



## **Coronavirus**

### **Order Refixing Diets No. 5 of 2021**

#### **in respect of**

#### **Justice of the Peace Court Criminal Business**

**[1 to 5 March 2021]**

1. In relation to the following categories of Justice of the Peace Court criminal business calling on the dates 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 those where an accused is remanded in custody in relation to the case calling;
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. 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 dates specified in column A of the Schedule and fixes new diets as follows:

1. In respect of all cases calling in the diet courts on the dates specified in column A of the Schedule, a new diet will be fixed for the date specified in column B of the same row in the Schedule;
2. In respect of all cases calling in the intermediate diet courts (except those where an accused is in custody in relation to the case calling) on a date specified in column A of the Schedule, a new intermediate diet will be fixed for the date set out in column C 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 date set out in column D of the same row in the Schedule;
3. In respect of all cases calling for trial in the summary trials courts (except those where an accused is in custody in relation to the case calling) on a date specified in column A of the Schedule, a new trial diet will be fixed for the date 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 those where an accused is remanded in custody in relation to the case calling), 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 2.4 above, in respect of all cases calling for sentence (except those where an accused is in custody in relation to the case calling) on a date specified in column A of the Schedule, a new diet will be fixed for the date set out in column E of the same row in the Schedule; and
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) on a date specified in column A of the Schedule, a new diet will be fixed for the date set out in column E of the same row in the Schedule.

**Summary Sheriff Allan Findlay**

**24 February 2021**

SCHEDULE

Column A	Column B	Column C	Column D	Column E
1 March 2021	-	25 October 2021	22 November 2021	26 April 2021
2 March 2021	17 August 2021	26 October 2021	23 November 2021	27 April 2021
3 March 2021	-	27 October 2021	24 November 2021	28 April 2021
4 March 2021	19 August 2021	28 October 2021	25 November 2021	29 April 2021
5 March 2021	-	29 October 2021	26 November 2021	30 April 2021