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Q1: Fairness in procedures and working practices requires that every party involved in the dispute has access to representation. There is no fairness in a procedure that allows unrepresented litigants to appear against repeat players who are represented. To be accessible to all the civil courts system must comply with the principles of the plain English campaign. It is difficult to imagine how if a case comes to court that court can be charged with ensuring early resolution of disputes other than building into the rule that the court only becomes available if previous resolution methods have failed. This is what is done for the ombudsman model or the employment tribunal models for example.

Q2: The move away from two different sets of procedures for civil cases under £5000 is welcome as too many pathways for redress is often confusing for consumers. The rules however will need to be designed to accommodate low value cases which nonetheless can raise complex legal issues. Judicial specialisation is highly desirable and certainly civil and criminal cases should be separated.

Q3: To the extent that such cases would have to go to court, because no other methods of settling the disputes were available or could be resorted to, such cases should not be heard by a court or tribunal which at the same time has jurisdiction to deal with criminal cases, as criminal business has a tendency to squeeze out civil business.

Q4: different forms of dispute resolution give individuals different outcomes, and above all are based on different principles. Justice belongs to the category of "public goods" and judicial office holders provide a public service. Neither mediators or arbitrators offer such a service. This certainly should not prevent the building of such links, but the individual consumer should be aware that ultimately he is being provided with options which are of a different nature. Administrative justice has its own problems with sometimes too many ombudsmen, this is the case for example in relation to the telecommunication sector.

Q5: Provided this does not remain wishful thinking it certainly represents a way forward. There should be competition organised in the various law schools in tandem with IT faculties to create really user friendly on line information and revamp the Scottish courts website. These competitions themselves should be informed by the work done by the advice sector which very often has developed user-friendly on-line information. See Shelter website for example.

Q6: Much can be learnt from the advice sector. Not only how to make legal information user friendly, but also in terms of identifying and distinguishing between needs of users. Self-help is not within the reach of everybody of everyone and there are limits to the empowerment rhetoric. Some individuals indeed only need sign-posting and can take matter in their own hands, others also simply need to find a listening ear. Other needs representation or someone to negotiate on their behalf

Q7: generalising in court advice services legal clinics available in all law schools internships for law students in the various court departments so as to obtaining practical skills for example in notes taking or case management.

Q8: proper sign-posting of all the options that are available at a stage other than the case raising the courts stage. It is not for courts to bear responsibility for raising awareness of the different options available, especially because it is often too late. Law schools should bear some of responsibilities when training law students especially at a time of deregulation of legal services. Professional bodies too.

Q9: Could anything be learnt from the experience of the working of the employment tribunal system or other tribunals. In this area, litigants are obliged and or encouraged to try and find ways to solve/settle the dispute before being able to lodge their application to the Tribunal. What impact does this have on the workings of the tribunal and on the outcome of the action?

Q10:

Q11: Much also should be learnt from looking in details at all the research on when where and how individuals look for legal information and also from research on self-help mechanisms. There might also be things that can be learnt from other jurisdictions and not just those from the anglo-saxon world.