



## Coronavirus

### Order Refixing Diets No. 3 of 2021

#### in respect of

#### Justice of the Peace Court Criminal Business

1. In relation to the following categories of Justice of the Peace Court criminal business calling in the weeks specified in column A of the Schedule to this guidance (hereinafter referred to as “the Schedule”), certain diets have been fixed for days which are no longer suitable to the court, namely:

1. All cases calling in the diet courts;
2. All cases calling in the intermediate diet courts, except (i) those where an accused is remanded in custody in relation to the case calling; and (ii) those where a trial diet is fixed for a date on or after 1 March 2021;
3. All cases calling in the summary trials courts, except (i) those where an accused is remanded in custody in relation to the case calling; and (ii) part heard trials; and
4. All cases calling for sentence, except those where the accused is in custody in relation to the case calling.

2. This order does not apply to diets fixed for Monday 11 January 2021.

3. In accordance with section 137ZB of the Criminal Procedure (Scotland) Act 1995 (“the 1995 Act”), the court, of its own accord, hereby discharges each of the said diets fixed for the weeks specified in column A of the Schedule to this guidance and fixes new diets as follows:

1. In respect of all cases calling in the diet courts in the weeks specified in column A of the Schedule, a new diet will be fixed for the same day in the week specified in column B of the same row in the Schedule;
2. In respect of all cases calling in the intermediate diet courts (except (i) those where an accused is in custody in relation to the case calling; and (ii) those where a trial diet is fixed for a date on or after 1 March 2021) in a week specified in column A of the Schedule, a new intermediate diet will be fixed for the same day in the week set out in column D of the same row in the Schedule; and the trial diet will also be discharged and a new trial diet will be fixed for the same day in the week set out in column E of the same row in the Schedule;
3. In respect of all cases calling for trial in the summary trials courts (except (i) those where an accused is in custody in relation to the case calling; and (ii) part heard trials) in a week specified in column A of the Schedule, a new trial diet will be fixed for the same day in the week set out in column C of the same row in the Schedule;
4. In respect of all cases in which an accused person has a deferred sentence calling in the same court and on the same date as an intermediate diet or a trial diet (except (i) those where an accused is remanded in custody in relation to the case calling; and (ii) part heard trials), a new diet of deferred sentence will be fixed for the same day as the new intermediate diet or the new trial diet as the case may be.
5. Save for those cases falling within paragraph 3.4 above, in respect of all cases calling for sentence (except those where an accused is in custody in relation to the case calling) in a week specified in column A of the Schedule, a new diet will be fixed for the same day in the week set out in column F of the same row in the Schedule;
6. In respect of all cases calling for any matter other than trial (e.g. a special reasons proof ) in the summary trials courts (except those where an accused is in custody in relation to the case calling) in a week specified in column A of the Schedule, a new diet will be fixed for the same day in the week set out in column F of the same row in the Schedule; and

7. New diets in cases which would otherwise be continued to a date which is a court holiday in terms of section 8 of the 1995 Act, will be fixed for the date provided in the Note to the Schedule.

**Summary Sheriff Allan Findlay**

**11 January 2021**

## SCHEDULE

Column A	Column B	Column C	Column D	Column E	Column F
w/c 11/01/2021	w/c 31/05/2021	w/c 02/08/2021	w/c 23/08/2021	w/c 20/09/2021	w/c 08/03/2021
w/c 18/01/2021	w/c 07/06/2021	w/c 09/08/2021	w/c 30/08/2021	w/c 27/09/2021	w/c 15/03/2021
w/c 25/01/2021	w/c 14/06/2021	w/c 16/08/2021	w/c 06/09/2021	w/c 04/10/2021	w/c 22/03/2021
w/c 01/02/2021	w/c 21/06/2021	w/c 23/08/2021	w/c 13/09/2021	w/c 11/10/2021	w/c 29/03/2021
w/c 08/02/2021	w/c 28/06/2021	w/c 30/08/2021	w/c 20/09/2021	w/c 18/10/2021	w/c 05/04/2021
w/c 15/02/2021	w/c 05/07/2021	w/c 06/09/2021	w/c 27/09/2021	w/c 25/10/2021	w/c 12/04/2021
w/c 22/02/2021	w/c 12/07/2021	w/c 13/09/2021	w/c 04/10/2020	w/c 01/11/2021	w/c 19/04/2021

## NOTE

1. In terms of paragraph 3.7 above, the following court holidays are relevant for the purposes of this order:

- Friday 2 April 2021
- Monday 5 April 2021
- Monday 19 July 2021
- Monday 27 September 2021

2. All business which would otherwise have diets fixed for one of these dates in terms of this order is continued as follows:

(a) *Friday 2 April 2021*

All business which would otherwise have diets fixed for this date will be fixed for Thursday 1 April 2021.

*(b) Monday 5 April 2021*

All business which would otherwise have had diets fixed for this date will be fixed for Tuesday 6 April 2021.

*(c) Monday 19 July 2021*

All business which would otherwise have had diets fixed for this date will be fixed for Friday 16 July 2021.

*(d) Monday 27 September 2021*

All business which would otherwise have had diets fixed for this date will be fixed for Friday 24 September 2021.