

# **Sheriffdom of North Strathclyde**

## **Coronavirus**

### **Guidance in respect of Criminal Business**

#### **No. 1 of 2020**

This guidance sets out the arrangements for the management of criminal business in the Sheriffdom of North Strathclyde with effect from Wednesday 25 March. All business will be conducted in either Kilmarnock or Paisley Sheriff Courts. All other courts are closed.

Accused who are at liberty should not attend unless a plea is being tendered.

Solicitors should not attend unless it is essential to address the court, orally, in respect of an urgent matter. That should only be required in exceptional cases and where there is a matter in contention between the Crown and defence. In all other cases, parties should be proactive in utilising statutory provisions to have business adjourned, administratively, by agreement. Where submissions do require to be made, the court will consider written submissions in the first instance.

#### **1. Solemn Business**

- No new jury trials will commence, until further notice.
- Wherever possible, the courts expects parties to utilise the provisions of section 75A of the Criminal Procedure (Scotland) Act 1995 (“the 1995 Act”) to adjourn, in advance, diets already fixed in proceedings on indictment.
- Jurors who have already been cited should not attend court.
- The position in relation to the citation of jurors will be continually reviewed. At this time, it is not expected that the citation of jurors will recommence before June 2020.

- Where the accused intends to plead guilty parties should attend and the plea will be entered.
- In bail cases all first diets will be continued for 3 months until further notice. Trial diets will not be appointed meantime.
- In custody cases in which first diets or trial diets are due to call, the crown and defence should seek to agree a position and intimate that to the court in advance. Where that is not possible, the matter will require to call to allow the court to consider any motions in relation to bail or time bar.
- Evidential hearings and debates will be adjourned to a date after 2 August 2020.

## **2. Sheriff Court Summary and Justice of the Peace Court Business**

### *Custody Courts*

All custody courts will be combined and business will be dealt with in Kilmarnock Sheriff Court or Paisley Sheriff Court. These are likely to be conducted by video link. Reference should be had to the COPFS, SCTS and Police Service of Scotland Joint National Protocol a copy of which is attached.

### *Diet Courts*

All diet courts will be adjourned to a later date post 1 August 2020. The provisions of section 137 of the Criminal Procedure (Scotland) Act being utilised.

### *Intermediate Diet Courts*

- Save for custody cases, all intermediate diet courts will be adjourned to a later date post 1 August 2020. The provisions of section 137 of the Criminal Procedure (Scotland) Act being utilised.
- Custody cases in which not guilty pleas are adhered to at the intermediate diet will be continued to the trial diet previously assigned.

### *Remand Courts*

- In all remand court cases, except where the accused is in custody, sentence will be deferred for a period of 8 weeks until further notice. In cases where the accused is in custody the hearing will be conducted by video link.

### *Trials*

- Custody trials will proceed wherever possible.
- All other trials will be adjourned to a later date post 1 August 2020 with an intermediate diet being fixed up to four weeks prior to the date fixed for trial. The provisions of section 137 of the Criminal Procedure (Scotland) Act being utilised.

**D L Murray WS**

**Sheriff Principal**

**24 March 2020**