



Scottish Criminal Cases  
Review Commission

# BUSINESS PLAN

## 2025-26

May 2025

Scottish Criminal Cases Review Commission

## Purpose

**To review potential miscarriages of justice in criminal cases in Scotland and refer appropriate cases to the High Court for an appeal.**

The Scottish Criminal Cases Review Commission was established in 1999 as an independent public body to review alleged miscarriages of justice. The Commission was created by section 194A of the Criminal Procedure (Scotland) Act 1995 and has the power to refer cases to the High Court for determination.

Anyone convicted of a criminal offence in Scotland can apply to the Commission to have their conviction and/or sentence reviewed (but normally only after a previously unsuccessful appeal). Thereafter the Commission has a statutory obligation to provide a statement of reasons for making a referral to the High Court or for deciding not to refer a case.

## Equality

In accordance with the Equality Act 2010, we will make any reasonable adjustment necessary to assist those with a protected characteristic or substantive health condition to engage fully with the Commission. If you require any assistance with this document please let us know.

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## Executive Summary: Business Plan Objectives 2025-26

	Objective	3-Year Focus
1.1	By 30 June 2025, in accordance with the requirements of the Public Services Reform (Scotland) Act 2010, all relevant 2024-25 public reporting information be published on the website.	5.
1.2	By 30 September 2025, to lay the 2024-25 Annual Report & Accounts in Parliament.	1, 3, 4, 5 & 6
1.3	By 31 March 2026 to undertake an internal governance review of the Commission's case handling and decision-making processes to ensure that the continue to be comprehensive and robust.	2, 4, 5, 7
1.4	Case statistics reports to be updated and published on the website within 5 working days of month end.	2, 5, 6 & 7
1.5	Details of referred cases to be published by way of a press release and update to the website 3 working days after notification to relevant parties.	2, 5 & 6
2.1	By 31 December 2025 to implement all corporate governance and performance management recommendations arising from the 2023-24 Best Value Review.	2, 3, 4, 5, 6 & 7
2.2	By 31 March 2026 to review all key administrative operations, processes and responsibilities with the aim of making support services more streamlined, efficient and effective, whilst promoting quality outcomes.	4, 5 & 8
2.3	By 31 December 2025 to conclude the rollout of the Commission's new corporate website which is fully compliant with accessibility standards and provides for a secure, online application process.	2, 3, 4, 5, 6 & 7
2.4	By 31 March 2026 to undertake a full review of the Case Handling Procedures in order to ensure that they are efficient, effective and meet the needs of stakeholders, taking into account good practices, equality and accessibility issues.	2, 4, 5 & 8

	Objective	3-Year Focus
2.5	By 31 March 2026 to put in place an ongoing support service for staff in respect of trauma awareness and wellbeing, involving individual voluntary support and group discussion session.	7 & 8
3.1	By 31 March 2026 to evaluate the implementation of the Commission's Easy Read Application Form and Information leaflets and their impact on accessibility to the Commission's service.	2, 4, 5 & 8
3.2	Continue to provide input and opinion on a range of relevant legal reform consultations throughout the year to ensure that the Commission's views and experiences are taken into account in a wider context.	1 & 6
3.3	By 31 December 2025 to work with Scottish Government's Justice Directorate to review and update the existing Framework Agreement, ensuring that this reflect both current requirements and processes, and enhances the overall governance arrangements in place.	2 & 5
4.1	By 31 December 2025 to identify and consider further methods of evaluating performance and achievement of strategic aims and objectives, within the context of ongoing stakeholder engagement and the Commission's research and development activities.	2 & 5
4.2	By 31 March 2026 to implement a full set of service standards which cover the Commission's main business and points of engagement with stakeholders, which can be integrated with the case management system and included within quarterly performance reporting.	2, 4, 5 & 8
4.3	By 31 March 2026 to undertake further analysis of case related data and capacity plans in order to better inform future resource planning.	6 & 7
4.4	Continue to develop the ongoing exchange and peer review work with other review bodies and global stakeholders with emphasis on the effectiveness of such organisations within the criminal justice system.	1, 2 & 6

