



SHERIFFDOM OF GLASGOW AND STRATHKELVIN

PRACTICE NOTE NO 2 of 2025

DIGITAL RECORDING OF EVIDENCE

I, AISHA YAQOOB ANWAR, Sheriff Principal of Glasgow & Strathkelvin, for the purpose of regulating practice in the Sheriff Court at Glasgow in pursuance of the powers conferred by section 27(2) and (4) of the Courts Reform (Scotland) Act 2014, and all common law powers enabling me on that behalf, Order and Direct as follows:

Part 1 - Introduction

1.1 Digital recording equipment has been installed in all courtrooms which are used for the purposes of proofs in ordinary actions, including family actions in Glasgow Sheriff Court.

1.2 The purpose of this Practice Note is to provide guidance to practitioners and court users on the proper use of the equipment and the process for requesting a transcription of evidence.

1.3 This Practice Note applies to all civil proceedings to which rule 29.18 of the Ordinary Cause Rules 1993 (OCR) applies.

1.4 This Practice Note will come into effect on 21 July 2025. Parties will not require to instruct a shorthand writer for the purposes of recording evidence in a cause to which this Practice Note applies in respect of any proof or proof before answer assigned after that date.

1.5 References to "a proof" or "proofs" in this Practice Note include proofs before answer and preliminary proofs.

Part 2 - Instructing recording by mechanical means

2.1 Interlocutors assigning a proof will specify that the evidence in the cause shall be recorded by mechanical means in terms of OCR 29.18(1)(b), without the necessity of any motion by the parties.

2.2 Should either party wish to instruct a shorthand writer or to dispense with the need for evidence to be recorded, they will require to make a motion to that effect.

2.3 Where it is proposed that any witness will give evidence remotely (whether as part of a hybrid or virtual proof), parties will be expected to address the court on the appropriate means of recording the evidence when seeking a diet of proof. The interlocutor assigning a hybrid or virtual proof shall note the means by which the evidence is to be recorded. Parties will be expected to address the court on the means by which productions will be made available to any witness appearing remotely.

2.4 If upon a change of circumstances, after the proof has been assigned, a party wishes all or any part of the proof to be conducted by remote means or to arrange for a witness to give evidence by remote means, that party shall require to make a motion to that effect at least 28 days prior to the proof diet.

Part 3 - The use of digital recording

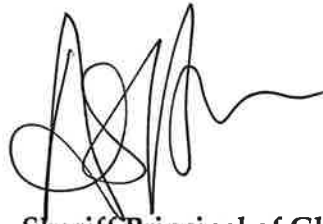
3.1 Prior to commencement of the proof, the clerk will ensure that the digital recording equipment and all microphones are in working order.

3.2 It is important that witnesses and practitioners speak directly into the microphones installed in the courtroom. Most of the microphones can be moved to a limited extent to allow users to position the microphone closer to them if required. However, court users should not move or interfere with the microphones and should not obscure the microphones with productions or other items as this may affect the quality of the recording. Practitioners will be expected to counsel witnesses on the use and purpose of the microphones prior to the proof.

3.3 All participants should speak audibly and clearly and insofar as possible, in the direction of the microphone. Practitioners and self-represented parties should use the lecterns to address the court and during examination in chief and cross-examination.

Part 4 - Ordering a transcript of evidence

4.1 A transcript of the record of the evidence shall be made only on the direction of the sheriff. Parties seeking a transcript shall require to apply by motion setting out the reasons why a transcript is sought. The terms of OCR 29.18(6) shall apply in relation to the liability for the cost of a transcript, unless the court otherwise directs.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

**Sheriff Principal of Glasgow & Strathkelvin
Glasgow, 11 July 2025**