

# COURTS REFORM (SCOTLAND) ACT 2014

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## EXPLANATORY NOTES

### THE ACT

#### Part 6 – Criminal Appeals

##### Appeals from summary criminal proceedings

##### *Section 118 - Appeals to the Sheriff Appeal Court from summary criminal proceedings*

230. **Section 118(1)** transfers the existing powers and jurisdiction of the High Court of Justiciary relating to appeals from courts of summary criminal jurisdiction to the Sheriff Appeal Court. “Courts of summary criminal jurisdiction” are the justice of the peace court (as established by section 59 of the Criminal Proceedings etc (Reform) (Scotland) Act 2007) and the sheriff sitting (without jury) as a summary criminal court. The powers and jurisdiction transferred include those in relation to the hearing and disposal of appeals against conviction and sentence under section 175 of the Criminal Procedure (Scotland) Act 1995 and in relation to bills of suspension and bills of advocacy (for which provision is made in section 191 of that Act). Subsection (2) provides that subsection (1) does not apply to the *nobile officium* of the High Court: that is, to its inherent jurisdiction to grant, in extraordinary or unforeseen circumstances in which no other remedy is provided for by law, such orders as may be necessary for the purposes of preventing injustice or oppression. Subsection (3) gives effect to schedule 3, which modifies Part X (appeals from summary proceedings) of the 1995 Act in consequence of the transfer of jurisdiction effected by subsection (1).