth analysis.

2 We aim to undertake some 50 visits a year. In this shortened reporting period our members made 38 visits: details are at **Annex E**.

3 Members of this Committee are not involved in the proceedings, nor the decisions taken at hearings, nor the recommendations following inquiries. Our backgrounds cover a wide range of professions and experience but we are not expert in any one of the diverse subjects dealt with by tribunals. We are present only to observe the procedures. We take a close interest in matters such as the suitability of the premises; the working of the tribunal and its staffing; the conduct of the hearing; the panel membership and its training; and the quality of any guidance literature. During any visit we try to discuss the operation of the tribunal with the members and clerk involved in the hearing.

4 Our prime concern is to be satisfied that the hearing is seen to be conducted in an open, fair and completely impartial way. Our visiting member produces a report on each visit: this report is for our own internal use only. There is no statutory report back to the tribunal. In the past we have only raised matters with the relevant tribunal system or Government department if we have identified serious problems. However our approach, which is increasingly focused on the user's experience, is now much more open and we do discuss what we have observed - both the positives and the negatives - with the panel members after the hearing is over before we write to the tribunal system or the relevant department. This change in policy has been made possible with the availability of our Framework of Standards document against which we measure the tribunal's performance.

5 We again wish to record our appreciation of the assistance and co-operation of the appeal systems we visit, without which we could not carry out our statutory duties properly.

6 We must stress that we are not a complaints body: the Tribunals and Inquiries Act gives us no authority to investigate or adjudicate on complaints about the handling of individual cases by tribunals or inquiries under our supervision. Our statutory role, and that

of our parent Council on Tribunals, is to advise the Government and its departments on matters concerning the rules of procedure under which tribunals operate and to provide advice on proposals to change the jurisdiction, constitution or procedures of the tribunals we supervise.

7 Those who are unhappy about the handling of an individual case should seek advice from the Citizens' Advice Bureau, legal advice centre or solicitor. Such advice can often be obtained at a reduced fee or at no charge.

Costs of the Scottish Committee

8 The Scottish Committee's funding is made available from the Council on Tribunals and ultimately through the Department for Constitutional Affairs in accordance with Section 3(3) of the Tribunals and Inquiries Act 1992. Certain costs, in particular accommodation and IT, are funded centrally and do not feature in the account below. Other costs, principally staffing and travel and subsistence, are determined centrally but paid from the Council on Tribunal's and the Scottish Committee's budget respectively.

9 A breakdown of the expenditure for the full financial years 2002-2003 and 2003-2004 is detailed below.

	2002-2003	2003-2004
Staff salaries *	56,691	59,309
Members' retainers **	33,750	36,051
Members' travel costs	5,260	6,295
Administrative costs including office supplies, postage etc ***	12,711	20,579
Total	108,412	122,235

* Staff are permanent civil servants seconded from the Scottish Executive. These costs include NI contributions and superannuation.

** Excludes the salary of the chair and retainers for members of the Scottish Committee who also serve on the Council. These costs are shown in the Council's own report.

*** The figure for 2003-2004 includes some costs of the May 2003 conference and accommodation deposits for the May 2004 conference. These events fall outwith the period of this report.

Annex B - the constitution and functions of the Council and the Scottish Committee

1 The Council on Tribunals and its Scottish Committee are independent bodies first established in 1958 and now operating under the Tribunals and Inquiries Act 1992.

2 The principal functions of the Council, as laid down in the 1992 Act, are:

- to keep under review the constitution and working of the tribunals specified in Schedule 1 to the Act and, from time to time, to report on their constitution and working;
- to consider and report on matters referred to the Council under the Act with respect to tribunals other than the ordinary courts of law, whether or not specified in Schedule 1 to the Act; and
- to consider and report on these matters, or matters the Council may consider to be of special importance, with respect to administrative procedures which involve or may involve the holding of a statutory inquiry by or on behalf of a Minister.

3 The term "statutory inquiry" means (i) an inquiry or hearing held in pursuance of a statutory duty, or (ii) a discretionary inquiry or hearing designated by an Order under section 16(2) of the Act. The relevant Order now in force is the Tribunals and Inquiries (Discretionary Inquiries) Order 1975 (SI 1975/1379) as amended (SI 1976/293, SI 1983/1287, SI 1990/526 and SI 1992/2171).

