



Judicial Recusals 2014

DATE	COURT & TYPE OF ACTION	JUDGE	CASE NAME & REF	MOTION BY & REASON
24/03/2014	Livingston Sheriff Court (Civil)	Sheriff Edington	A v B*	Defender; Sheriff drew to the parties' attention a possible difficulty, namely the wife of one of the other resident Sheriffs was the author of a report contained with the process. The Sheriff asked parties if they wished him to recuse himself. The defenders, having considered the issue, made a motion for the Sheriff to recuse himself, which he then did.
08/04/2014	Forfar Sheriff Court (Criminal)	Sheriff Veal	PF v Richard Hughes SCS/2013/148273	Ex proprio motu**; Sheriff personally known to a witness
10/04/2014	Selkirk Sheriff Court (Civil)	Sheriff Paterson	MacDonald v Dickson PBL A11/13	Ex proprio motu; Sheriff had acted for a client in a previous dispute against the Pursuer

23/04/2014	High Court of Justiciary (Appeal)	Lady Wise	Barry Hughes v Her Majesty's Advocate HCA/2014-001480-XC	Ex proprio motu; Senator had previously acted for a relative of accused
16/04/2014	Glasgow Sheriff Court (Criminal)	Sheriff Cathcart	HMA v Michael J J Houston GLW 2013/013251; GLW2013/015913; GLW 2014/003566	Ex proprio motu; Sheriff personally known to the a witness
13/04/2014	Haddington Sheriff Court (Civil)	Sheriff Braid	C v D*	Ex proprio motu; Sheriff known to pursuer's family
14/05/2014	High Court of Justiciary (Criminal)	Temporary Judge MacIver	Mateusz Zborowski v Procurator Fiscal, Edinburgh HCA/2014-002089/XT	Ex proprio motu; Conflict of interest
20/05/2014	Court of Session (Civil)	Lord Matthews	E v F*	Ex proprio motu; Senator personally known to a witness
19/06/2014	Dingwall Sheriff Court (Criminal)	Sheriff N McPartlin	PF v Carl J Wheatley SCS/2013-110134	Ex proprio motu; Sheriff presided over a trial involving the accused, where the issue to which the instant case relates was spoken to by a witness

20/06/2014	Elgin Sheriff Court (Criminal)	Sheriff Raeburn QC	PF Elgin v Alistair Simpson SCS/2014-011055	Ex proprio motu; Accused appeared before the Sheriff as a witness in a recent trial relating to the same incident.
24/06/2014	Glasgow Sheriff Court (Criminal)	Sheriff P V Crozier	HMA v Paul Daniels GLW 2014 - 007144	Ex proprio motu; Sheriff personally known to proprietor of premises libelled in the charge.
26/06/2014	Court of Session (Civil)	Lord Gill	Belhaven Brewery v Assessor for Ayrshire XA 72/14	Ex proprio motu; Relative of Senator acts for the respondent
27/08/2014	Court of Session (Civil)	Lord Brailsford	G v H*	Ex proprio motu; Senator personally known to husband of the pursuer
28/08/2014	Oban Sheriff Court (Civil)	Sheriff W D Small	Etonella Christlieb A22/14 & A23/14	Ex proprio motu; Sheriff personally known to a party.
28/08/2014	Oban Sheriff Court (Criminal)	Sheriff W D Small	PF v Etonella Christlieb OBN2014-000138	Ex proprio motu; Personally known to a party of the action

22/10/2014	Aberdeen Sheriff Court (Criminal)	Sheriff Cowan	PF v George Mutch SCS/2013/-110352	Defender; Sheriff drew to parties' attention that she was a member of the RSPB before commencement of a trial as the case involved an investigation carried out by the RSPB and many witnesses were RSPB officers. She invited parties to consider whether she should take the trial. The defenders, having considered the issue, made a motion for the Sheriff to recuse herself, which she then did.
08/12/2014	Alloa Sheriff Court (Civil)	Sheriff D Mackie	I v J*	Ex proprio motu; Contemporaneous and overlapping proceedings comprising an appeal and a referral from the children's hearing relating to children from the same family.
16/12/2014	Court of Session (Civil)	Lady Clark of Calton	Petition: Thomas Orr & another for Order Under Companies Act P1769/08	Ex proprio motu; Senator personally known to parties of the action.

*Parties anonymised due to sensitive nature of case

**Of the judge's own accord