

HIGH COURT OF JUSTICIARY

PRACTICE NOTE

No. 2 of 2014

Availability of written judgments of the Criminal Appeal Court

1. This Practice Note applies to written judgments of the Criminal Appeal Court which are to be issued following *avizandum*. It comes into effect on 13 October 2014.
2. Where it appears to the court that a particular judgment does not give rise to procedural issues upon which parties may require to be heard, the judgment may be issued in writing without the need for an advising hearing.
3. Judgments which do not fall within paragraph 2 of this Practice Note may, at the discretion of the court, be made available to the Crown and to legal representatives of the appellant in advance of a formal advising hearing. This will allow for consideration of the outcome of the appeal, and the resultant need for any motion(s) to be made, in advance of the hearing. Where it applies, the practice is intended to encourage early preparation and more efficient use of court time.
4. Unless the court otherwise directs, judgments to which paragraph 3 applies will be made available at Justiciary Office to the Crown and to legal representatives of the appellant 2 working days before the date which has been fixed for advising. This is strictly on the condition that the contents of the judgment are not disclosed to the appellant until the advising itself. The contents of the judgment are subject to strict embargo and are not to be disclosed to any other party until after the advising has taken place. Where a

judgement is issued in accordance with this paragraph, a signature acknowledging and accepting the terms of the embargo will be required from the receiving party.

5. In the case of any typographical error or minor inaccuracies in the judgment, parties may inform Justiciary Office by email for Summary Appeals to summaryappeals@scotcourts.gov.uk and by email for Solemn Appeals to solemnappeals@scotcourts.gov.uk not later than noon on the day before the advising hearing. The purpose of this is not to allow the case to be reargued; comments should be confined to such apparent errors or minor inaccuracies as are identified.

Lord Justice General

Edinburgh

9 October 2014