



**SHERIFFDOM OF LOTHIAN AND BORDERS
SHERIFF AND JUSTICE OF THE PEACE COURT**

**COVID – 19 ARRANGEMENTS
FOR SUMMARY CRIMINAL BUSINESS**

I Sheriff Principal M Stephen, QC, Sheriff Principal of Lothian and Borders, in exercise of my powers in terms of section 27 of the Courts Reform (Scotland) Act 2014 make the following arrangements in respect that it is necessary to restrict the business to be conducted in the Summary Criminal Courts within the Sheriffdom all in terms of the "Guidance for Court Users: Sheriff and Justice of the Peace Courts, the All Scotland Sheriff Personal Injury Court and the Sheriff Appeal Court" issued on 11 January 2021 by the Scottish Courts and Tribunal Service ([here](#)). All cases falling into the following categories will be re-fixed by the Sheriff Clerk in terms of section 137ZB of the Criminal Procedure (Scotland) Act 1995 ("the 1995 Act").

1. All cases calling in the miscellaneous or cited courts;
2. All cases calling in the intermediate diet courts (excepting (i) those where the accused is in custody and (ii) those in which a trial diet is presently assigned for a date on or after 1 March 2021 and (iii) those which have been identified as priority cases); and
3. All cases calling in the summary trials courts (excepting those where the accused is in custody; part heard trials and certain priority cases which will be listed in a schedule provided to parties by the Sheriff Clerk).

When the Sheriff Clerk exercises the court's powers in terms of section 137ZB of the 1995 Act a schedule with the original and new dates will be intimated on the relevant Court Website and by electronic means to parties and local Faculties/Edinburgh Bar Association. New diets will be issued by the Sheriff Clerk having regard to the local court programmes in each of the Courts in the Sheriffdom.

Similar arrangements will apply for the business scheduled in the Justice of the Peace Courts within the Sheriffdom for the period 12 January until 26 February 2021 (both dates inclusive).

Although no cited or miscellaneous courts will sit in the period 12 January to 26 February 2021 where letter pleas of guilty have been tendered the court in accordance with the powers set out in section 137ZB of the 1995 Act will, of its own accord, discharge any diet fixed for the calling of the case and will of new fix a diet to allow such cases to call for the purpose of sentencing or further procedure. Further arrangements will be intimated for the processing of letter pleas in each of the Courts in the Sheriffdom.

Intermediate diets for trials which are re-fixed will also be re-fixed and new dates for intermediate diets, trial diets and PIDMs will be assigned. Intermediate diets will call for trials which require to proceed such as custody and priority trials. Practitioners are encouraged to follow the terms of Practice Note No 4 of 2020 dated 1 December 2020. Where cases resolve as a result of that procedure local arrangements will be made for these cases to call in court for sentencing or other disposal.

Where there is a compelling reason for a case to call before a sheriff practitioners may lodge an incidental application in terms of section 137 of the 1995 Act.

Mhairi M Stephen

Sheriff Principal Mhairi M Stephen QC
Sheriff Principal of Lothian and Borders

Edinburgh, 12 January 2021