



Application form **for review of conviction** **or sentence, or both**



We are a member of Happy to Translate and can, upon request, provide language assistance with this document or make it available in alternative formats.

Do you believe you have been **wrongly convicted or sentenced for** **a crime in Scotland?**

The Scottish Criminal Cases Review Commission is responsible for reviewing cases where a person believes they were wrongly convicted or sentenced.

We can review your case. We have the power to refer your case back to the High Court if we consider there are grounds for us to do so.

An important factor we will consider is whether or not you have used all your rights of appeal. We do not determine guilt or innocence. If your case is referred, you will be given a new hearing in the High Court.



What you should know before you apply

- Our job is to review your case independently and make a referral if we consider there are grounds for it to be referred. We do not act as your lawyer, but we are independent from the police and the courts.
- To help us with our review, we will need to get some information about you and your case.
- You may wish to ask a lawyer, family member, friend or someone you trust to help you complete the form.
- If you would like to use a lawyer, you may be entitled to apply for legal aid.

Please try to complete as much of this form as you can, but don't worry if you can't answer everything. You can contact us on 0141 270 7030 if you have any questions.

Once you have completed the form, please send the form and any supporting documents to:



Scottish Criminal Cases Review Commission
17 Renfield Street
Glasgow, G2 5AH

If you wish to submit the form electronically please contact us at the following email address and we will send you a link so that you can do this securely:



info@sccrc.org.uk

What we need to know about you

Please try to complete as much of this form as you can, but don't worry if you can't answer everything.



1 What title do you prefer? (i.e. Mr, Mrs etc.)



2 What is your first name(s)?

3 What is your surname?



4 If you have been known by a different name(s), please provide those name(s) here

What we need to know about you (continued)



5 What is your sex?

Male

Female

6 How do you identify your gender?

Male

Female

Prefer not to say

Self-describe:



7 What is your date of birth? (dd/mm/yyyy)



8 Do you have a disability? (We use this information to adapt our services to your needs - if applicable, please provide any details you think we should be aware of in the box below)

Yes

No

Prefer not to say



What we need to know about you (continued)

If you are in prison, please go to **Question 13**



9 What is the best postal address to reach you?



10 If you have a telephone number, what is it?



11 If you have an email address, what is it?

12 Are you happy for us to contact you by email?

We will only do so through our chosen secure email system (called Egress).

Yes

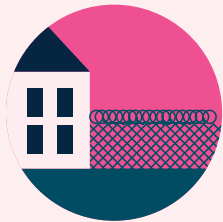
No



If you are in prison:



13 What is your prison number?



14 What is the name of the prison you are in?

Please let us know as quickly as possible if you are liberated or move to another prison. We will need your new contact details.

Details of friends or supporters



15 Is someone helping you with this application?

Yes

No



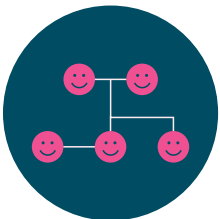
16 If yes, and if you would like us to be able to contact them, please provide us with their details:

Name:

Address:

Email:

Phone Number:



17 What is their relationship to you?

Family, friend or supporter

Lawyer

Other – please give details

Details of solicitors



18 Who was your solicitor at trial?

Solicitor's name

Law firm

Phone Number:

Email:



19 Are there any other solicitors who may have papers about your case (e.g. your solicitor at appeal)? If yes, please provide details.

Solicitor's name

Law firm

Phone Number:

Email:

What we need to know about your case



20 What crime(s) were you found guilty of?



21 For this crime, did you tell the court you were:

Guilty

Not Guilty

If you did not have a trial, please go to **Question 23**



22 Was there a jury sitting in your trial?

Yes

OR

No



23 In what town or city were you convicted?



24 Please tick which court you were convicted in

High Court

Sheriff Court

Justice of the Peace Court

What we need to know about your case (continued)



25 What date were you convicted?



26 Were you convicted with other people?

Yes

No

27 If yes, what were their names?



28 What date were you sentenced?



29 What sentence were you given at court?

What we need to know about your case (continued)



- 30** Would you like us to look at your conviction for this crime?
Please tell us why at 36 below.

Yes

No

- 31** Would you like us to look at your sentence for this crime?
Please tell us why at 37 below.

Yes

No

Your appeal history



- 32** Have you asked the court for an appeal of your conviction?

Yes

No

If you want us to look at your conviction, please let us know why you did not ask the court for an appeal of your conviction, using the box below.