**Corporate Plan 3-Year Focus:** Within the 2025-28 Corporate Plan we have identified 8 key areas of focus throughout the duration of the plan. These have been linked to the business plan objectives for 2025-26 using the following key: **1.** Active Wider Roll; **2.** Engagement; **3.** Environmental; **4.** Inequalities; **5.** Openness, Fairness & Transparency; **6.** Research, Learning & Development; **7.** Sustainability & Resilience; and **8.** Wellbeing.

## Our strategic aims

- to strengthen public confidence in the justice system by identifying and reviewing potential miscarriages of justice;
- to investigate all cases to a consistently high standard and without undue delay;
- to promote public understanding of the Commission's role
- to work with others to deliver a quality service which is person-centred and trauma-informed

Our strategic aims were previously set and agreed with Scottish Ministers. As part of the development of the 2025-28 Corporate Plan, these strategic aims were reviewed, updated and re-ordered to provide greater focus on the Commission key responsibilities. Performance against the 2024-25 business plan objectives is however reported against the earlier version of these aims.

The Commission is committed to the achievement of these aims and contributing effectively to the Scottish Government's National Outcomes.

The delivery of our strategic aims and national outcomes will be through the business plan objectives which are set out in pages 14 to 17.

## Background

### Reviewing Cases

Upon receipt, all new applications are allocated to a legal officer in order to undertake the pre-acceptance stage of the review (stage 1) and consider whether or not the application should be accepted for stage 2 review. All cases are subsequently considered by the Board and the Board will decide whether to reject the application or accept it for stage 2 review.

Cases accepted for stage 2 review will be investigated by a legal officer in accordance with the Commission's Case Handling Procedures and under the guidance of the relevant case committee.

To assist with the investigation process, we have various powers to obtain documentation, statements and expert opinion from relevant parties. These powers are set out within section 194A of the Criminal Procedure (Scotland) Act 1995. The final decision whether or not to refer a case to the High Court for an appeal following full investigation rests with the Board of the Commission.

### Case Outcomes

Since establishment on 1 April 1999 to 31 March 2025 we have received a total of 3476 applications and completed the review of 3420 cases. As at 31 March 2025, a total of 164 cases were referred to the High Court for an appeal. Our overall rate of referral has therefore been 4.8%. The stage 2 referral rate is 11.8%

The referral rate in the last five years – the number of referrals (20) expressed as a percentage of the total number of cases concluded (701) – was 2.9%. The stage 2 referral rate in the last five years was 14.3%

Of the 164 cases referred to the High Court a total of 151 had been determined by 31 March 2025. Of these cases, 99 appeals were granted and 52 were refused. A further 13 cases were abandoned by the applicants. Therefore 65.6% of cases referred and decided were successfully appealed by the applicant.

### Structure

We currently operate with a Board of 8 Members, one of whom is the Chair. All appointments are made by Royal Warrant on the advice of Scottish Ministers and in line with the Code of Practice issued by the Ethical Standards Commissioner.

Our current staffing comprises a Chief Executive, a Director of Corporate Services, 2 Senior Legal Officers, 3 Legal Officers and 3 administrative support staff.

### Further Information

Although we operate within a framework of statutory provisions that limit our disclosure of information, we are committed to our strategic aim of promoting public understanding of our role. To assist with this aim, and in line with our Publication Scheme, we have a corporate website, [www.sccrc.co.uk](http://www.sccrc.co.uk), which provides detailed information about the Commission, our governance arrangements and key corporate documents. We also publish details of our Board and management team. We will however be completely redesigning our website over the next 4 months and aim to make this more user focused and accessible, with enhanced functionality.

