

HIGH COURT OF JUSTICIARY

PRACTICE NOTE

No. 1 of 2016

Hearing of appeals against sentence through live television link

Section 80 of the Criminal Justice (Scotland) Act 2003 permits arrangements to be made by the court for certain hearings to take place with the participation of the accused through live television link. From 16 May 2016 applications by the Prosecutor for such arrangements in respect of appeals against sentence will be made and intimated using the attached forms. In the absence of objection from the accused, they will be determined in chambers.

CJM SUTHERLAND

Lord Justice General

27 April 2016

*Application under section 80 of the Criminal Justice (Scotland) Act
2003*

In the High Court of Justiciary

AT EDINBURGH

APPLICATION OF HER MAJESTYS ADVOCATE
UNDER SECTION 80 OF THE CRIMINAL JUSTICE (SCOTLAND) ACT 2003 (hearing
by live television link)

IN THE APPEAL AGAINST SENTENCE

by

(INSERT NAME OF APPELLANT)

against

HER MAJESTY'S ADVOCATE

The applicant applies to the court for arrangements to be made under section 80 of the Criminal Justice (Scotland) Act 2003 whereby any due participation of the appellant at the sentence appeal hearing fixed for *(date)* is through a live television link from the prison where the appellant is imprisoned.

(Signed)

Prosecutor

(Date)

Execution of service of notice attached

Edinburgh *(date)*

There being no objection taken by or on behalf of the accused, the court Grants the application as craved

[or]

Refuses the application for the following reasons *(state reasons)* and directs that the appellant be brought to court for the hearing of the appeal

*Notice of an application under section 80 of the Criminal Justice (Scotland) Act
2003*

In the High Court of Justiciary

AT EDINBURGH

NOTICE OF APPLICATION BY HER MAJESTYS ADVOCATE
UNDER SECTION 80 OF THE CRIMINAL JUSTICE (SCOTLAND) ACT 2003 (hearing
by live television link)

IN THE APPEAL AGAINST SENTENCE

by

(INSERT NAME OF APPELLANT)

against

HER MAJESTY'S ADVOCATE

TAKE NOTICE

1. That Her Majesty's Advocate intends to make an application to the court for the purposes of section 80 of the Criminal Justice (Scotland) act 2003 whereby any due participation of the appellant at the sentence appeal hearing fixed for (*date*) is through a live television link from the prison where the appellant is imprisoned.

2 That if you wish to object to this application on behalf of the appellant you must complete and return this form to Justiciary Office, 11 Parliament Square, Edinburgh, EH1 1RQ within seven days of receipt of this notice, and if no objection is taken, the court may grant the application in chambers without hearing parties.

Served on (*date*) by me by (*state method of service*)

(*Signed*)

Prosecutor

On behalf of the appellant I object to the foregoing application for the following reasons

(*Signed*)

Agent for the appellant