



SHERIFFDOM OF SOUTH STRATHCLYDE DUMFRIES AND GALLOWAY

Information Notice for Court Users No 2 of 2021

in respect of Summary Sheriff Court Criminal Business

Between 14 January 2021 and 26 February 2021 (both dates inclusive), the following arrangements will apply:

Arrangements for Letter Pleas

Solicitors are encouraged to continue to submit letter pleas for cited business in the sheriff courts. These will continue to call on the date assigned. Where a plea of not guilty is tendered by letter, the clerk will intimate the date for which a PIDM has been scheduled and an intermediate diet and trial diet assigned. Where a plea of guilty is tendered by letter, the case will call without the need for the accused or his/her agent to attend. If the matter cannot be dealt with by the sheriff in absence on the basis of the information contained in the letter, a diet will be fixed by the court for the attendance of the accused and his/her solicitor.

Pleas arising from discussions with the Crown

In all other summary cases where the terms of a plea have been agreed with the Crown, solicitors are invited to email the clerk of court advising of the terms of the agreed plea. The Crown and the solicitor will be provided with a time slot and date for a diet in the guilty plea court. The solicitor shall make arrangements for the accused to attend. An Incidental Application to have the diet accelerated in terms of section 137 of the Criminal Procedure (Scotland) Act 1995 can be lodged when the diet calls in the guilty plea court. Proforma Incidental Applications will be available in guilty plea courts to assist the parties.

Priority Trials

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 by the SCTS on 11 January 2021 ("SCTS Guidance"), those summary sheriff court trials which are considered to be a priority can take place. The Crown will identify all such trials, assess the availability of witnesses and discuss these with defence agents. The Crown will provide the court with a schedule of all priority trials which are able to proceed each week (in respect of trials proposed for the following week). The court may deal with all such cases in terms of s137ZB of the Criminal Procedure (Scotland) Act 1995 ("the 1995 Act"). Where there is no agreement between the Crown and the defence, incidental applications in terms of section 134 of the 1995 Act will require to be lodged. All such applications will be determined within two working days of being lodged and may be heard by remote means.

PIDMs

Agents are encouraged to participate in PIDMs in respect of all IDs which are not affected by Re-Fixing Orders. Please note that PIDMs have been introduced to replace written records and to reduce the number of times defence agents are required to attend court. If a solicitor has difficulties accessing the Crown Booking app or booking a PIDM, he/she should use the helpline provided by the COPFS to resolve the issue/discuss matters with the local fiscal.

Re-Fixing Orders

Orders in terms of section 137ZB dealing with the business referred to in the SCTS Guidance have been issued in respect of each sheriff and justice of the peace court. Copies are available on the pages dedicated to each court on the SCTS website.



Sheriff Principal Aisha Y Anwar

14 January 2021