



PRESS RELEASE

FOR IMMEDIATE RELEASE

Criminal Court Restrictions Set to Ease From 19 April 2021

Since the Government's national lockdown restrictions were implemented in January, criminal courts have focussed on the most serious trials, with the majority of summary trials in the Sheriff Court and Justice of the Peace Court adjourned.

Having reviewed the COVID-19 transmission levels and the vaccine roll-out with senior public health officials in the Scottish Government, the Lord President has announced that while there is a need for the current restrictions to continue in the short term, there can be a cautious and incremental easing of the current criminal court restrictions:

- From 19 April 2021, Sheriff Court cited cases will re-start and summary trial courts will return to their pre-January lockdown loadings of three trials programmed with two backup case cases with witnesses on standby.
- From 7 June 2021, Justice of the Peace Courts will re-start all business

The following guidance sets out in more detail the arrangements which will apply as the restrictions are eased. We will keep these arrangements under review in line with any changes to the public health measures.

- [Guidance for Supreme Court Users](#)
- [Guidance for Sheriff Court and Justice of the Peace Court Users](#)

All criminal jury trials in the High Court and Sheriff Court will continue as planned. All new custody cases and summary custody trials in the Sheriff courts and Justice of the Peace courts will continue to be heard. All intermediate diets, priority trials and remand hearings in the Sheriff Court will continue.

All High Court criminal and civil appeals and the Sheriff Appeal Court, the Bail Appeal Court, Office of the Public Guardian and Tribunals will continue to operate virtually and remotely, as they have been doing throughout the pandemic.

Similarly, the vast majority of civil business in the Court of Session, Scottish Land Court and Sheriff Court will continue to be conducted remotely. This includes the All Scotland Sheriff Personal Injury Court (ASSPIC).

The Scottish Courts and Tribunals Service follows very clear guidance from Public Health Scotland on the measures that are required to minimise the potential transmission of the virus and on how the courts can continue to operate safely. All our court buildings and court rooms adhere strictly to that guidance. The clinical advice remains that, by following the FACTS guidance, the working environment is as safe as possible.

Witnesses and jurors

Witnesses cited to attend the Sheriff Court for a summary criminal trial **before** Monday 19 April, **should not attend** unless they are contacted directly by the [Crown Office and Procurator Fiscal Service \(COPFS\)](#) or the **solicitor acting for the accused**.

Witnesses cited to attend the Sheriff Court for a summary criminal trial **after** Monday the 19 April **should attend** as per their citation unless otherwise directed by the [Crown Office and Procurator Fiscal Service \(COPFS\)](#) or the **solicitor acting for the accused**.

[Jurors](#) and [witnesses](#) cited to appear for a High Court or Sheriff Court Solemn trial (this means jurors attending a remote jury centre) **should continue to do so**. These facilities have been specifically designed to provide a safe environment for jurors during the pandemic – and support the administration of justice in relation to the most serious criminal cases.

Face coverings

In those cases that continue to be heard in person at this time, physical distancing can, and must, be maintained at all times. Face coverings must be worn at all times whilst moving around SCTS buildings, unless the person has an exemption. In recognition of the fact that a number of individuals may need to be present in a courtroom, the Lord President has instructed the requirement for face coverings to be worn while in court rooms, as an additional measure – over and above the need to fully observe the FACTS advice – [full face covering guidance in court is available here](#).

Client consultation

Minimising face-to-face meetings within court buildings reduces the risk of transmission. Where possible, consultations should take place outwith the court estate. However, it is acknowledged there may be occasions where it is not possible

to consult or take instructions on a particular matter in advance of the day of a court hearing.

Where client instruction or consultation is required during a court hearing, an adjournment can be sought. Where it is required prior to a court hearing, we will do our best during this period to facilitate local arrangements, using currently unoccupied accommodation.

Safety remains our top priority

Throughout the pandemic, we have been guided by Public Health advice and have ensured that our facilities meet the standards required for non-healthcare settings allowed to operate at this time. Those visiting our buildings in the coming days will notice refreshed signage that has been installed to help remind everyone of the need to observe the arrangements in place. A safe working environment is a combination of the facilities and the way in which everyone uses them. SCTS is relying on everyone to redouble their efforts to help keep everyone safe

[Please read the detailed guidance for court and tribunal users during coronavirus.](#)

As we plan to ease our way out of the restrictions, SCTS would like to thank all court users, judiciary and staff for their continuing compliance at this exceptional time. Together we can support justice – safely.

Ends

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