## Performance: 2024-25

We reported last year that we had concluded our busiest year on record in terms of new applications received. We surpassed this in 2024-25, seeing a further increase of 20% in the number of new applications. The total number of applications we received was 213 (177 in 2023-24).

We also concluded our review in the highest number of cases, 226 (142 in 2023-24). Of those cases, 40 were concluded following a stage 2 review and three were referred to the High Court. This represents a 7.5% referral rate in those cases subject to a stage 2 review.

The High Court determined five appeals proceedings upon our referrals, four of which the court granted and one it refused. Overall, the percentage of successful referral cases remained consistent at 66%.

Regarding our ongoing work in the Post Office/Horizon cases, two more Commission referrals resulted in successful appeals, bringing the total number to eight. Our work in this group of cases ended with the coming into force of the Post Office (Horizon System) Offences (Scotland) Act 2024. However, we continued to liaise with the Scottish Government during the year to help them identify people affected by the legislation. In addition, we worked on the issues arising from other IT systems operated by the Post Office, including the *Capture* system. We are seeking to contact individuals who may have been affected.

In respect of our overall performance, our case-related targets and key performance indicators are set out on pages 9 and 10. Given the marked increase in case-related business, it is noteworthy that we met all five of our case-related targets for the year. Changes were made to those targets last year to assist in the management of an increased caseload with reducing resources. Notwithstanding this, we continued to deliver a quality of service for our stakeholders and this is in part due to the ongoing commitment, dedication and hard work of our staff and Members, without whom this level of performance could not be achieved.

During the year we examined the Commission's resilience and ability to deal with the ever-increasing case numbers, given we have experienced a gradual, yet significant, reduction in staffing resources and real-term funding over the last few years. We engaged with our sponsor team at Scottish Government regarding this, and were successful in obtaining funding for additional legal officer resource in 2025-26. Further work on capacity planning and resilience will, however, be taken forward.



Case Review Target	
1. To allocate cases received within an average of 1 month from the date of receipt	<b>Achieved:</b> 0.3 months average
2. To complete the stage 1 pre-acceptance procedure within an average of 3 months from the date of stage 1 allocation.	<b>Achieved:</b> 2.1 month average
3. To conclude sentence-only reviews within an average of 4 months of the date of stage 2 allocation.	<b>Achieved:</b> 2.9 month average
4. To conclude cases involving a review of conviction within an average of 8 months of the date of stage 2 allocation,	<b>Achieved:</b> 7.1 month average
5. To complete the review of 98% of the cases received before 31 March 2024, so that by the beginning of the 2025-26 reporting year no more than 4 of the Commission's cases are more than 12 months old.	<b>Achieved:</b> 2 cases over 12 months old

## Case Related Statistics

The Commission has set itself several key performance indicators, as identified within the 2022-25 Corporate Plan, and reports on these within each Annual Report. The table below sets out performance against these indicators over the last five reporting years:

	2020-21	2021-22	2022-23	2023-24	2024-25
Number of cases received	107	98	139	177	213
*Number of concluded cases	93	102	138	142	226
Average time taken from date of acceptance to date of conclusion	6.8 months	7.3 months	6.0 months	6.6 months	6.7 months
Number of cases where initial decision not to refer is changed to a decision to refer following submission of further representations	0	0	0	1	0
Referrals per year	4	3	6	4	3
Outcome of referrals decided in year	1 granted 1 refused	1 granted	1 granted	7 granted 1 refused	4 granted 1 refused
Cases abandoned following referral	0	1	0	0	0
**Number of formal complaints received	3	7	3	2	1
Number of cases subject to judicial review	2	2	0	0	1

\*The number of concluded cases can exceed the number received in each year as a result of cases received in previous financial years concluding in a subsequent year.

\*\*The one formal complaint received was not upheld following full investigation, including appeal to the Board.

## Financial Performance

The Commission's cash budget for 2024-25 was set at £1,272k. No additional funding was sought during the year.

