



NEWS RELEASE

The Scottish Criminal Cases Review Commission (“the Commission”) has referred the sentence of Dillin Armstrong (“the applicant”) to the High Court of Justiciary.

On 26 August 2019, after a trial at the High Court in Edinburgh, the jury found the applicant and three co-accused guilty of the attempted murder of a young man. The jury found a fifth accused not guilty of attempted murder but guilty of assault to injury.

The applicant received an extended sentence of 13 years, comprising a ten-year custodial term and a three-year extension period.

On 3 May 2019, at the High Court in Glasgow, another individual had pled guilty to the charge of attempting to murder the young man.

All five of the applicant’s co-offenders had their sentences quashed on appeal and reduced sentences substituted in their place.

The Commission concluded that the principle of comparative justice was breached in this case. The Commission was satisfied that, had the applicant’s appeal been heard alongside the appeals of his co-offenders, the applicant’s sentence would have been reduced to some extent, to reflect the reduced sentences that his co-offenders received on appeal.

Accordingly, the Commission believes there may have been a miscarriage of justice in the applicant’s sentence. The Commission also believes it is in the interests of justice that the case be referred to the High Court for determination.

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 release is for information purposes only and the content of this news release 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, a Head of Casework, 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 operated under statutory non-disclosure provisions, the Commission will not disclose any further information about such cases.

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