

# Scottish Courts and Tribunals Service



Andy Wightman MSP  
The Scottish Parliament  
Edinburgh  
EH99 1SP

Chief Executive's Office  
Parliament House  
Parliament Square  
Edinburgh  
EH1 1RQ  
DX 549306  
LP1 Edinburgh 10

5 March 2020

Dear Mr Wightman

## SCOTTISH PARLIAMENTARY QUESTION S5W-27372 and S5W-27373

The Cabinet Secretary in his response to the above PQs indicated that they relate to operational matters within the responsibility of the Scottish Courts and Tribunals Service corporate body. I am now writing in response to the matter raised.

**S5W-27372** asks: To ask the Scottish Government how many times a court has been closed to the public in the last five years, apart from those occasions where rules specifically require a court to sit in private, and for what reason.

There are a number of provisions which give the judge or sheriff a discretionary power to direct that the court sits in private to hear a particular case. The SCTS does not record such decisions on its case management systems as these systems have been structured for operational needs rather than statistical or research purposes. The only way to identify those cases where this has happened and what the circumstances or reasons were, would be to manually trawl through the minutes of every court case.

**S5W-27373** asks: To ask the Scottish Government how many discretionary reporting restrictions, which are not mandated by statute, have been placed on criminal proceedings in courts in the last five years.

In cases where reporting restrictions are not mandated by statute, the decision to put reporting restrictions in place is made at the discretion of the judge or sheriff. Cases where reporting restrictions have been in place over the past five years can be found at the following link:-

<http://www.scotcourts.gov.uk/current-business/court-notices/contempt-of-court-orders>

A copy of this letter will be placed in the Scottish Parliament Information Centre and published on the Scottish Courts and Tribunals Service website.

Yours sincerely

Eric McQueen  
Chief Executive  
0131 444 3301  
[emcqueen@scotcourts.gov.uk](mailto:emcqueen@scotcourts.gov.uk)