



OUTER HOUSE, COURT OF SESSION

[2022] CSOH 42

P91/20

OPINION OF LORD HARROWER

In the Petition of

B

Petitioner

for

judicial review of a decision by the First-tier Tribunal (Criminal Injuries Compensation)

Petitioner: Hood QC, Lazarowicz; Drummond Miller LLP
Respondents: Webster QC; Office of the Advocate General

18 May 2022

[1] The petitioner was denied compensation by the second respondent, the Criminal Injuries Compensation Authority (“CICA”), on the ground that he had, at the time of his application, an unspent conviction. His appeal to the First-tier Tribunal (Criminal Injuries Compensation), the first respondent, was heard at the same time as an appeal by A, who had been denied compensation in similar circumstances. Both applicants appealed to the First-tier Tribunal which refused both appeals in a decision dated 4 November 2019. B then petitioned this court for judicial review of the F-tT’s decision.

[2] I heard this petition together with the petition of A, and it was accepted by parties that they raised identical issues.

[3] Having refused A's petition, in a decision issued of even date with this opinion, I shall sustain the respondents' third and fourth pleas in law and refuse the present petition also.