

# 2021

Date	JOH & Court/Chamber	Case Name/Reference	Motion By	Refused /Granted	Reason
08/02/2022	Sheriff Iain Cruickshank - Inverness Sheriff Court	Finalyson & Finlayson v Munro INV-A6-22	Ex Proprio Motu	Granted	<p>This case called before Sheriff Cruickshanks at a hearing after service to consider the continuation of interim orders. There is an ongoing appeal before the SAC at the instance of the defender in this case as the appellant. Sheriff Cruickshanks forwarded a supplementary note to the SAC, which may impact on the credibility of an affidavit before the SAC by the appellant. Given the above, Sheriff Cruickshanks considered it was inappropriate for him to consider interim orders or be further involved in this case given that this case, and the case</p>

					on appeal have close connections.
22/01/2022	Summary Sheriff Matthew Auchincloss - Edinburgh Sheriff Court	EDI-SG455-21	Claimant John McKechnie	Refused	The claimant made a motion asking the Sheriff to recuse himself on the basis he was acquainted with the Respondent's previous lay representative Mr Gough, who was in attendance in a supporting role. The Sheriff refused the motion on the basis that Mr Gough was not representing the Respondent and there was no conflict of interest.
07/01/2022	Lord Woolman - Inner House, Court of Session	P1259/18: William Frederick Ian Beggs v- The Scottish Legal Aid Board and The Scottish Information Commissioner	Agents for the Petitioner	Granted	Lord Woolman dealt with, as an Outer House Judge, a previous iteration of this case where the petitioner challenged SLAB's refusal of legal aid ([2018] CSOH 13; The Petition was refused by Lord

					Woolman in that case.&nbsp;   Lord Woolman is of the view that a bystander might reasonably consider his Lordship has already made up his mind, or at least may be prejudiced in one direction, having already decided a different version of the same issue after a substantive hearing.
21/12/2021	Duncan Cartwright - MHTS	MHTS/3/21/12/08063/S050	Granted	Granted	Conflict – Sensitive.
14/12/2021	Sheriff Harris - Alloa Sheriff Court	AL20001083	Ex Proprio Motu	Granted	Sheriff previously heard a civil proof involving the same allegations, accused and complainer. Sheriff deemed it inappropriate as they had been privy to information through the civil case that may not be presented to the court during the criminal trial.

26/11/2021	Sheriff Robert McDonald - Kirkwall Sheriff Court	PF v John Hamilton	Ex Proprio Moto	Granted	The Sheriff heard evidence in a trial on 24/11/2021 where the accused in this case John Hamilton was appearing witness. Having heard the nature of evidence from the witness, John Hamilton on 24/11/2021, the Sheriff found it necessary to recuse himself in respect of the trial on 25/11/2021 where John Hamilton is the accused.
18/11/2021	Duncan Cartwright - MHTS	MHTS/2/21/10/06006/S1012b	Member	Granted	Conflict.
17/11/2021	Tom Russ - MHTS	MHTS/3/21/11/07008/S063	Ex Proprio Motu	Granted	Potential Conflict of Interest, since the Tribunal Member provides emergency cover to the hospital on the out of hours on call rota.
27/10/2021	Sheriff Andrew Berry - Wick	WCK-A16-20	Ex Proprio Motu	Granted	Practising solicitor having appeared before the Sheriff - likely to be questioned as

					a witness during the duration of the proof.
05/10/2021	SHERIFF ANDREW BERRY - Wick	WCK-A11-18	Of member's own accord	Granted	The sheriff has recused himself from dealing with the proof given that there may be questions during said proof regarding credibility of solicitors/former solicitors who are in court every other day.
19/09/2021	Sheriff Martin-Brown - Forfar Sheriff Court	FFR-B105-21 Allan Simpson v John Clenaghan	Lay Representative	Refused	The Sheriff was asked to recuse herself because of previous decisions made in respect of: (i) a criminal matter; and (ii) a civil matter.
19/09/2021	Sheriff Martin-Brown - Forfar	FFR-B104-21 Katie McKenzie v John Clenaghan	Katie McKenzie	Refused	The Sheriff was asked to recuse herself because of previous decisions made in respect of: (i) a criminal matter; and (ii) a civil matter.
18/08/2021	Sheriff Fleetwood - Elgin Sheriff Court	W. Beaton v W. Hendry ELG-A29-19	Ex Proprio Motu	Granted	The Sheriff has had previous dealings with

					witnesses of both parties.
15/07/2021	Marella O'Neill, Justice of the Peace - Kilmarnock Sheriff Court and Justice of the Peace Court	Ewan Paterson SCS/2020-061786	Ex Proprio Motu	Granted	Reporting Officer and main witness were friends to the Justice of the Peace. Case adjourned to another date before any evidence heard, or witnesses sworn in.
20/06/2021	Lady Stacey - High Court in Glasgow	HMA v Scott Reid - IND 2021-1284	Of member's own accord	Granted	Lady Stacey wished to recusal herself in these proceedings due to the accused and his family being known to her and living within close proximity of her home address.
12/04/2021	Joel Conn - Housing and Property Chamber - Case Management Discussion	FTS/HPC/EV/21/0355 - FTS/HPC/CV/21/0356	Of Member's own accord	Granted	The Member's private practice represents a company which shares a director and shareholder of Ecosse Estates Ltd. The director was present as an observer at this Case Management Discussion.
06/04/2021	Elaine Munro - Housing and	EV/21/0273 - CV/21/0278	Of Member's own accord	Granted	Member has a conflict of interest as she

	Property Chamber				has a relationship with a party.
06/04/2021	Andrew Cowan - Housing and Property Chamber	CV/21/0492	Of member's own accord	Granted	Member is unable to take this case as his firm has previously acted for the Applicant's representative.