

Scottish Courts and Tribunals Service



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Dear Mr McArthur

SCOTTISH PARLIAMENTARY QUESTIONS S5W-31032, S5W-31033, S5W-31034, and S5W-31035

The Cabinet Secretary in his response to the above PQ indicated that it related to operational matters within the responsibility of the Scottish Courts and Tribunals Service corporate body. I am now writing in response to the matter raised.

S5W-31032 asks: The Scottish Government what plans it has for expanding the use of virtual custody cases.

The virtual custody court was introduced to manage individuals with suspected COVID-19 symptoms.

The aim is to develop a national model for virtual custody courts for the majority of custodies, removing the need to transport individuals between police custody holding facilities and courts. A pilot will commence at Glasgow Sheriff Court on 25 August, involving all justice organisations and the legal professional. The pilot will be fully evaluated prior to any decision on national rollout.

S5W-31033 asks: To ask the Scottish Government what impact assessments it has conducted in relation to the use of virtual custody cases.

A full Equality Impact Assessment and risk assessment will be carried out as part of the Virtual Custody Court project, informing future decisions

S5W-31034 asks: To ask the Scottish Government what budget was allocated to investing in the technology required for virtual custody cases, and how that was spent.

Police Scotland were provided with funding of £156,512.52 to procure technology to support the Virtual Court system.

S5W-31035 asks: To ask the Scottish Government what its response is to reports that the technology used for virtual custody pilots may have resulted in European Convention on Human Rights breaches.

The virtual custody courts fully comply with ECHR.

Processes are in place to identify and prevent potential contraventions of EHCR, as a result of breakdowns in technology or appropriateness of virtual hearings for certain individuals. These will be robustly assessed and strengthened where necessary during the Glasgow pilot.

A copy of this letter will be placed in the Scottish Parliament Information Centre and published on the Scottish Courts and Tribunals Service website.

Yours sincerely



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