

Charity Law Team
Scottish Government
Area 2 W,
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Dear Sir,

SCOTTISH CHARITIES APPEALPANEL CONSULTATION

Under the Tribunals, Courts and Enforcement Act 2007 the Scottish Charities Appeal Panel, SCAP is a tribunal system coming under the statutory supervision of the Scottish Committee of the Administrative Justice and Tribunals Council. The Scottish Committee was interested to learn of the Scottish Government's decision to abolish SCAP without having another appeals route in place for would be appellants against decisions of OSCR. The Members of the Scottish Committee discussed this consultation at a recent meeting and whilst appreciating that the numbers using SCAP was very small they wondered what impact this decision would have on the users of this system.

The current system allowed for a specialist panel to consider an appeal in a relatively inexpensive and accessible manner. If in the future appeals are dealt with the Courts then that would replace SCAP with a system which is more experience and not very accessible to users.

However as the decision has been made to abolish SCAP the consultation has asked what would be the most suitable option to follow.

The Scottish Committee considers that **Option 5** would be the most suitable and it would provide an opportunity to establish an appeals mechanism for users of this system under a Scottish Tribunals Service. In the short term Option 1 would be the preferred option that the Scottish Committee would support.

The Committee hopes this response is helpful to you.