Your appeal history (continued)



33 Have you asked the court for an appeal of your sentence?

Yes

No

If you want us to look at your sentence, please let us know why you did not ask the court for an appeal of your sentence, using the box below.



34 Was your appeal heard in a court?

Yes

No



35 Please let us know which court your appeal was in:

Sheriff Appeal Court

High Court



Tell us here why you think you didn't get justice in your case

For us to refer your case back to an appeal court, we must first review all the material and then consider if there are new reasons that have not been appealed and/or grounds for it to be referred.

You will find helpful advice on how to answer this on our website (www.sccrc.co.uk). Our "Guidance on Submissions" and the documents linked to it talk about the application process and some of the more common grounds for appeal.

You can request any of these documents by calling us at 0141 270 7030.

You can continue on separate pieces of paper if you need to.

36 Please tell us here why you think you should not have been convicted



Tell us here why you think you didn't get justice in your case (continued)

- 37** Please tell us here why you think the sentence imposed on you was excessive or inappropriate in the circumstances of your case

(You can continue on separate pieces of paper if you need to).



- 38 Special circumstances:** If you have any special circumstances which may apply in your case, please let us know here. This might be the need for interpretation or translation, your health or that of an important witness and any expected changes of circumstances such as the date of prison transfer or liberation.



- 39 Supporting documents:** Please let us know the documents you are sending to us with this form.



Data Protection

We obtain, store and disclose information about you.

We do so for a ‘law enforcement purpose’ – to decide whether there may have been a miscarriage of justice in your case and it is in the interests of justice to refer your case to the High Court for determination.

Part 3 of the Data Protection Act 2018 allows us to do so.

We may also disclose information about you for the purposes of criminal, disciplinary or civil proceedings, or the investigation or prosecution of an offence.

Our data protection and retention policies can be found at www.sccrc.co.uk – or please write to us if you would like a paper copy of the policy.



Your signature

To investigate your case fully, we may need to obtain information about your case from:

- the solicitor(s) who represented you at the trial and the appeal;
- any advocate(s) who represented you at the trial and the appeal; and
- any other solicitor or advocate who represented you at any other stage in your case, including your current solicitor.

The information we need may include:

- information about how your case was prepared and presented at the trial and the appeal; and
- details of confidential discussions you had with your solicitor or advocate (or both) at the trial stage, the appeal stage or after the appeal.

We may decide not to investigate your case unless you give us your permission for these representatives to disclose this information to us. If you wish to give permission for these representatives to give us this information, please sign below.

By signing below, you are giving permission to your previous and current legal representatives to disclose to us the information we ask for.

You may want to get legal advice before you sign.

Your Name:

Your Signature:

Date:

Please remember to include with this form, any papers or other material you think the Commission needs to look at for your case.



When you have filled in this form, please send it to us at:



Scottish Criminal Cases Review Commission
17 Renfield Street
Glasgow, G2 5AH

or email:



info@sccrc.org.uk

It would help us to reach out to other people who might need the Commission if we knew how you found out about us.

How did you find out about us?



Equalities monitoring

This part of the form will be detached and will not be seen by the people reviewing your application.

It would be very helpful to us if you could fill in this form. We use this form to make sure we are reaching out to as many different people as possible who may need our help. We also use this part of the form to make sure we are treating everyone equally and fairly.

Most people fill in this form, but you don't have to.

What age are you?

Please tick the appropriate box

Under 20 20–24 25–29 30–34 35–39 40–44 45–49
50–54 55–59 60–64 Over 64 Prefer not to say

What sex are you?

Please tick the appropriate box: Male Female Prefer not to say



What is your ethnicity?

Ethnic origin is not about nationality, place of birth or citizenship. It is about the group to which you perceive you belong. Please tick the appropriate box

White: English Welsh Scottish Northern Irish Irish
British Gypsy or Irish Traveller Prefer not to say

Any other white background, please write in:

Mixed/multiple ethnic groups: White and Black Caribbean White and Black African
White and Asian Prefer not to say

Any other mixed background, please write in:

Asian/Asian British: Indian Pakistani Bangladeshi Chinese
Prefer not to say

Any other Asian background, please write in:

Black/ African/ Caribbean/ Black British: African Caribbean Prefer not to say
Any other Black/African/Caribbean background, please write in:

Other ethnic group: Arab Prefer not to say
Any other ethnic group, please write in:

Equalities monitoring (continued)



Do you have now, or have you ever been diagnosed with, a disability, that is a physical or a mental condition which has a substantial and long-term impact on your ability to do normal day to day activities? Please tick the appropriate box

Yes

No

Prefer not to say