Comprehensive net expenditure for the year was £1,269k, which includes £144k of non-cash expenditure against a cash budget of £1,272k and non-cash budget of £140k. As is the unpredictable nature with investigations expenditure, the previous two years were significantly under budget, while in 2024-25 we exceeded budget on account of expert opinions required in several cases under full review. We did, however, make savings against legal costs as no expenditure was incurred during the year in respect of legal actions.

The capital budget for the year was set at £5k. Actual capital expenditure for the year amounted to £15k and this was a result of the timing of desktop replacements at the start of the year and necessary server upgrades during the year.

Our fully audited accounts for the year 2024-25 will be published in September 2025.

## Business Plan Objectives

Within our Corporate Plan we identify the performance framework within which we operate. This comprises our Strategic Aims and alignment to the Scottish Government National Outcomes. Performance against our Strategic Aims is set out within our Business Plans and our Annual Reports. Contribution towards the National Outcomes is identified via the relevant National and Commission Indicators as well as our specific case related targets.

Our Corporate Plan also sets out the vision and priorities for the Commission over a 3-year period. This provides the framework for the Business Plan, which sets out the specific objectives for the year ahead, i.e. those tasks to be taken forward during the year which will directly contribute towards the achievement of our Strategic Aims.

A total of 14 separate business plan objectives were agreed for 2024-25, year 3 of the Corporate Plan cycle, and these were set out against each of the original strategic aims and relevant national outcomes. A summary of achievement against these objectives is set out below.

### Strategic Aim 1:

*“To investigate all cases efficiently, without undue delay and to a consistently high standard.”*

#### *National Outcome: Human Rights*

*We respect, protect and fulfil human rights and live free from discrimination.*

#### *National Outcome: Education*

*We are well educated, skilled and able to contribute to society.*

Of the 5 business plan objectives set in relation to Strategic Aim 1, the Commission achieved the following:

- 3 objectives fully achieved
- 2 objectives partially completed

One of the objectives partially completed was in respect of implementing all corporate governance and performance management recommendations set out within the Best Value action plan within 1 year. Given the current pressures on staff resource this wasn't fully achieved but all outstanding actions will be rolled into 2025-26.

The second objective partially completed was in respect of the development and implementation of a new corporate website. A contract for the design, development and roll out of a new site was awarded in quarter 4 and it is anticipated that the project will be concluded in August 2025.

### Strategic Aim 2:

*“To work with others to deliver a quality service.”*

#### *National Outcome: Environment*

*We value, enjoy, protect and enhance our environment.*

#### *National Outcome: Work & Business*

*We have thriving and innovative businesses, with quality jobs and fair work for everyone.*

#### *National Outcome: Health*

*We are healthy and active.*

Of the 4 business plan objectives set in relation to Strategic Aim 2, the Commission achieved the following:

- 2 objectives fully achieved
- 1 objective partially complete
- 1 objective outstanding

The one objective partially complete relates to the development of a new set of service standards covering the Commission's main operations. Initial work has been taken forward in identifying relevant standards, although these need to be further developed and incorporated into both the case management system and performance management arrangements. This will therefore be progressed in 2025-26.

The one objective outstanding was in respect of the consideration and adoption of new methods of evaluating performance. Although some work has been taken forward in respect of performance management, this objective was pushed back until a piece of internal audit work on performance management was complete. This report will be considered by the Audit Committee in June 2025 and any recommendations incorporated into the planned updates to performance management arrangements.

### Strategic Aim 3:

*"To promote public understanding of the Commission's role."*

#### *National Outcome: Human Rights*

*We respect, protect and fulfil human rights and live free from discrimination.*

#### *National Outcome: International*

*We are open, connected and make positive contribution internationally.*

Of the 3 business plan objectives set in relation to Strategic Aim 3, the Commission achieved the following:

- 2 objectives fully achieved
- 1 objective outstanding

The outstanding objective relates to the evaluation of the implementation and impact of the Commission's Easy Read Application Form and Information Leaflets. Pressures on staff resource during the year reduced the ability to

consider the best ways of taking forward this type of evaluation. This will however be carried forward into 2025-26.