4 The 1992 Act stipulates that the Council must be consulted before procedural rules are made for any tribunal specified in Schedule 1 and on procedural rules made by the Lord Chancellor or Scottish Ministers which relate to statutory inquiries. They must also be consulted before any exemption is granted from the requirement in section 10 of the Act to give reasons for decisions. In turn, the Council must consult the Scottish Committee on any rules relating to tribunals which come under its direct supervision or on any matter referred by Scottish Ministers prior to finalising any report. In addition, the Scottish Committee has the right in certain circumstances to report directly to Scottish Ministers.

5 In general terms the Scottish Committee supervises those tribunals and inquiries which are constituted under Scottish legislation and acts for the Council in overseeing tribunals held in Scotland that have a basis in Great Britain legislation. It has long been accepted practice for Departments to approach the Scottish Committee directly with proposals relating to tribunals and inquiries in Scotland.

6 The Council consists of 15 members appointed by the Lord Chancellor and Scottish Ministers, one of whom is appointed as chair. The Scottish Committee is made up of 3 members of the Council designated by Scottish Ministers plus a further 4 persons, not Council members, whom they also appoint. The Parliamentary Commissioner for Administration (Ombudsman) is an *ex officio* member of both the Council and the Scottish Committee. Appointees to the Scottish Committee normally hold office for a 3 year period which can, with the agreement of Scottish Ministers and the member concerned, be extended by a further 3 year appointment. Retainers and certain travel expenses are paid to all appointed members of the Council and Scottish Committee.

7 The Scottish Committee meets five times a year with those members who sit on the Council additionally attending a monthly meeting in London.

8 The Council is required to make an annual report which must be presented to both the Westminster and Scottish Parliaments and may, at any time, make a special report on its own initiative under paragraphs 2.1 or 2.3 above. Although not required to do so by statute, the Scottish Committee also produces an annual report which concentrates heavily on Scottish issues and details consultations handled directly by the Scottish Committee. The report is laid before the Scottish Parliament and is given a very wide circulation to interested bodies throughout Scotland.

Annex C - code for consultation with the Scottish Committee

Introduction

1 This Code has been prepared to remind Departments of the obligation on them to consult the Scottish Committee of the Council on Tribunals on proposals for certain subordinate legislation and to suggest the desirability of consulting it on proposals for certain other primary and subordinate legislation. It also suggests the form and timing of such consultations. The Code was originally circulated to coincide with the coming into force of the Tribunals and Inquiries Act 1992.

Subject Matter and Timing of Consultation

2 Under Section 8 of the Tribunals and Inquiries Act 1992 no power of a Minister, the National Assembly for Wales, the Lord President of the Court of Session, the Commissioners of Inland Revenue or the Foreign Compensation Commission to make, approve, confirm or concur in procedural rules for certain tribunals is exercisable except after consultation with the Council: a similar obligation to consult the Council is placed on the Treasury. Rules made after such consultation usually state that consultation has taken place. The tribunals concerned are referred to in this Code as "scheduled tribunals", a term further explained at paragraph 9 of this Code. Similarly, the Lord Chancellor and Scottish Ministers are under a statutory obligation to consult the Council with regard to procedural rules for statutory inquiries. Where consultation is mandatory, it is necessary for instruments containing the proposed rules to be submitted to the Council in draft form before they are made.

3 Before seeking advice on procedural rules, the Council and the Scottish Committee recommend those responsible for drafting them to consult and make use of, so far as may be appropriate, the Council's Guide to Drafting Tribunal Rules published in November 2003 which updates significantly, and replaces, the original Report on Model Rules of Procedure for Tribunals (Cm 1434, March 1991). Copies are available from the Scottish Committee Secretary.

4 Consultation on proposals for primary legislation affecting tribunals or statutory inquiries, or on rules for statutory inquiries other than those referred to in paragraph 2, is not mandatory, but usually takes place and is welcomed. As explained in paragraph 8 of this Code, we consider that such consultation is most effective and beneficial to Departments if it takes place at an early stage in the formulation proposals.

5 Consultation on proposals for primary legislation affecting the rights of the citizen which may require consideration of whether, and in what form, new adjudicative procedures are necessary or desirable is also welcomed.

Time allowed for Consultation

6 The Scottish Committee expects that Departments consulting it will always allow as much time as possible to prepare and submit its comments. This is particularly important when consultation is mandatory and the statutory instrument will state that such consultation has taken place. The Committee normally meets in February, April, June, September and November. It is hoped that Departments will understand that, if considered advice on any important matter is required, certain minimum periods of consultation are necessary. The Committee suggests that the following should be regarded as the *optimum* periods for consultation:

(a) where proposals are of a routine kind and do not raise major questions of principle or require significant reading: 3 weeks;

(b) where proposals involve major new issues: 6 weeks.

