



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

[^{F1}PART XA

SCOTTISH CRIMINAL CASES REVIEW COMMISSION

References to High Court

VALID FROM 30/10/2010

[^{F1} High Court's power to reject a reference made by the Commission

[^{F2}194DA

- (1) Where the Commission has referred a case to the High Court under section 194B of this Act, the High Court may, despite section 194B(1), reject the reference if the Court considers that it is not in the interests of justice that any appeal arising from the reference should proceed.
- (2) In determining whether or not it is in the interests of justice that any appeal arising from the reference should proceed, the High Court must have regard to the need for finality and certainty in the determination of criminal proceedings.
- (3) On rejecting a reference under this section, the High Court may make such order as it considers necessary or appropriate.]]

Textual Amendments

- F1** Pt. XA (ss. 194A-194L) inserted (1.1.1998 for the purpose of inserting ss. 194A, 194E and 194G, otherwise 1.4.1999) by 1997 c. 48, s. 25(1); S.I. 1997/3004, art. 2, Sch.; S.I. 1999/652, art. 2, Sch. (subject to art. 3)
- F2** S. 194DA inserted (30.10.2010) by Criminal Procedure (Legal Assistance, Detention and Appeals) (Scotland) Act 2010 (asp 15), ss. 7(4), 9

Status:

Point in time view as at 10/03/2008. This version of this provision is not valid for this point in time.

Changes to legislation:

Criminal Procedure (Scotland) Act 1995, Section 194DA is up to date with all changes known to be in force on or before 11 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.