

High Court of Justiciary
Sheriff Court Criminal Appeals
Guidance Note for Practitioners

15th July 2020

COVID -19

Lodging of electronic documents

1. This guidance has effect from 15th July 2020 and will cease to have effect from 7th August 2020 unless extended. The guidance will be subject to ongoing review.
2. The general purpose of this guidance is to facilitate the continued efficient disposal of appeal court business during the Covid-19 emergency.
3. With effect from 25 March 2020 any documents lodged in respect of both High Court and Sheriff criminal appeal court business can be submitted by email to the email addresses set out in paragraph 13 below. Such documents are to be lodged timeously.
4. Where a document requires to be signed, a scanned signature will be acceptable.
5. Principal copies of any document requiring a wet signature will require to be lodged on a later date.
6. In respect of any productions, only the inventory of productions should be lodged by email. Principal productions should be lodged as soon as it is safe and secure to do so.
7. Lists of authorities should also have attached copies of the authorities referred to.

Hearings

8. All procedural hearings will be reassigned, unless they can proceed by way of written submissions before the court.
9. Sheriff Appeal Court hearings are scheduled to take place on 28 and 29 August 2020 for Appeals by Stated Case and Bills and 11, 12, 25 and 26 August 2020 for Sentence Appeals. These appeals will be conducted using the Webex video conferencing system and will be arranged by the Appeal Clerks in line with the practice adopted for High Court Appeal Hearings below. The option is also open to the appellant and the crown to indicate that the hearing can proceed by way of written submissions before the court.
10. Where possible, High Court Appeal hearings will take place using the Webex video conferencing system. Parties will be contacted by the Appeal Clerks to determine whether their appeals are able to proceed using this system. Cases not able to proceed using Webex will be automatically reassigned unless the appellant and the crown indicate that the hearing can proceed by way of written submissions before the court.

11. Where it is agreed that an appeal can proceed by way of Webex video conferencing the Appeal Clerks will confirm the manner in which hearings will be conducted and make the necessary technical arrangements. All remote hearing access codes will be provided to parties by the Appeal Clerks. Separate guidance for the media who wish to observe WebEx video hearings is available on the SCTS website.
12. Interim Liberation Hearings will continue to be considered. In the current climate full written submissions should be made in support of application for bail and copied to Crown Office. The matter will be considered without the need for personal appearance.

E-Mail addresses

13. Only the undernoted e-mail addresses will be supervised. A receipt e-mail will be generated for each item lodged.

Summary Appeals – summaryappeals@scotcourts.gov.uk

Solemn Appeals – solemnappeals@scotcourts.gov.uk

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