

**JUDICIAL REVIEW – DECISION ISSUED BY LORD EMSLIE
19 JULY 2006**

During 2005-06, the Commission dealt with the first application for a judicial review of one of its decisions, in the applications of 3 co-accused, David Pugh, Kevin James Kane and Brian Meighan. The Commission had concluded a review of conviction in respect of these applicants in November 2004, deciding that it did not believe that a miscarriage of justice may have occurred.

The judicial review was heard in the Court of Session on 11 and 12 May 2006. The petitioners sought to challenge the basis of the Commission's decision not to refer their cases to the High Court.

Lord Emslie issued his judgement in the case on 19 July 2006, refusing the application for judicial review.

The full decision, including the judge's reasoning, can be accessed at:

www.scotcourts.gov.uk/opinions/2006CSOH112.html

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