7 Where, for unavoidable reasons, consultation has to be completed in a shorter time, the minimum periods which will enable the Committee to give proper consideration to proposals may be taken to be two weeks and three weeks respectively. If these suggested minimum periods cannot be adhered to and an explanation is given, the Committee will endeavour to complete the consultation process in such time as may be available. The Committee accepts that many proposals cannot be timed to match fixed meetings and the Secretary frequently undertakes consultation by post and e-mail. However this of necessity adds a further time factor and makes the above-suggested minimum periods even more relevant.

8 The Committee is very conscious of the constraints imposed on Departments by the Parliamentary timetable. The Committee considers, however, that if difficulty is foreseen in meeting the recommended minimum periods, consultation need not be delayed until a full draft of the new legislation has been produced but in suitable cases may be initiated at an earlier stage, perhaps with regard to specific provisions. Indeed, particularly with regard to non-mandatory consultations, the Committee suggests that the best time for consultation will often be when proposals have taken reasonably firm shape but before Ministers are committed; the Committee may be able to suggest means of solving an adjudication problem which may not have occurred to the Department, eg. by amending the powers of an existing tribunal to enable it to undertake the work rather than by creating a new tribunal.

Scheduled Tribunals

9 The tribunals which come within the jurisdiction of the Council and the Scottish Committee (referred to in this Code as "scheduled tribunals") are (i) those which are listed in Schedule 1 to the Tribunals and Inquiries Act 1992 and (ii) those tribunals which have been specified in orders made under section 13 of that Act amending Schedule 1. The Committee will be able to give a view of any case in doubt.

Process of Consultation

10 In submitting draft instruments to the Committee in cases of mandatory consultation, a copy of the draft should be sent to the Committee with an explanatory statement and any necessary covering letter. Where proposals for primary legislation are concerned, a letter will usually suffice, although material such as draft clauses or instructions to Parliamentary Counsel is particularly helpful.

11 The Committee's comments will be submitted in writing.

Reporting the Results of Consultation

12 It is usual for the outcome of the consultations between Departments and the Committee to be reported in the Committee's annual report, but in every case the accuracy of such reports is cleared with the Departments concerned before publication. Where consultation has taken place on a confidential basis, that confidence is respected.

13 Where the Committee has, when consulted, expressed views on an important question of principle, and it is intended to inform Parliament or the public that it has been consulted, the Committee trusts that the general tenor of its advice will be stated at that time.

Annex D - statistics relating to tribunals supervised by the Scottish Committee

1 JANUARY TO 31 DECEMBER 2003 UNLESS OTHERWISE STATED

A = Tribunals under the direct supervision of the Scottish Committee

B = GB tribunals supervised in Scotland by the Scottish Committee on behalf of the Council

All figures provided by the relevant tribunal

TRIBUNAL <i>(unless otherwise indicated figures relate to hearings held in Scotland)</i>	CASES (a) b/f from 2002 (b) received in 2003 (c) withdrawn (d) decided in 2003 (e) c/f to 2004	WAITING TIMES (a) weeks from receipt of appeal to hearing (b) days from hearing to despatch of decision
A AGRICULTURE <i>Agricultural Arbiters under S.61 of or sch.7 to the Agricultural Holdings (Scotland) Act 1991</i>	(a) 47 (b) 13 (c) 4 (d) - (e) 56	(a) Not available (b) Not available
B APPEALS SERVICE <i>Unified Appeal Tribunals under S.4 of the Social Security Act 1988</i>	1.4.03-31.3.04 (a) 9,268 (b) 35,904 (c) 2,466 (d) 29,617 (e) 9,268	(a) 11 (b) 1
B AVIATION <i>The Civil Aviation Authority constituted in accordance with S.2 of the Civil Aviation Act 1982</i>	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year
B BETTING LEVY <i>The Betting Levy Appeal Tribunal for Scotland under S.29 of the Betting Gaming and Lotteries Act 1993</i>	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year

