

# Scottish Courts and Tribunals Service



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13 March 2017

Dear Mr Greene,

## **SCOTTISH PARLIAMENTARY QUESTION S5W-07782**

The Cabinet Secretary in his response to the above PQ indicated that it relates to operational matters within the responsibility of the Scottish Courts and Tribunals Service (SCTS). I am now writing to you in response to the matter you have raised.

**S5W-07782** asks: *To ask the Scottish Government how it will ensure that the proposed digitisation of some processes by the Scottish Courts and Tribunal Service will be accessible for (a) older people, (b) disabled people and (c) people with limited online access.*

The SCTS proposition paper, *Evidence and Procedure Review: A New Model for Summary Criminal Court Procedure* contains a possible model for a new summary criminal justice procedure that makes best use of modern technology. The paper is designed to stimulate discussion on potential reform of the criminal justice system. The model it contains would require considerable further development and testing before it could be turned into proposals for legislation. Its implementation would require substantial replacement of the current legislative framework, and it will be for the Scottish Government to decide whether or not to pursue this.

That said, the paper recognises that accessibility is a vital part of the justice system for both accused persons and witnesses. The model aims to improve accessibility for many by replacing cumbersome paper processes. It acknowledges that some will not have the means or ability to interact digitally. In relation to accused persons, the expectation is that where an accused is represented by a solicitor (which we estimate to be around 85% of cases), most of the interaction with online systems will occur through his or her legal representative. Different arrangements will apply for unrepresented accused. The paper says (paragraph 39) that there would be the possibility of attending at a Court building, where court staff will assist them with entering a digital plea. The accused would then receive future communication regarding his or her case by letter. Chapter 6 outlines the case management process for an unrepresented accused.

In relation to witnesses, if they do not wish to provide a means of electronic contact (be that by either text or email), then they would be able receive citations and other information through the post as they do at present.

It is worth noting that the SCTS intends to take these propositions out for discussion at events round the country this spring. I would encourage anyone with an interest in the paper to engage with the SCTS during this period of discussion

A copy of this letter will be placed in the Scottish Parliament Information Centre and published on the Scottish Courts and Tribunals Service website.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'E. McQueen', followed by a horizontal line.

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