



NEWS RELEASE

The Scottish Criminal Cases Review Commission (“the Commission”) has referred the case of Ly Quang Huynh (“the applicant”) to the High Court of Justiciary for determination.

In March 2023 the applicant pled guilty to two charges of concern in the supply of class A drugs. The court imposed a cumulo (combined) sentence of six years and three months’ imprisonment.

The Commission has referred the applicant’s sentence to the High Court of Justiciary. It appears to the Commission that the sentencing judge misapplied English and Welsh sentencing guidelines applicable to misuse of drugs charges. The Commission considers that the sentence that the judge imposed was excessive.

In accordance with the Commission’s statutory obligations, a statement of reasons for its decision has been sent to the applicant, the High Court, the Lord Advocate and Crown Office. The Commission has no power under its founding statute to make copies of its statements of reasons available to the public. This news release is for information purposes only and its content should not be treated as forming part of the Commission’s statement of reasons

Notes for Editors

The Scottish Criminal Cases Review Commission was established as an independent body on 1 April 1999 to review alleged miscarriages of justice in Scottish convictions and/or sentences. Under section 194 A–T of the Criminal Procedure (Scotland) Act 1995, the Commission may refer a case to the High Court if it believes that a miscarriage of justice may have occurred and that it is in the interests of justice that a reference should be made. Once a case is referred to the High Court by the Commission, it will proceed as a normal appeal.

The Commission operates with a Board of 8 Members, one of whom is the Chairperson, a Chief Executive, a Director of Corporate Services, 2 Senior Legal Officers, 3 Legal Officers and administrative support staff.

In terms of its disclosure policy, the Commission will disclose the fact that a case has been referred. However, as it operates under statutory non-disclosure provisions, the Commission will not disclose any further information about such cases.

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