



**Coronavirus**

**Order of Court No. 5 of 2021**

**in respect of Summary Criminal Business – Refixing Diets**

In relation to the following category of summary criminal business calling in the weeks specified in column A of Schedule 1 to this guidance, certain diets have been assigned for days which are no longer suitable to the court, namely

All cases calling in the Sheriff court cited/diet courts (except diets of deferred sentence and those where the accused is in custody).

In accordance with the power set out in section 137ZB of the Criminal Procedure (Scotland) Act 1995, the court will, of its own accord, discharge the said diets assigned for the dates specified in column A of Schedule 1 and a new diet will be fixed for the weeks set out in column B of the same row in Schedule 1.

Where letter pleas have been tendered the court in accordance with the powers set out in said section will, of its own accord, (i) fix a diet to allow such cases to call for the purpose of sentencing or further procedure or (ii) fix an intermediate diet, a pre-intermediate diet meeting and a trial diet, as appropriate.

In relation to the following categories of summary criminal business calling in the weeks specified in column A of Schedules 2 and 3, certain diets have been assigned for days which are no longer suitable to the court, namely

1. All cases calling in the JP court cited courts (including all cases calling for sentence);
2. All cases calling in the JP court intermediate diet courts (excepting those where the accused is in custody);
3. All cases calling in the JP court summary trials courts (excepting those where the accused is in custody).

In accordance with the power set out in said section, the court will, of its own accord, discharge the said diets assigned for the dates specified in column A of Schedules 2 and 3 and fix new diets as follows:

1. In respect of cases calling in the JP court cited courts in a week on a day specified in column A of Schedule 2 a new diet will be fixed for the week set out in column B of the same row in said Schedule;
2. In respect of all cases calling in the JP court intermediate diet courts (excepting those where the accused is in custody) in a week specified in column A of Schedule 3, a new intermediate diet will be fixed for the week set out in column B of the same row in said Schedule and the trial diet will also be discharged and a new trial diet will be fixed for the week set out in column C of the same row in said Schedule;
3. In respect of all cases calling in the JP court summary trials courts where an intermediate diet has been held (excepting those where the accused is in custody) in a week specified in column A of Schedule 3, a new intermediate diet will be fixed for the week set out in column B of the same row in said Schedule and the trial diet will also be discharged and a new trial diet will be fixed for the week set out in column C of the same row in said Schedule.

Although no JP court cited courts will sit in this period, where letter pleas have been tendered the court in accordance with the powers set out in said section will, of its own accord, (i) fix a diet to allow such cases to call for the purpose of sentencing or further procedure or (ii) fix an intermediate diet, a pre-intermediate diet meeting and a trial diet, as appropriate.

The Sheriff Clerk will forthwith intimate to parties the new date fixed in terms of said section.

*(signed)*

**Sheriff Principal DCW Pyle**

**26 March 2021**

**SCHEDULE 1****SHERIFF COURT CITED COURTS**

COLUMN A	COLUMN B w/c or any other suitable week thereafter
w/c 5 April 2021	w/c 24 May 2021
w/c 12 April 2021	w/c 31 May 2021

**SCHEDULE 2****JP COURT CITED COURTS**

COLUMN A	COLUMN B w/c or any other suitable week thereafter
w/c 5 April 2021	w/c 7 June 2021
w/c 12 April 2021	w/c 14 June 2021
w/c 19 April 2021	w/c 21 June 2021
w/c 26 April 2021	w/c 28 June 2021
w/c 3 May 2021	w/c 5 July 2021
w/c 10 May 2021	w/c 12 July 2021
w/c 17 May 2021	w/c 19 July 2021
w/c 24 May 2021	w/c 26 July 2021
w/c 31 May 2021	w/c 2 August 2021

**SCHEDULE 3****JP COURT INTERMEDIATE DIETS AND TRIAL COURTS**

COLUMN A	COLUMN B (ID) w/c or any other suitable week thereafter	COLUMN C (Trial) w/c or any other suitable week thereafter
w/c 5 April 2021	w/c 16 August 2021	w/c 30 August 2021
w/c 12 April 2021	w/c 23 August 2021	w/c 6 September 2021
w/c 19 April 2021	w/c 30 August 2021	w/c 13 September 2021
w/c 26 April 2021	w/c 6 September 2021	w/c 20 September 2021
w/c 3 May 2021	w/c 13 September 2021	w/c 27 September 2021
w/c 10 May 2021	w/c 20 September 2021	w/c 4 October 2021

w/c 17 May 2021	w/c 27 September 2021	w/c 11 October 2021
w/c 24 May 2021	w/c 4 October 2021	w/c 18 October 2021
w/c 31 May 2021	w/c 11 October 2021	w/c 25 October 2021