

Just News

The newsletter of
the High Court of the Justiciary

High Court
of Justiciary



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Customer Satisfaction Survey

Thank you to everyone who took part in Supreme Courts' Customer Satisfaction Survey.

The survey was open during April and the response rate was very positive - we received 75 responses. The majority of these were from solicitors and Parliament House clerks (court runners) but we also received feedback from internal customers and a number of other individuals.

Of the 72 respondents, 35 use the services of the Administration Unit, 65 use the services of the Court of Session and 27 use the services of the High Court of Justiciary. 17 respondents use all three services.

You have given us things to celebrate - the results show a high level of satisfaction with our service. However you have also told us where further work is needed.

There are some areas where there are low awareness levels of procedures. For example, only 50% of customers who use the Court Motions Team in the Court of Session know the procedure for enrolling an electronic motion when the computer system fails. Furthermore only 72% know how to make a complaint and only 47% of respondents had read the Supreme Courts Customer Charter. This is the document which sets out the standard of service who can expect from us.

These are things we clearly need to address and you will hear more about this in the future.

Click [here](#) for the full results of the survey. If you need further information please contact Shaeron Clacher.

Thank you once again for taking the time to complete the survey.

Supreme Courts Business Plan

Our business plan sets out what we aim to achieve and what you can expect to see us working towards.

The plan is made up of eight different objectives. Some of these are core tasks for the Supreme Courts, for example, monitoring the length of time being taken to deal with different types of business or meeting administrative targets set for processing documents lodged with the court. Others aim to advance our business through improved IT and staff development.

Click [here](#) for further details.

Computer system migration to COP2

First Instance work in Judiciary Office will be moving from the CMS (case management system) to the COP2 computer system.

COP2 is the criminal system that is in place in SCS apart from the High Court. It is a tried and tested system and will provide much greater functionality than the current system.

It has been piloted and tested from the end of June and staff will be trained throughout August before the new system is introduced on 19 September 2011.

COP2 will provide greater functionality than the current system

New legislation

The Criminal Justice and Licensing Act 2010, Part 6 - Disclosure

New disclosure provisions were introduced by the Criminal Justice and Licensing Act 2010 on 6 June. These new provisions apply to all cases where the accused first appeared on Petition in the Sheriff Court on or after 6 June 2011.

The Criminal Justice and Licensing (Scotland) Act 2010, Part 6 replaces the common law provision regarding disclosure of information on the Crown case. A number of supplementary provisions have been created to deal with situations where the prosecutor (or Sec of State) does not wish information to be released to the accused.

Defence Statements:

- **Sections 124 & 125:** The defence are required to lodge a 'Defence statement' setting out the nature of their defence, in all cases at least 14 days prior to the preliminary hearing. **Where there is a 'special defence' this is now to be included in the Defence statement rather than lodged separately.** Subsequent statements are required to be lodged in all cases at least 7 days before the trial, (Sections 124 and 126) to state whether or not there has been a material change since the first statement was lodged.

New Applications and Hearings:

- **Section 128 Rulings on Disclosure:** New (and review) Applications for rulings on disclosure may be made by defence. Where an application is made the judge is initially required to consider whether there should be a hearing.
- **Section 145 Orders:** Where the prosecutor considers that disclosure of an item of information 'would be likely to cause a real risk of substantial harm or damage to the public interest'. Parties require to be heard.
- **Sections 143 & 144 Non Notification Order and Exclusion Order:** Applications may be made by the prosecutor (related to applications and hearings for Section 145 Orders), for Non notification Orders relating to Sec 145 orders, and for Exclusion Orders. Only the prosecutor is to be intimated/heard.
- **Section 146 Orders:** Applications may be made by the Secretary of State for a 'Section 146 Order' where the Secretary of State considers that disclosure of an item of information by the prosecutor would be a real risk of substantial harm of damage to the public interest. Parties are to be heard.

Continued over/

New legislation – continued

- **Sections 148 & 149 Restricted Notification Order and Non Attendance Order:** These are equivalent to the Non Notification Order and Exclusion Orders for the prosecutors.
- **Section 150 Special Counsel:** Most likely where no notification / exclusion is sought (though competent in all hearings). In such cases the special counsel will be chosen by the court from a list of appropriately vetted counsel kept by the Lord Justice General.
- **Special 157 Duty on court to review:** The court has a duty to keep under review the making of any Section 145/146 Order, to decide whether or not the information available still supports the Order having been made.
- **Appeals:** Provision is made for appeals to the High Court in all the decisions noted above.

Telephone contact details – numbers should be preceded with 0131 240

First Instance Section

Preliminary Hearings, Trials, Sentencing Diets, Jury enquires, Extract convictions

Keren O'Hare (Team Leader)	6908
Kelly Jack	6907
Alastair Marshall	6852
Eleanor Brown	6946
Sandy MacKay	6953

First Instance Manager

Alan Thompson	6928
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Summary Appeals Section

Notes of Appeal, Stated Cases from Sheriff & JP Courts, Bills of Suspension

Laura Hastie (Team Leader)	6912
Elaine Hunter	6914
Gillian Quinn	6901

Solemn Appeals Section

Appeals in Sheriff and Jury/High Court cases, Solemn Bills of Advocation, Section 65 Appeals, Section 74 Appeals, Crown Unduly Lenient Sentence Appeals

Fiona Merrilees (Team Leader)	6909
Michael Stanners	6910
Jenny Kelly	6911
Stefani Gibbons	6958
Archie Falconer	6947

Deputy Appeals Manager

Transcripts, Single Judge Preliminary Hearings, Petitions to the Nobile Officium

Elaine Cranston	6957
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Appeals Manager

Joe Moyes	6902
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Office Manager

Press enquiries, Opinions, transcription contract

Luz Sexto	6905
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Officer in Charge of Justiciary Office

Press enquiries, Freedom of Information and Data Protection requests, National Archive requests, complaints

Ian Horne	6913
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Deputy Principal Clerk of Justiciary

Gillian Prentice	6869
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Glasgow

Office Manager

Eve Henderson	4577
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Numbers should be preceded with
0141 559

First Instance Manager

Allan Hutchison	4516
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What do you think?

We continually seek 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 document. Please read the following questions and pass your views and comments to us by e-mail, telephone or letter using the details given below:

1. How well did you understand the contents of this document?
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 the next issue?

Send your views to:

Letter

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