

# Business Awareness – Update on court system

We shared, at the beginning of this month, a note on how the Covid-19 outbreak had impacted the court system in Scotland and how the courts were adapting. Non-urgent business had been suspended.

The Scottish Courts and Tribunals Service has now announced that it will be recommencing certain categories of civil business in the sheriff courts, in addition to the urgent and essential cases, where such business can be carried out remotely and earlier resolution would be beneficial.

This guidance is effective from 1 May 2020 and sets out the plans to allow certain categories of sheriff court business to be advanced, as follows:-

- Ordinary, family and commercial actions; adults with incapacity applications; and corporate insolvency proceedings (that were put on hold by the court in March when restrictions came into place). The court does need to be persuaded however, that there is good reason why these cases should be restarted. Furthermore, this only relates to cases which can be progressed remotely and without the need for leading evidence from witnesses ; and
- Commissary. This department deals with the granting of confirmation and matters relating to wills and estates.

Eric McQueen, SCTS Chief Executive said: "This is not a return to business as usual but the first step towards the resumption of civil business in the sheriff courts. We need everyone to act responsibly and proportionately in bringing cases forward for consideration, to ensure that volumes can be managed."

The Court of Session (Scotland's supreme civil court) continues to sit with priority being given to essential civil business.

This is positive news and a step in the right direction for all who are having to deal with any third parties who have been taking advantage recently of the lack of access to justice. As always, we are here to help SGBs dealing with any tensions or disputes with suppliers or 3rd parties, to advise on appropriate steps, with the aim of reaching an early resolution.

## Get in touch

SGBs can access the **sportscotland** legal expert resource helpline by email at [sportscotlandinfo@harpermacleod.co.uk](mailto:sportscotlandinfo@harpermacleod.co.uk) or by calling 0141 227 9333.