

Scottish Courts and Tribunals Service



Rachael Hamilton MSP
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The Scottish Parliament
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Dear Ms Hamilton MSP

SCOTTISH PARLIAMENTARY QUESTION S5W-14774

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 corporate body. I am now writing to you in response to the matter you have raised.

S5W-14774 asks: *how many criminal trials in each of the last 10 years have been abandoned with the presumption that they could be heard at a later date (deserted pro loco et tempore), and how many were subsequently held later, also expressed as a percentage.*

I have appended our response to this question within **Annex A** to this letter.

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 'Eric McQueen', with a long horizontal line extending to the right.

Eric McQueen
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Number of criminal trials held in each of the last 10 years that have been abandoned (*deserted pro loco et tempore*), then heard at a later date.

Court	Financial Year	Trials - deserted pro loco et tempore	Number that have called again at any hearing ¹	% Called again at any hearing	Number that have called again at a trial diet ¹	% Called again at a trial diet
High Court	2016/17	27	23	85%	20	74%
	2015/16	26	20	77%	18	69%
	2014/15	32	29	91%	26	81%
	2013/14	23	19	83%	15	65%
	2012/13	20	13	65%	12	60%
	2011/12	16	14	88%	14	88%
	2010/11	15	11	73%	9	60%
	2009/10	10	6	60%	4	40%
	2008/09	15	8	53%	6	40%
	2007/08	19	13	68%	11	58%
Sheriff Court - Solemn	2016/17	66	41	62%	27	41%
	2015/16	82	49	60%	43	52%
	2014/15	55	37	67%	30	55%
	2013/14	69	46	67%	37	54%
	2012/13	51	23	45%	19	37%
	2011/12	107	69	64%	53	50%
	2010/11	109	51	47%	39	36%
	2009/10	126	60	48%	44	35%
	2008/09	150	86	57%	69	46%
	2007/08	165	111	67%	87	53%
Sheriff Court - Summary	2016/17	972	102	10%	32	3%
	2015/16	1,374	124	9%	45	3%
	2014/15	1,339	106	8%	34	3%
	2013/14	1,330	113	9%	44	3%
	2012/13	1,491	119	8%	35	2%
	2011/12	1,774	125	7%	42	2%
	2010/11	1,776	104	6%	44	2%
	2009/10	1,800	122	7%	57	3%
	2008/09	2,411	125	5%	47	2%
	2007/08	2,712	155	6%	70	3%
JP Court - Summary	2016/17	198	17	9%	12	6%
	2015/16	326	10	3%	2	1%
	2014/15	313	7	2%	2	1%
	2013/14	381	10	3%	4	1%
	2012/13	572	23	4%	14	2%
	2011/12	579	15	3%	5	1%
	2010/11	702	13	2%	9	1%
	2009/10	616	18	3%	9	1%
	2008/09	500	7	1%	1	0.2%
	2007/08	266	8	3%	4	2%

1. Data is at case level where the complaint or indictment has been *deserted pro loco et tempore* at a trial diet then subsequently re-raised with the same procurator fiscal reference number.

The Scottish Courts and Tribunals Service uses a live operational case management system for the processing of court business. The information held on the system is structured for these operational needs, rather than for statistical reporting or research purposes. The information provided is based on the best information available from the case management system as at 16th March 2018. Data produced by the SCTS Management Information Analysis Team.