



SHERIFFDOM OF LOTHIAN AND BORDERS

EDINBURGH SHERIFF COURT

PRACTICE NOTE NO 2 OF 2016

DIGITAL RECORDING OF PROCEEDINGS

AND SOUND ENHANCEMENT SYSTEMS

GUIDANCE FOR SHERIFFS AND PRACTITIONERS

I, MHAIRI MARGARET STEPHEN, QC, Sheriff Principal of Lothian and Borders in pursuance of the powers conferred by section 27(2) of the Courts Reform (Scotland) Act 2014, hereby direct as follows:-

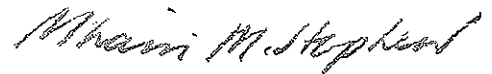
1. This practice note has effect from 20 June 2016.
2. The purpose of this practice note is to provide guidance to sheriffs, practitioners and other court users on the proper use of the equipment installed in the courtrooms at Edinburgh Sheriff Court to support digital recording of proceedings, and (where installed) sound enhancement and hearing impaired systems.

Approval of digital recording equipment

3. The digital recording equipment installed at Edinburgh Sheriff Court (including the Sheriff Personal Injury Court) is approved by the court for the purposes of rules 29.18 and 36B.11 of the Ordinary Cause Rules. It will therefore be available for the recording of evidence in a proof or jury trial without the need to seek the prior approval of the court and without the need to ascertain the availability of a shorthand writer.

Operation of digital recording and sound enhancement equipment

4. The digital recording and sound enhancement systems are designed to facilitate the administration of justice by improving the quality of recording and of audibility in court.
5. Where there is no requirement to record proceedings, the sound enhancement and hearing impaired systems (where installed) will still be in operation.
6. On occasion, practitioners engage in private conversations at the court well table. It is important that practitioners and other court users are aware that even softly spoken conversations in the vicinity of microphones are likely to be picked up by either of the recording or sound enhancement systems.
7. It is important that court users remain in close proximity to a microphone when addressing the court. Most of the microphones installed in the courtrooms can be moved to a certain extent, but apart from this, practitioners and other court users should not move or interfere with the microphones or obscure them with books or file binders, as this is likely to adversely affect the recording of court proceedings.
8. All court users should speak audibly, clearly and insofar as it is practicable, in the direction of the microphones to ensure that all parties can hear proceedings and to facilitate clarity of recording.
9. If a transcript is required under OCR 29.18(11) or 36B.11(8), details of available transcribers can be provided by the sheriff clerk.



Sheriff Principal Mhairi M Stephen
Sheriff Principal of Lothian and Borders
Edinburgh, 17 June 2016