TRIBUNAL <i>(unless otherwise indicated figures relate to hearings held in Scotland)</i>	CASES (a) b/f from 2002 (b) received in 2003 (c) withdrawn (d) decided in 2003 (e) c/f to 2004	WAITING TIMES (a) weeks from receipt of appeal to hearing (b) days from hearing to despatch of decision
B COPYRIGHT <i>The Copyright Tribunal under S.145 of the Copyright, Designs and Patents Act 1998</i>	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year
B CRIMINAL INJURIES <i>Criminal Injuries Compensation Adjudicators appointed under S.5 of the Criminal Injuries Compensation Act 1995</i>	GB Figures 1.4.03-31.3.04 (a) 5,026 (b) 4,434 (c) 411 (d) 4,079 (e) 4,970	(a) 15 (b) 0 - given at hearing
A CROFTING <i>Crofters Commission under S.1 of the Crofters (Scotland) Act 1993</i>	1.4.03-31.3.04 (a) 2 (b) 15 (c) 0 (d) 15 (e) 2	(a) 7 (b) 28
A DAIRY PRODUCE <i>Dairy Produce Quota Tribunal for Scotland under sch.6 to the Dairy Produce Quota Regulations 1997</i>	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year
A EDUCATION <i>Education Appeal Committees under S.280 of the Education (Scotland) Act 1980</i>	1.8.02-31.7.03 Placing: (a) Not available (b) 1,115 (c) 380 (d) 728 (e) 7 Exclusions: (a) Not available (b) 91 (c) Not available (d) Not available (e) Not available	(a) Not available (b) Not available (a) Not available (b) Not available

TRIBUNAL <i>(unless otherwise indicated figures relate to hearings held in Scotland)</i>	CASES (a) b/f from 2002 (b) Received in 2003 (c) Withdrawn (d) decided in 2003 (e) c/f to 2004	WAITING TIMES (a) weeks from receipt of appeal to hearing (b) days from hearing to despatch of decision
EDUCATION (Cont'd) <i>Independent Schools Tribunal</i> under S.100 and 103 of, and sch.2 to, the Education (Scotland) Act 1980 <i>Self-Governing Schools</i> constituted under S.7 of, and paragraph 2(b) of Part II of sch.1 to, the Self-Governing Schools etc (Scotland) Act 1989	(a) to (e) 0 (a) to (e) 0	This tribunal has not sat in Scotland during the course of the year This tribunal has not sat in Scotland during the course of the year
A EMPLOYMENT <i>The Employment Tribunal</i> under S.5(1) of the Industrial Tribunals Act 1996	(a) 13,112 (b) 8,181 (c) 6,838 (d) 2,933 (e) 11,522	(a) 20 (b) 20
B COMPETITION/FAIR TRADING <i>The Director General of Fair Trading</i> under sch.1 to the Fair Trading Act 1973 <i>Competition Appeal Tribunal</i> established under S.12 of the Enterprise Act 2002	(a) to (e) not available (a) 2 (b) - (c) - (d) 1 (e) -	(a) Not available (b) Not available (a) 9 (b) 51
B FINANCE <i>Financial Services and Markets Tribunal</i> under S.132 of, and sch.13 to, the Financial Services and Markets Act 2000	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year
A FOOD <i>Meat Hygiene Appeal Tribunal</i> under S.26 of the Food Safety Act 1990	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year

TRIBUNAL <i>(unless otherwise indicated figures relate to hearings in Scotland)</i>	CASES (a) b/f from 2002 (b) received in 2003 (c) withdrawn (d) decided in 2003 (e) c/f to 2004	WAITING TIMES (a) weeks from receipt of appeal to hearing (b) days from hearing to despatch of decision
A FORESTRY <i>Forestry Committees appointed in Scotland for the purpose of the Forestry Act 1967</i>	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year
B IMMIGRATION <i>Asylum Support Adjudicators under S.102 of, and sch.10 to, the Immigration and Asylum Act 1999</i> <i>Immigration Adjudicators under S.81 of the Nationality, Immigration and Asylum Act 2002</i> <i>Immigration Appeal Tribunal under S.100 of the Nationality, Immigration and Asylum Act 2002</i>	GB Figures 1.4.03-31.3.04 (a) - (b) 1,540 (c) 315 (d) 1,225 (e) 0 (a) 24,744 (b) 107,440 (c) 4,445 (d) 105,778 (e) 21,722 (a) 8,339 (b) 52,745 (c) 841 (d) 48,214 (e) 12,801	(a) 1 (b) 2 (a) 13 (b) 16 (a) 55 (b) 33
B INFORMATION <i>Information Tribunal constituted under S.6 of the Data Protection Act 1998</i> <i>Information Commissioner appointed under S.6 of the Data Protection Act 1998</i>	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year
B INSOLVENCY <i>Insolvency Practitioners Tribunal under S.396 of the Insolvency Act 1986</i>	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year
A LAND <i>Lands Tribunal for Scotland under S.1(a) of the Lands Tribunal Act 1949</i>	(a) 186 (b) 163 (c) 83 (d) 95 (e) 171	(a) 18 (b) 29

