

EXECUTIVE NOTE TO

THE NUMBER OF INNER HOUSE JUDGES (VARIATION) ORDER 2007 SSI 2007/258

The above statutory instrument was made in exercise of the powers conferred by section 2(2A) of the Court of Session Act 1988. The instrument is subject to affirmative resolution procedure.

Policy Objectives

The purpose of the instrument is to increase the number of judges in the Inner House of the Court of Session from 10 to 11. The overall number of Court of Session judges, which is currently 35, is not changed.

The increase has been requested by the Lord President of the Court of Session to compensate for the loss of appeal court capacity that will arise when the Lord Justice Clerk assumes leadership of the civil justice review. This review is anticipated to take some time to complete, and the addition of a further appellate judge will ensure that the throughput of appeals is not delayed by the Lord Justice Clerk's absence.

Consultation

The Scottish Ministers are satisfied that it is necessary to provide this additional support to the Lord President to ensure there is no delay to the throughput of civil and criminal appeals as a consequence of the Lord Justice Clerk's work on the reform of the civil court system.

Financial Effects

On promotion from the Outer House to the Inner House, a judge receives an increase in salary of £22,400. Allowing for supplementary costs such as national insurance contributions, the additional cost to the Scottish Consolidated Fund is expected to be approximately £25,300.

Scottish Executive Justice Department
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