

From

The Lord Advocate and The Minister for Justice

To

20 May 2004

Bodies listed in Annex A

Dear Colleague

### **REFORM OF THE HIGH COURT**

As the sponsoring Ministers we are delighted that the Criminal Procedure (Amendment) (Scotland) Bill has now completed its Parliamentary stages. It should receive Royal Assent later this month or in early June.

This is a tremendous achievement on the part of all concerned. But we are still at an early stage of the process. The very welcome spirit of partnership and joint working that has characterised the policy development and legislative phases needs to be carried forward into the crucial implementation phase.

We want to see greater certainty for victims and witnesses as a result of fewer postponements and adjournments in the High Court, more reliable timetabling, and most trials starting on the appointed date.

The Bill will provide the mechanisms to enable us all, working together, to achieve these outcomes. But the mechanisms will only help where they are used appropriately. That is why a great deal of time will be invested over the next few months to ensure that everyone connected with the High Court is familiar with the objectives of the legislation and the procedures involved.

A number of related initiatives are in progress that will help ensure the criminal justice service is ready for commencement. In particular:

- The Crown Office and Procurator Fiscal Service is currently consulting on a practice note on early disclosure of evidence
- The Lord Justice General's office will consult later in the year on an Act of Adjournal that will prescribe the details of court procedure
- Executive officials are working closely with representatives of the legal profession on plans for awareness-raising and training events throughout the autumn and into the New Year. These are likely to include a series of roadshows in the cities where the High Court sits
- The legal profession is being consulted on planned changes to legal aid regulations that will coincide with the commencement of the legislation
- The Scottish Court Service is developing an electronic diary that will enable all supreme court business to be programmed electronically by April 2005
- The new Victims and Witnesses unit in the Executive is keeping in close touch with the High Court Reform implementation programme in order to ensure that the rights of victims and witnesses are kept at the forefront
- A Programme Board has been established to drive forward implementation at a strategic level and to evaluate the success of the reforms.

Many groups have an interest in the reform of the High Court, and will want to be kept informed. A High Court reform website is now available at <http://www.scotcourts.gov.uk/bonomy/>. This will be kept up to date regularly. The Programme Board will also be in touch with relevant interests in the near future, particularly about training and evaluation.

If you have any comments or suggestions please feel free to get in touch with Allan Finlayson on 0131-225-2595 ext 6951 or email at [AFinlayson@scotcourts.gov.uk](mailto:AFinlayson@scotcourts.gov.uk). Please also let him know if you do not wish to receive further correspondence about High Court Reform.

We look forward to continuing to work with you as we take forward this vital reform.



**COLIN BOYD**



**CATHY JAMIESON**

## ANNEX A

Association of Chief Police Officers in Scotland  
Association of Police Superintendents  
Association of Directors of Social Work  
Citizens' Advice Bureaux  
Children 1st  
Commission for Racial Equality in Scotland  
COSLA  
Director of Judicial Studies  
Disability Rights Commission Scotland  
Equal Opportunities Commission Scotland  
Ethnic Minority Law Centre  
Faculty of Advocates  
Her Majesty's Chief Inspector of Constabulary  
Joint Faiths Advisory Board on Criminal Justice  
Judges Council  
Judicial Studies Committee  
Law Society  
Lord President  
Parole Board  
Principal Clerk of Session and Justiciary  
Procurators Fiscal Society  
Rape Crisis Scotland  
SACRO  
Scottish Association of Law Centres  
Scottish Criminal Records Office  
Scottish Criminal Cases Review Commission  
Scottish Forensic Science Liaison Group  
Scottish Human Rights Centre  
Scottish Law Agents Society  
Society of Solicitor Advocates  
Scottish Legal Aid Board  
Scottish Police Federation  
Scottish Prison Service  
Scottish Women's Aid  
Sheriffs Principal  
Sheriffs' Association  
Victim Information and Advice  
Victim Support Scotland  
WS Society

plus all local Bar Associations, Societies and Faculties in Scotland