TRIBUNAL <i>(unless otherwise indicated figures relate to hearings held in Scotland)</i>	CASES (a) b/f from 2002 (b) received in 2003 (c) withdrawn (d) decided in 2003 (e) c/f to 2004	WAITING TIMES (a) weeks from receipt of appeal to hearing (b) days from hearing to despatch of decision
A LOCAL TAXATION <i>Valuation Appeal Committees under S.29 of the Local Government (Scotland) Act 1994 and Local Government Finance Act 1992</i>	(a) 16,252 (b) 5,100 (c) 17,575 (d) 730 (e) 3,047	(a) 45 (b) 6
A MISUSE OF DRUGS <i>Misuse of Drugs Tribunal for Scotland under part 1 of sch.3 to the Misuse of Drugs Act 1971</i>	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year
A NATIONAL HEALTH SERVICE <i>Discipline Committees in accordance with S.19 of the NHS (Scotland) Act 1978 (01.04.03 to 31.03.04)</i> <i>National Health Service Tribunal under S.29 of the NHS (Scotland) Act 1978</i> <i>National Appeal Panel for Entry to Pharmaceutical Lists under sch.4 to the NHS (Pharmaceutical Services) (Scotland) Regulations 1995</i>	(a) 10 (b) 29 (c) 30 (d) - (e) 9 (a) to (e) 0 (a) 1 (b) 7 (c) 0 (d) 8 (e) 0	(a) (b) This tribunal has not sat in Scotland during the course of the year. (a) 14 (b) 5
B NATIONAL SAVINGS <i>National Savings Bank and National Savings Stock Register Adjudicator under S.84 of the Friendly Societies Act 1992</i>	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year

TRIBUNAL <i>(unless otherwise indicated figures relate to hearings held in Scotland)</i>	CASES (a) b/f from 2002 (b) received in 2003 (c) withdrawn (d) decided in 2003 (e) c/f to 2004	WAITING TIMES (a) weeks from receipt of appeal to hearing (b) days from hearing to despatch of decision
B PATENTS, DESIGNS, TRADEMARKS AND SERVICE MARKS <i>The Comptroller General under S.7A(4) of the Deregulating and Contracting Out Act 1994</i>	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year
A PENSIONS <i>Pensions Appeal Tribunals for Scotland under S.8 of the War Pensions (Administrative Provisions) Act 1919 or the Pensions Appeal Tribunal Act 1943</i> <i>Police Pensions Appeal Tribunal under S.1 of the Police Pensions Act 1976</i>	(a) 45 (b) 338 (c) 48 (d) 275 (e) 60 (a) to (e) 0	(a) 14 (b) 7 This tribunal has not sat in Scotland during the course of the year
B POLICE <i>The Police Appeal Tribunal established under S.55 of the Police and Magistrates Court Act 1994</i>	(a) 0 (b) 5 (c) 0 (d) 4 (e) 1	(a) 20 (b) 17
A RENT <i>Rent Assessment Committees under sch.4 to the Rent (Scotland) Act 1984</i>	(a) 32 (b) 127 (c) 22 (d) 106 (e) 31	(a) 9 (b) 20
B RESERVE FORCES <i>Reserve Forces Appeal Tribunal under part IX of the Reserve Forces Act 1996</i>	(a) to (e) 0	This tribunal has not sat in Scotland during the course of the year

