

These notes relate to the Criminal Procedure (Legal Assistance, Detention and Appeals) (Scotland) Act 2010 (asp 15) which received Royal Assent on 29 October 2010

CRIMINAL PROCEDURE (LEGAL ASSISTANCE, DETENTION AND APPEALS) (SCOTLAND) ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Appeals

Section 7 References by the Scottish Criminal Cases Review Commission

30. Subsection (3) amends section 194C of the 1995 Act to introduce a new subsection (2) which requires the Scottish Criminal Cases Review Commission to have regard to the need for finality and certainty in the determination of criminal proceedings when considering whether it is in the interests of justice to make a reference to the High Court.
31. Subsection (4) inserts section 194DA to the 1995 Act which provides that the High Court may reject a reference from the Commission if it considers that it is not in the interests of justice that any appeal arising from the reference should proceed.