

## NEWS RELEASE

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

On 3 March 1998, at Glasgow High Court, the applicant was convicted of assault to severe injury and breach of the peace. A hospital order with a restriction on discharge (“the order”) was subsequently imposed. This order has now converted to a compulsion order with restriction order.

The applicant applied to the Commission in 2023. His application was based on information pertaining to his mental health in the period since the order was imposed, including opinion provided by forensic psychiatrists. The Commission obtained further expert reports.

Based on the information before it, the Commission considers that there is fresh evidence in this case and that a miscarriage of justice may have occurred in connection with the imposition of the order.

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, 5 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.

For any further general information about the Commission please contact:

Mr Chris Reddick,  
Director of Corporate Services,  
SCCRC,  
4th Floor,  
Portland House,  
17 Renfield Street,  
Glasgow,  
G2 5AH

Tel: 0141 270 7030,

e-mail: [info@sccrc.org.uk](mailto:info@sccrc.org.uk) or visit the Commission's website at [www.sccrc.co.uk](http://www.sccrc.co.uk).