TRIBUNAL <i>(unless otherwise indicated figures relate to hearings held in Scotland)</i>	CASES (a) b/f from 2002 (b) received in 2003 (c) withdrawn (d) decided in 2003 (e) c/f to 2004	WAITING TIMES (a) weeks from receipt of appeal to hearing (b) days from hearing to despatch of decision
B REVENUE <i>General Commissioners of Income Tax under S.2 of the Taxes and Management Act 1970</i> <i>Special Commissioners of Income Tax under S.4 of the Taxes and Management Act 1970</i>	(a) - (b) 1,317 (c) 352 (d) 734 (e) 252 GB Figures (a) 226 (b) 178 (c) 100 (d) 87 (e) 217	(a) not available (b) not available (a) 26 (b) 30
B ROAD TRAFFIC <i>Scottish Parking Appeals Service under S.73 of the Road Traffic Act 1991</i> <i>The Traffic Commissioner under part 1 of the Transport Act 1985 and the Public Passengers Vehicles Act 1981</i>	1.4.03-31.4.04 (a) 499 (b) 3,095 (c) 1,238 (d) 1,985 (e) 371 (a) - (b) 880 (c) - (d) 1,022 (e) -	(a) 4 (b) 5 (a) Not available (b) Not available
B SOCIAL SECURITY <i>Social Security Commissioners under sch.4 to the Social Security Act 1998</i> <i>Child Support Commissioners under S.22 of the Child Support Act 1991</i>	1.4.03-31.3.04 (a) 203 (b) 901 (c) 47 (d) 897 (e) 160 (a) 11 (b) 21 (c) 0 (d) 22 (e) 10	(a) Not available (c) Not available (a) Not available (b) Not available
A SOCIAL WORK <i>Children's Hearings under the Children (Scotland) Act 1995</i>	(a) Not available (b) 44,278 referrals to Reporter (c) Not available (d) 5,829 cases proceeding to a first hearing (e) Not available	(a) 12 from Reporter's first receipt of referral to holding of Children's Hearing (if any) (b) 4 but orally on the day

TRIBUNAL <i>(unless otherwise indicated figures relate to hearings held in Scotland)</i>	CASES (a) b/f from 2002 (b) received in 2003 (c) withdrawn (d) decided in 2003 (e) c/f to 2004	WAITING TIMES (a) weeks from receipt of appeal to hearing (b) days from hearing to despatch of decision
B TRANSPORT <i>Transport Tribunal under sch.4 to the Transport Act 1985</i>	(a) 0 (b) 26 (c) 4 (d) 22 (e) 0	(a) 12 (b) 14
A VALUE ADDED TAX <i>VAT and Duties Tribunals for Scotland under sch.12 to the Value Added Tax Act 1994</i>	1.4.03-31.3.04 (a) 228 (b) 148 (c) 91 (d) 74 (e) 211	(a) 20 (b) 14

INQUIRIES – Statistics for 1 April 2003 to 31 March 2004

Type of case	b/f from 2002- 03	Received	Withdrawn	Decided by Scottish Ministers or planning authorities	Decided by Reporters	c/f to 2004-05
Planning appeals	298	804	55	6	711	330
Enforcement appeals	34	94	17	0	69	42
Local Plans	28	14	0	9	0	33
Inquiries opened	133					
Inquiries closed	61					
Reports issued	70					

Annex E - Scottish Committee visits 1 August 2003-31 March 2004

Tribunal system visited	Number	Location
The Appeals Service:		
Council Tax/ Housing Benefit	1	Stirling
Social Security Appeal	1	Glasgow
Children's Hearings	5	Ayr (2), Dunfermline, Inverness, Girvan
Criminal Injuries Compensation Appeals Panel	1	Glasgow
Education Appeal Committee	4	Aberdeen, Ayr, Cumnock Inverness
Employment Tribunal	2	Dundee, Edinburgh
Immigration Appeal Tribunal	6	Glasgow
NHS Discipline Committee	1	Dumfries
NHS National Appeal Panel	1	Port Glasgow
Police Appeal Tribunal	2	Dumfries, Edinburgh
Rent Assessment Committee	1	Dundee
Value Added Tax & Duties Tribunal	1	Edinburgh
Training Events		
Appeals Service	1	Glasgow
General Commissioners Income Tax	1	Glasgow
Pensions Appeal Tribunal	1	Edinburgh
Valuation Appeal Panel	1	Edinburgh
User Groups		
Employment Tribunal	2	Edinburgh
Immigration Appellate Authority	1	Glasgow
Social Security Commissioners	1	Edinburgh
VAT Duties/ Special Commissioners	1	Edinburgh
Inquiries		
Planning Inquiry	1	Stirling
Other		
NCH: launch of Report 'Where's Kilbrandon Now'	1	Edinburgh
Evidence to the Scottish Parliament Education Committee	1	Edinburgh
TOTAL	38	

**Annex F - membership of the Council on Tribunals
at March 2004**

The Rt Hon the Lord Newton of Braintree OBE, DL - Chair

John Elliot WS - Chair of the Scottish Committee

Ann Abraham *ex officio*

Carolyn Berkeley JP

Elizabeth Cameron

Judith Edwards

Yvette Genn

Ros Hepplewhite JP

Susan Howdle

Penny Letts

Steve Mannion QPM

Bernard Quoroll

Professor Genevra Richardson

Sandy Russell CB

Dr Adrian Stokes OBE

Heather Wilcox