

Sheriffdom of Tayside Central and Fife

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 Tayside Central and Fife with effect from Wednesday 25 March. All business will be conducted in either Falkirk or Dundee Sheriff Courts. All other courts are closed.

1. Solemn Business

No new jury trials will commence, until further notice.

Wherever possible, the court expects parties to utilise the provisions of section 75A of the Criminal Procedure (Scotland) Act 1995 (“the 1995 Act”) to adjourn 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.

All first diets will be continued for 3 months until further notice.

Evidential hearings and debates will be adjourned to a date after 2 August 2020.

The Act of Adjournal (Criminal Procedure (Scotland) Act 1995 Amendment) (Miscellaneous) 2020 comes into effect on 25 March 2020. Due to the exceptional circumstances under which we are operating, the provisions thereof will be utilised to enable the transfer of business from those courts which are closed to either Falkirk Sheriff Court or Dundee Sheriff Court as appropriate.

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 Falkirk Sheriff Court or Dundee Sheriff Court.

Diet Courts

All diet courts will be adjourned to a later date post 1 August 2020, the provisions of section 137 of the 1995 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 1995 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, sentence will be deferred for a period of 8 weeks or such other period as the court considers appropriate in the circumstances and that applies until further notice.

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 the 1995 Act being utilised.

Accused who are at liberty need not attend the above diets unless a plea is being tendered

The Act of Adjournal (Criminal Procedure (Scotland) Act 1995

Amendment) (Miscellaneous) 2020 comes into effect on 25 March 2020. Due to the exceptional circumstances under which we are operating, the provisions thereof will be utilised to enable the transfer of business from those courts which are closed to either Falkirk Sheriff Court or Dundee Sheriff Court as appropriate in relation to both solemn and summary business.

M W Lewis

Sheriff Principal

24 March 2020