**Strategic Aim 4:**

*“To strengthen public confidence in the ability of the Scottish criminal justice system to address miscarriages of justice.”*

***National Outcome: Human Rights***

*We respect, protect and fulfil human rights and live free from discrimination.*

***National Outcome: International***

*We are open, connected and make a positive contribution internationally.*

Of the 2 business plan objectives set in relation to Strategic Aim 4, the Commission achieved the following:

- 2 objectives fully achieved

## Business Plan Objectives 2025-26

### Strategic Aim 1:

*“To strengthen public confidence in the justice system by identifying and reviewing potential miscarriages of justice.”*

### *National Outcome: Human Rights*

*We respect, protect and fulfil human rights and live free from discrimination.*

### *National Outcome: International*

*We are open, connected and make a positive contribution internationally.*

	Objective	Responsibility
1.1	By 30 June 2025, in accordance with the requirements of the Public Services Reform (Scotland) Act 2010, all relevant 2024-25 public reporting information be published on the website.	Director of Corporate Services
1.2	By 30 September 2025, to lay the 2024-25 Annual Report & Accounts in Parliament.	Chief Executive/Director of Corporate Services
1.3	By 31 March 2026 to undertake an internal governance review of the Commission’s case handling and decision-making processes to ensure that the continue to be comprehensive and robust.	Board/Chief Executive/Director of Corporate Services
1.4	Case statistics reports to be updated and published on the website within 5 working days of month end.	Director of Corporate Services/Admin Team
1.5	Details of referred cases to be published by way of a press release and update to the website 3 working days after notification to relevant parties.	Director of Corporate Services/Admin Team

## Strategic Aim 2:

*“To investigate all cases to a consistently high standard and without undue delay.”*

### *National Outcome: Human Rights*

*We respect, protect and fulfil human rights and live free from discrimination.*

### *National Outcome: Education*

*We are well educated, skilled and able to contribute to society.*

	Objective	Responsibility
2.1	By 31 December 2025 to implement all corporate governance and performance management recommendations arising from the 2023-24 Best Value Review.	Director of Corporate Services
2.2	By 31 March 2026 to review all key administrative operations, processes and responsibilities with the aim of making support services more streamlined, efficient and effective, whilst promoting quality outcomes.	Director of Corporate Services/Admin Team
2.3	By 31 December 2025 to conclude the rollout of the Commission's new corporate website which is fully compliant with accessibility standards and provides for a secure, online application process.	Director of Corporate Services
2.4	By 31 March 2026 to undertake a full review of the Case Handling Procedures in order to ensure that they are efficient, effective and meet the needs of stakeholders, taking into account good practices, equality and accessibility issues.	Senior Legal Officers
2.5	By 31 March 2026 to put in place an ongoing support service for staff in respect of trauma awareness and wellbeing, involving individual voluntary support and group discussion session.	All Staff

### Strategic Aim 3:

*“To promote public understanding of the Commission’s role.”*

#### *National Outcome: Human Rights*

*We respect, protect and fulfil human rights and live free from discrimination.*

#### *National Outcome: International*

*We are open, connected and make a positive contribution internationally.*

	Objective	Responsibility
3.1	By 31 March 2026 to evaluate the implementation of the Commission’s Easy Read Application Form and Information leaflets and their impact on accessibility to the Commission’s service.	Senior Legal Officers
3.2	Continue to provide input and opinion on a range of relevant legal reform consultations throughout the year to ensure that the Commission’s views and experiences are taken into account in a wider context.	Management Team/Board
3.3	By 31 December 2025 to work with Scottish Government’s Justice Directorate to review and update the existing Framework Agreement, ensuring that this reflect both current requirements and processes, and enhances the overall governance arrangements in place.	Chief Executive/Director of Corporate Services/Justice Directorate



