

# JUSTICE PRESS RELEASE

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## SCOTTISH EMERGENCY LEGISLATION RESTRICTS SUPREME COURT RULING ON RIGHT TO A LAWYER

The Scottish Parliament approved emergency legislation on Wednesday night in a rushed debate on emergency legislation to bring into force the decision of the Supreme Court on Tuesday in *Cadder v HMA*. The legislation however goes much further than the recognition of the right by imposing limitations on how it will work in practice. The legislation also amends rules on appeals which will effect all cases in the criminal justice system.

JUSTICE has issued a briefing today to respond to the emergency legislation which criticises the route chosen by the Scottish Government and the proposed amendments. The briefing is attached to this press release.

Jodie Blackstock, Senior Legal Officer at JUSTICE said:

**We have watched with dismay the speed at which this legislation has been brought in, with no scrutiny or debate on the implications of these new rules. The Cadder decision recognises the importance of legal advice at the police station stage. The Scottish Government must give practical effect to the decision, not be looking at how to limit its implications.**

High Court Judge Lord Carloway will conduct a review into the full impacts of Cadder to report next year.

