

JUST NEWS



Justiciary Office
High Court of Justiciary
Parliament House, Edinburgh EH1 1RQ
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NEWSLETTER FROM JUSTICIARY OFFICE

This is the newsletter for customers of Justiciary Office. We will invite feedback and may publish future editions.

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Justiciary Office

Following the Criminal Appeals Project to review Justiciary Office appeals processes and procedures we are now undertaking a similar Quality Improvement Project (QUIP) to identify performance improvements in First Instance.



SECOND PHASE OF PARLIAMENT HOUSE REFURBISHMENT

Parliament House Redevelopment Phase 2 - Notice of Implications

Phase 1 of the Parliament House is coming to completion and preparation for Phase 2 is well under way. This briefing note explains the consequences for users of the building for the change over from Phase 1 to Phase 2 of the Redevelopment Project.

Phase 1

Phase 1 involved the redevelopment of the Bank Building to the east of the complex. Courts 4 and 5 were out of use whilst they were being upgraded. They came back into use as of Monday 2 November 2009.

Phase 2

Phase 2 comprises works to the Reid Building - that is the central part of the complex which contains Courts 1, 2 and 3. The whole of this building has been taken out of use and become a contractor's site for the duration of the works. The due date for completion is March 2012. During that period there will be significant changes to the circulation around Parliament House. The key issue will be that there is no east-west circulation within the building at any level. **All circulation will be via the colonnades to the front of the building.** There will, in effect, be 2 separate buildings each of which will have reception facilities. These are at Door 11, which is the current reception, and at Door 2, at the opposite end of the building, where a new reception has been created. The restaurant at -1 will remain open during the contract. Access to it will be from the staircase at the end of the Box Corridor only. In the event of an emergency the current second means of escape at the servery/kitchen end of the dining room will be maintained for use.

Door 11 will maintain access to Parliament Hall, the Faculty of Advocates building, the Solicitors of the Supreme Courts of Scotland (via the Box Corridor) and Courts 9 to 14. This reception will be open 24 hours/day as at present.

Door 2 will provide access to Courts 4 to 8, the Offices of Court and Justiciary. The reception at this door will be open from 9am to 5pm. The outer doors will be open Monday to Friday from 7.30am to 7.00pm for access by staff using their swipe cards.

The business that was dealt with by Court 1 will move to Court 9 which has been temporarily adapted for use as a Civil Appeal Court. It will also be used as the ceremonial court. The business from Court 2 will move to the new Court 5 which has also been developed to permit its use as a Civil Appeal Court.

New changing facilities have been developed for the male advocates. These are in a room off the Leigh Hall at -1. For the duration of Phase 2 the only access to the changing rooms will be from the Leigh Hall. Emergency escape will be maintained to the corridor near the restaurant kitchen.

1A Parliament Square

The minimum number of courts which it is agreed will remain available during the redevelopment project is 12. With the loss of 3 courts during Phase 2 this would reduce the available number of courts in Parliament House to 11. The situation would be even worse during Phase 3 when there are 6 courts to be redeveloped. In order to address this issue, and supplement the courts available during Phases 2 and 3, SCS has taken a lease on 1A Parliament Square, the former District Court, and have converted the 2 courts in this building for use by the Court of Session.

The 2 courts will be known as Court 15 and 16 and there will be a dedicated reception in this facility to serve these 2 courts. The courts will be used as and when required to meet the business requirements of the Court of Session.

Justiciary Office Report

1. Management Information & Workload

| | 2003/ 04 | 2004 /05 | 2005 /06 | 2006 /07 | 2007 /08 | 2008 /09 |
|-----------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Indictments registered | 1387 | 1234 | 1104 | 1171 | 1005 | 920 |
| Trials (Evidence led) | 358 | 259 | 303 | 414 | 446 | 382 |
| Solemn Appeals Lodged | 1063 | 1019 | 925 | 954 | 953 | 765 |
| Summary Appeals Lodged | 2322 | 2000 | 1876 | 1770 | 1475 | 1546 |

Waiting periods as at end October 2009

First Sift

Leave to appeal from the time the Sheriff's/Judge's report is received by Justiciary Office to allocation to a single judge - 6 days (Target 1 week)

Second Sift

From intimation of appeal against refusal at first sift to allocation to 2/3 judges - 12 days (Target 2 weeks)

Solemn

Appeals against sentence – 8.6 weeks (target 9 weeks)

Appeals against conviction (and sentence) – 88* weeks (target 17 term weeks)

* this figure includes 2 complex cases from 2004. The adjusted figure is 38 weeks

Summary

Appeals against sentence – 7 weeks (target 9 weeks)

Appeals against conviction (and sentence) – 16 weeks (target 6 term weeks)

Bills of Suspension (from date lodged – 11 weeks (target 4 term weeks)

Following the Criminal Appeals Project last year, we redesigned the appeals systems within Justiciary Office to improve work flow.

