

Paper 9.4

Update on research into the views, experiences and expectations of tribunal users

The purpose of this paper is to provide STAJAC with an update on current progress with the user research. There have been a number of developments since the research was first proposed, which have had an impact on how the research is to be taken forward:

1. STAJAC is no longer in a position to fund the qualitative research as originally planned, as it has no budget for this in the current financial year.
2. A significant offer of funding for both strands of the research has now been made by Justice Analytical Services within Scottish Government (JAS).
3. STAJAC reaches the end of its two year lifespan at the end of November 2015.
4. The Scottish Tribunals Service merged with the Scottish Court Service on 1 April 2015 to form the new Scottish Courts and Tribunals Service.
5. There is now significant interest from Ministers in the outcome of the research.

Given these developments, the way forward was discussed at the recent meeting of the User Research Steering Group on 20 April. The following points were agreed:

1. Both strands of the research (i.e. quantitative and qualitative) will be commissioned out by the Scottish Government (through JAS) as one project, with a budget of £60,000. This is JAS' preferred approach, and has a number of advantages: it is likely to be more cost effective, and will make it easier to ensure consistency of approach across the two strands. It may also make the project more attractive to potential contractors, as well as significantly reducing the level of resource required within SCTS to support the work. There may be a possibility of further funding in the next financial year, should the research timetable run into 2015-16, and JAS is looking into this at present.
2. SCTS is keen to build on the quantitative research by carrying out ongoing future research in-house, based on the methodology used, which could be measured against the initial baseline research. JAS has advised that, if the research is commissioned out, it may be possible to incorporate a capacity building element, allowing SCTS to do this.
3. The Scottish Government (tribunals policy) will be responsible for both the governance and management of the research, with appropriate input from JAS on methodology etc. and from the Steering Group. SCTS will of course also have close involvement in the management of the research at a day to

day level. The final research report will be published by the Scottish Government.

4. An early informal meeting will be arranged between staff at SCTS (on both the courts and tribunals side) and the Scottish Government to ascertain what approval process is required within SCTS before the research can go ahead. It is possible that approval may be required from the Lord President/ Lady Smith and/or the new SCTS board, and we hope that this will be clarified soon.
5. JAS will prepare a revised research specification covering both parts of the research by 11 May. The basis for this will be the specification previously drafted for the qualitative research, together with the suggested draft questions which have been prepared by the Steering Group. The intention is that this specification will be signed off at the next Steering Group meeting on 21 May. The research specification will then be sent to SCTS for approval as and when appropriate.
6. The timetable for the research will depend on when it can be commissioned out, subject to the necessary approval process within SCTS etc. At present, we are working on the basis that the research will begin in September this year, with the fieldwork taking 9 months in total for both phases (including a pilot) and with a final report due by September 2016. The thinking behind this is that the research contractor may need that long to get sufficient numbers, but this is dependent on the funding situation for 2015-16. If no funding is available in that year, the research period may need to be shortened to keep it within the current financial year.

A further update will be provided at the next STAJAC meeting on 17 June, when there should be greater clarity about the funding position, the SCTS approval process and the proposed research timetable.

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