



## NEWS RELEASE

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

On 25 October 2020, the applicant pled guilty to a contravention of section 5(1)(a) of the Road Traffic Act 1988 (drink driving).

A community payback order for 2 years was imposed and the applicant disqualified from driving for 30 months.

The Commission concluded that there had been a failure to discount the length of the community payback order. There had been also a failure to offer the applicant the opportunity to attend a drink driving rehabilitation course which might reduce the length of the disqualification period which was itself, at least, at the upper end of the scale.

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, 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.

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