Implementation of the re-designed systems have resulted in:

- A 25% reduction in the length of time taken for a summary sentence appeal to get to first appeal hearing
- A significantly reduced abandon rate
- A significantly reduced withdrawal rate for summary sentence appeals
- A 47% reduction in length of time for solemn sentence appeals registered to first appeal hearing
- A significantly reduced abandoned rate for solemn sentence appeals
- A reduced withdrawal rate for solemn appeals

There were also a number of improvements to appeal waiting times.

SUMMARY APPEALS

| | | | |
|--|--|---------------------------------------|-------------------|
| Length of time from date registered to first appeal hearing (note 6) | Average 101 days | Average 74.5 days (sample 105 cases) | 25% improvement |
| Percentage granted at 1 st sift | 39% | 31% (sample 256 cases since 6/10/08) | 8% |
| Percentage granted at 2 nd sift | 31% (reduced to 11% for cases in August and September) | 31% (sample 108 cases since 6/10/08) | No change |
| Percentage withdrawals (note 8) | 19% (sample 240 cases July – September) | 6.4% (sample 278 cases since 6/10/08) | 12.6% improvement |

SOLEMN APPEALS

| | | | |
|---|---|---|--------------------------------------|
| Percentage abandoned | 15% | 2.5% | 12.5% improvement |
| Percentage withdrawals | 7% (243 cases sampled between July – Sept 2008) | 6.4% (278 cases sampled between July – Sept 2008) | 0.6% improvement |
| Length of time from appeal lodged to first appeal hearing date (Sentence) | Average 187.1 days (sample 48 cases disposed off during April – June 2008) | Average 97.4 days (sample 27 cases 13 Oct 08 -16 Jan 09) | 47% improvement |
| Length of time from Intimation of Intention to Appeal to order of charge issued | Average 44 days | Those typed in-house now average 4 days from registration to charge received (34 days for the Sheriff Court cases).This figure includes 4 cases that had to be digitally enhanced. | 91% improvement in High Court cases. |
| Number of solemn conviction cases sitting between appeal lodged and appeal hearing date set | 181 as at 25 th November 2008 | 58 of the cases are currently waiting to proceed (48 have estimates of court time) We are currently scheduling these cases | 70% reduction |

- The new work flows for summary business and solemn sentence business have lead to a significant reduction in time from note of appeal registered to first appeal hearing set.
- There has been a 40% reduction in Solemn conviction cases outstanding between registered and appeal hearing scheduled
- There has been a significant reduction in abandon rates for summary sentence and solemn sentence cases.
- There has been a significant reduction in defence withdrawal rates for summary and solemn cases.

In addition the project has lead to a number of communication sessions with the key stakeholders inc; Judges, Crown Office, Defence Counsel, Scottish Legal Aid Board and the Prison Service.

Choices

It is important to us that we meet your needs and a key part of this is making sure that the service we provide offers you choice.

Could we improve the choices we offer?

Please let us know by getting in touch with
Ian Horne

ihorne@scotcourts.gov.uk

0131 240 6913



Office opening times

Justiciary Office opens at 10.30 every Monday morning.

We use this time for our training and development. It is therefore important that, unless you have urgent business, you don't come into the department until then.

Justiciary Office opening hours are:

10.30 am - 5 pm Mon,

9.00 am - 5pm -Tues, Wed, Thurs.

9.00 am - 4.45 pm Fri.



Opening hours over Christmas and New Year



Justiciary Office will be closed on the following days -

Thursday 24 December 2009 from 12.30pm

Friday 25 December 2009 - all day

Monday 28 December 2009 - all day

Friday 1 January 2010 - all day

Monday 4 January 2010 - all day

See the Rolls of Court for further information.

Parliament House – top car park protocol

When delivering or uplifting **awkward or excessively large** productions by taxi at the Justiciary Office please phone in advance to let us know that you are coming and what time to expect you. We'll let security know that you're coming.

The numbers to call are:

 First Instance - 0131 240 6908

 Solemn Appeals - 0131 240 6909

 Summary Appeals - 0131 240 6912

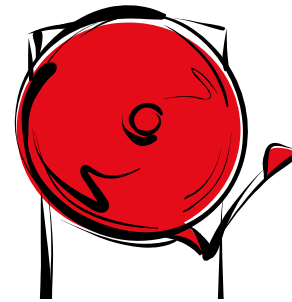
Please have your security pass with you at all times.

Access to the car park will be denied if these procedures are not adhered to.

Fire alarm and evacuation

Your normal route for leaving Parliament House may not be the safest in the event of a fire.

If the fire alarm sounds when you are in Justiciary Office, court staff will lead you to the best escape route. Please follow their instructions.



Lodging Papers for Court

When papers are lodged in Justiciary Office for court the next day, we always do our best to prepare them and get them in the judges' bags for 4pm the same night but we are often cutting it fine when the statutory time limits are not observed.

