

## **UPDATED GUIDANCE FOR SUPREME COURT USERS IN RELATION TO PRELIMINARY HEARINGS**

This guidance has been prepared in consultation with the Lord President and the Lord Justice Clerk.

Following a joint request from the Crown and the Defence in respect of the operating arrangements in the Preliminary Hearings court of the High Court of Justiciary, the following measures will be applicable from 30 May 2022 until further notice.

### **The High Court of Justiciary**

#### **Preliminary and continued preliminary hearings**

##### **Virtual hearings**

Preliminary hearings will revert to a presumption of being heard virtually, however it will be open to parties to seek leave of the court to appear in person, in advance of the hearing if considered appropriate and in the interests of expediency. All Preliminary and continued preliminary hearings will call on the dates assigned unless adjourned administratively. **In person hearings**

The attendance of the accused whether in custody or on bail is expected, unless their attendance has been excused by the court in terms of section 72D of the Criminal Procedure (Scotland) Act 1995. An accused person who is in custody may participate by live link as above.

##### **Public access**

Members of the public will be permitted access to the courtroom that an in-person hearing is taking place in unless proceedings are being held in camera.

May 2022