Justice Committee

Tribunals (Scotland) Bill

Written submission from Glasgow City Council

1. *Is the new structure an improvement on the existing structure?*

Glasgow City Council ("the Council") is of the view that the new structure is an improvement as it brings tribunals into an independent, unified and coherent structure which sits within a clear governance framework.

2. *Does the Bill guarantee openness, fairness and impartiality in tribunal procedures, and will it allow for sufficient specialisation?*

The Council is of the view that the new structure provides for greater impartiality and better access to justice. The provision of specialist chambers with bespoke rules ensures that sufficient specialisation is retained.

The Council is of the view, for example, that the new Learning Chamber could be perceived by the public as more independent than the current Education Committees which are utilised in dealing with appeals for placing requests. However the council does have a commitment to provide best value and there is a concern that the tribunal fees (Section 70) will be an added expense that will have to be accounted for when resources are already depleted. Glasgow City Council has a large volume of placing request appeals in June each year and it is assumed that other authorities will be in a similar position. Would the tribunal chamber be in a position to deal with a large volume of appeals over a two week period?

The Bill suggests that the detail of the allocation of tribunal functions between chambers will be specified in regulations. It is presumed that those regulations will be the source of the rules in relation to separation and specialisation.


The Council is of the view that the new appeals process, and in particular the introduction of the Upper Tribunal as an appellate body, provides the public with better access to justice.

The Council welcomes the clarification that an appeal must be on “arguable grounds” in addition to on a point of law.


The Council has no comments to make in relation to appointments/membership.

5. *The rule-making power granted to the Scottish Civil Justice Council.*

The Council has no comments to make in relation to the power granted to the Scottish Civil Justice Council.
6. **Any other aspects of the Bill.**

The Council would request further information on the Government’s proposals in relation to how the new system will be funded. For example, will local authorities be expected to provide any funding towards the tribunals?

Glasgow City Council
2 August 2013