#### Strategic Aim 4:

*“To work with others to deliver a quality service which is person-centred and trauma-informed.”*

#### *National Outcome: Environment*

*We value, enjoy, protect and enhance our environment.*

#### *National Outcome: Fair Work & Business*

*We have thriving and innovative businesses, with quality jobs and fair work for everyone.*

#### *National Outcome: Health*

*We are healthy and active.*

	Objective	Responsibility
4.1	By 31 December 2025 to identify and consider further methods of evaluating performance and achievement of strategic aims and objectives, within the context of ongoing stakeholder engagement and the Commission’s research and development activities.	Management Team
4.2	By 31 March 2026 to implement a full set of service standards which cover the Commission’s main business and points of engagement with stakeholders, which can be integrated with the case management system and included within quarterly performance reporting.	Director of Corporate Services/Admin Team
4.3	By 31 March 2026 to undertake further analysis of case related data and capacity plans in order to better inform future resource planning.	Chief Executive/Director of Corporate Services
4.4	Continue to develop the ongoing exchange and peer review work with other review bodies and global stakeholders with emphasis on the effectiveness of such organisations within the criminal justice system.	Board/Management Team

## Case Review Targets & Statistics

In line with our Strategic Aims and Business Plan Objectives, we have also devised a number of case review targets to demonstrate progress against these aims and objectives, and a number of case related statistics which identify trends over times.

The case review targets and case related statistics are set out below. Performance against the case review targets and updated case related statistics will be reported annually.

Case Review Targets
1. To allocate cases received within an average of 1 month from the date of receipt.
2. To complete the stage 1 pre-acceptance procedure within an average of 3 months from the date of stage 1 allocation.
3. To conclude sentence-only reviews within an average of 4 months of the date of stage 2 allocation.
4. To conclude cases involving a review of conviction within an average of 8 months of the date of stage 2 allocation.
5. To complete the review of 98 % of the cases received before 31 March 2025, so that by the beginning of the 2026-27 reporting year no more than four of the Commission's cases are more than 12 months old.

Case Related Statistics
Number of cases received
Number of cases concluded
Average time taken from date of acceptance to date of conclusion
Number of cases where initial decision not to refer is changed to decision to refer following receipt of further submissions
Referrals per year
Outcome of referrals decided in year
Cases abandoned following referral
Cumulative referral success rate
Number of formal complaints received
Number of formal complaints upheld
Number of cases subject to judicial review

## Financial Resources 2025-26

	2024-25 Budget	2025-26 Budget
Members Fees & Expenses	£100,000	£100,000
Staff Costs	£795,000	£894,000
Accommodation	£185,000	£195,000
System Support	£60,000	£70,000
Investigations	£8,000	£8,000
Legal Costs	£15,000	£10,000
Travel & Subsistence	£5,000	£2,000
Training	£5,000	£5,000
Capital	£5,000	£5,000
Non Pay Costs	£94,000	£115,000
<b>Total</b>	<b>£1,272,000</b>	<b>£1,404,000</b>

The Commission's cash budget for 2025-26 has been set at £1,404,000. As noted earlier, we were successful in obtaining additional funding from 2025-26 to increase the level of legal officer resource, initially, by one full time equivalent. In addition, the increase in budget recognised the increase in overall staff on-costs and our commitment to staff under the current analogue pay agreement with Scottish Government. The budget allocation has been revisited to reflect historic cost patterns more accurately, particularly in areas such as legal costs and investigations. That said, investigations expenditure during 2024-25 exceeded budget and demonstrated the unpredictable nature of this type of case related expenditure.

The impact of the Scottish Government Resource Spending Review, along with inflationary increase pressures and business cost increases, is significant, particularly where the Commission's level of fixed operating costs is high. This will mean ongoing challenges for the Commission in the coming years. We will however continue to engage constructively with our Sponsor Team in order to identify ways of meeting these challenges.