Please ensure that any such documents are delivered in plenty of time (**no later than 3.30pm**) as the staff in Justiciary Office have to mark them up before they go. It could result in the documents not going out and the judges not having a chance to read them before court.

NOTE: When lodging papers for the Appeal Court, the following copies are required:

- Sentence Appeals – 3 copies (2 for judges, 1 for clerk)
- Conviction Appeals – 4 copies (3 for judges, 1 for clerk)

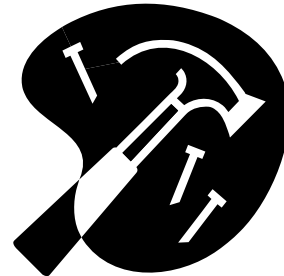
Faxes/Emails

Please note that faxed documents and emails have been lodged in/sent to Justiciary in order to preserve time limits. This has often caused a problem as the original document has then not been lodged and we have had to request it (in one case it came 4 weeks after the fax). Please note that we cannot accept faxed or emailed documents in place of the original except where statute so allows. Time limits will only be preserved if we receive the **original** document by the due date. Faxed or emailed documents will not preserve such time limits.



You Said

We Did



You said: "It would be helpful if there was a directory of the names and numbers of clerks and the areas of responsibility"

We did: We've added a section to this newsletter with key direct dial telephone numbers and areas of responsibility of staff in Justiciary Office

You said: Can the vending machines be re-installed on level -2

We did: These machines have been removed for health and safety reason. Unfortunately there is nothing we can do about this.

Telephone contact details



JUSTICIARY OFFICE

All numbers should be preceded with 0131 240

First Instance Section

| | |
|----------------------------|------|
| Jenny Kelly | 6907 |
| Alastair Marshall | 6852 |
| Hannah Eamer | 6953 |
| Keren O'Hare (Team Leader) | 6908 |

Preliminary Hearings Minute Clerk

| | |
|-----------------|------|
| Elaine Cranston | 6946 |
|-----------------|------|

First Instance Manager

| | |
|---------------|------|
| Alan Thompson | 6928 |
|---------------|------|

Summary Appeals Section

| | |
|----------------------------|------|
| Stefani Gibbons | 6914 |
| Sandy McKay | 6903 |
| Gillian Quinn | 6901 |
| Laura Hastie (Team Leader) | 6912 |

Solemn Appeals Section

| | |
|--------------------------|------|
| Elaine Hunter | 6910 |
| Nicola Mallace | 6911 |
| Michael Stanners | 6947 |
| Archie Falconer | 6958 |
| Hazel Bell (Team Leader) | 6909 |

Deputy Appeals Manager

| | |
|-----------------|------|
| Fiona Merrilees | 6957 |
|-----------------|------|

Appeals Manager

| | |
|-----------|------|
| Joe Moyes | 6902 |
|-----------|------|

Office Manager Justiciary Office, Edinburgh

| | |
|-----------|------|
| Luz Sexto | 6905 |
|-----------|------|

Officer in Charge of Justiciary Office

| | |
|-----------|------|
| Ian Horne | 6913 |
|-----------|------|

Deputy Principal Clerk of Justiciary

| | |
|------------------|------|
| Gillian Prentice | 6869 |
|------------------|------|

GLASGOW HIGH COURT

First Instance Manager

| | |
|-----------------|---------------|
| Allan Hutchison | 0141 559 4516 |
|-----------------|---------------|

Office Manager Justiciary Office

| | |
|---------------|---------------|
| Eve Henderson | 0141 559 4577 |
|---------------|---------------|

PUBLIC HOLIDAYS

The High Court will be closed on the following dates:

- 24 Dec 2009 from 12.30pm
- 25 Dec 2009
- 28 Dec 2009
- 01 Jan 2010
- 04 Jan 2010
- 02 Apr 2010
- 05 Apr 2010
- 19 Apr 2010
- 03 May 2010
- 17 May 2010
- 20 Sep 2010
- 29 Nov 2010
- 24 Dec 2010 from 12.30pm
- 27 Dec 2010
- 28 Dec 2010

What do you think?

Justiciary Office continually seeks to improve the service and choice for its customers and partners. In order to improve the quality of information we provide about our performance we would like to offer you the opportunity to comment on the content of this newsletter. Please read the following questions and pass your views and comments to us by fax, email or letter using the details given below:

1. How well did you understand the contents of this report?
2. How well does this information meet your needs?
3. Did it cover aspects which you are interested in or you feel are relevant?
4. What other relevant issues or information do you feel you should be included or covered in any future issues?

Send your answers to:

Letter

Ian Horne,
Officer in Charge of Justiciary Office
High Court of Justiciary
Parliament House,
Parliament Square
Edinburgh
EH1 1RQ

Email

ihorne@scotcourts.gov.uk

Fax

0131 240 6915