

Reference to the Supreme Court by a Court or Tribunal

1. Details of the referring court or tribunal

Name of referring court or tribunal

Contact name

Contact's role

Address

Email

Telephone number

2. Description of the proceedings in which the reference is made

In the proceedings between

[Claimant(s)/appellant(s) in the referring court or tribunal]

and

[Defendant(s)/respondent(s) in the referring court or tribunal]

Referring court or tribunal case number

Name(s) of judge(s) in the referring court or tribunal

Neutral citation number(s) of the judgments(s) in the proceedings below (if any)

3. Basis of reference

Please select from the following options:

- Reference of a devolution issue
- Reference of a compatibility issue under the Criminal Procedure (Scotland) Act 1995
- Reference of a UNCRC compatibility issue under the Criminal Procedure (Scotland) Act 1995
- Reference of a compatibility question under the UNCRC (Incorporation) (Scotland) Act 2024
- Reference of a point of law under section 6A of the European Union (Withdrawal) Act 2018

Is the reference being made because the referring court or tribunal has been required to do so by a law officer? Yes No

If yes, please give details

4. Details of the claimant(s) or appellant(s)

For each claimant or appellant;

Full name

Solicitor's name

Solicitor's firm

Solicitor's Address**Solicitor's email address****Solicitor's telephone number****Solicitor's reference****Counsel's name****Chambers****Counsel's address****Counsel's email address****Counsel's telephone number**

Is the Claimant(s)/Appellant(s) in receipt of public funding/legal aid?

Yes

No

If yes, please provide the certificate number

5. Details of the defendant(s) or respondent(s)

For each defendant(s) or respondent(s);

Full name

Solicitor's name

Solicitor's firm

Solicitor's Address

Solicitor's email address

Solicitor's telephone number

Solicitor's reference

Counsel's name

Chambers

Counsel's address

Counsel's email address

Counsel's telephone number

Is the defendant(s) or respondent(s) in receipt of public funding/legal aid?

Yes

No

If yes, please provide the certificate number

6. Details of any other party to the proceedings

For each party;

Full name

Solicitor's name

Solicitor's firm

Solicitor's Address

Solicitor's email address

Solicitor's telephone number

Solicitor's reference

Counsel's name

Chambers

Counsel's address

Counsel's email address

Counsel's telephone number

Is the defendant(s) or respondent(s) in receipt of public funding/legal aid?

Yes

No

If yes, please provide the certificate number

Details of additional parties (if any) are attached

Yes

No

7. Please attach the following information on one or more separate sheets;

- The question, issue or point of law to be determined by the Court. Where the reference includes more than one question, issue or point of law, this should be clearly identified;
- For references is made under section 6A of the European Union (Withdrawal) Act 2018, the neutral citation number(s) of the relevant retained/assimilated case law;
- The statutory provision under which the reference is made to the Court;
- A concise statement of the background to the matter including:
 - a) The facts of the case, including any relevant findings of fact by the referring court or lower courts; and
 - b) The main issues in the case and the contentions of the parties with regard to them;
- The relevant law, including the relevant provisions of any relevant statute;
- A description of the relevance of the question, issue or point of law to the proceedings before the referring court or tribunal;
- In cases where the referring court or tribunal is not required to make the reference, its reasons for making the reference, including:
 - a) Which party, if any, requested that the reference be made, and any reasons they gave for doing so;
 - b) The referring court or tribunal's reasons why an answer to the question is considered necessary for the purpose of disposing of the proceedings;
 - c) For points of law referred under section 6A of the European Union (Withdrawal) Act 2018, the referring court or tribunal's reasons for considering each point of law to be of general public importance.
- A chronology of the proceedings;
- Where applicable, an explanation of the treatment of the question, issue or point of law by the referring court or lower courts in these proceedings;
- A copy of any court orders and judgments made in the proceedings (including the referring court or tribunal's order making the reference and any order granting or refusing a stay of proceedings pending the determination of the reference)

8. Further information

Does the reference raise any issues under the Human Rights Act 1998?

Yes

No

Is an expedited hearing requested?

Yes

No

If yes, please give details

Subject matter catchwords for indexing

Signature or electronic signature