

*These notes relate to the Criminal Justice and Licensing (Scotland)  
Act 2010 (asp 13) which received Royal Assent on 6 August 2010*

# **CRIMINAL JUSTICE AND LICENSING (SCOTLAND) ACT 2010**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Schedule 5 – Witness anonymity orders: transitional***

866. This Schedule deals with appeals on the granting of witness anonymity orders made under common law powers prior to the provisions under 271N to 271T coming into effect. The High Court can only quash a conviction if, as a result of an order made under common law, the accused did not receive a fair trial. It cannot quash a conviction simply on the basis that the trial court had no power to make a witness anonymity order under common law.