



NEWS RELEASE

The Scottish Criminal Cases Review Commission ('the Commission') has today referred the case of Richard Langley Russell to the High Court of Justiciary.

In accordance with the Commission's statutory obligations, a statement of reasons for its decision has been sent to the High Court, Mr Russell, and Crown Office. The Commission has no power under its founding statute to make copies of its statements of reasons available to the public.

On 22 February 2008, at Glasgow Sheriff Court, Mr Russell was convicted of a single charge of breach of the peace. The charge disclosed two separate incidents. The first involved Mr Russell sending an apparently threatening letter to a female teacher. In the second incident, which took place approximately one month after the first, Mr Russell refused to absent himself from a school playground when requested to do so by the same teacher.

The court imposed a £350 fine and a non-harassment order.

The Commission has decided to refer following the clarification of the law of breach of the peace in the recent case of *Harris v HMA*. The Commission believes that neither incident discloses behaviour that may properly be categorized as breach of the peace.

This release is for information purposes only. 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 to L of the Criminal Procedure (Scotland) Act 1995 (as inserted by section 25 of the Crime and Punishment (Scotland) Act 1997) the Commission can 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 eight Members, one of whom is the Chairman, a Chief Executive, a Director of Corporate Services, two Senior Legal Officers, five Legal Officers and administrative support staff.

The Commission has reviewed its policy on disclosure and, from 1 April 2003, will disclose the fact that a case has been referred. However, as the Commission operates under strict statutory non-disclosure provisions, it is not possible for the Commission to disclose any further information about such cases. The Commission will not release any information regarding cases in which no referral has been made or in respect of cases under review.

For any further general information about the Commission please contact Mr Chris Reddick, Director of Corporate Services, SCCRC, 5th Floor, Portland House, 17 Renfield Street, Glasgow, Tel: 0141 270 7030, e-mail: creddick@sccrc.org.uk or visit the Commission's website at www.sccrc.org.uk