



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART IX

SUMMARY PROCEEDINGS

General

[^{F1}137CC] **Custody cases: initiating JP court proceedings outwith sheriffdom**

- (1) Subsection (2) applies where the prosecutor believes—
 - (a) that, because of exceptional circumstances (and without an order under subsection (3)), it is likely that there would be an unusually high number of accused persons appearing from custody for the first calling of cases in summary prosecutions in the JP courts in the sheriffdom, and
 - (b) that it would not be practicable for those courts to deal with all the cases involved.
- (2) The prosecutor may apply to the sheriff principal for an order authorising summary proceedings against some or all of the accused persons to be—
 - (a) taken at a JP court in another sheriffdom, and
 - (b) maintained—
 - (i) at that JP court, or
 - (ii) at any of the JP courts referred to in subsection (1) as may at the first calling of the case be appointed for further proceedings.
- (3) On an application under subsection (2), the sheriff principal may make the order sought with the consent of the sheriff principal of the other sheriffdom.
- (4) An order under subsection (3) may be made by reference to a particular period or particular circumstances.]

Status: Point in time view as at 30/01/2012.

Changes to legislation: *Criminal Procedure (Scotland) Act 1995, Section 137CC is up to date with all changes known to be in force on or before 21 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Textual Amendments

- F1** Ss. 137CA-137CC inserted (28.3.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#) , [ss. 61](#) , 206(1) ; [S.S.I. 2011/178](#) , art. 2 , sch.

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