



Scottish Criminal Cases
Review Commission

BUSINESS PLAN

2026-27

May 2026

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 2026-27

	Objective	3-Year Focus
1.1	By 30 June 2026, in accordance with the requirements of the Public Services Reform (Scotland) Act 2010, all relevant 2025-26 public reporting information be published on the website.	5.
1.2	By 30 September 2026, to lay the 2025-26 Annual Report & Accounts in Parliament.	1, 3, 4, 5 & 6
1.3	Following the implementation of the Commission's new corporate website in January 2026, undertake analysis of the online application process to identify any trends in respect of application quality, quantity and accessibility, and implement any enhancements that can be developed to address any findings.	1,2,4,5,6 & 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 30 September 2026 to have successfully concluded a further re-accreditation under cyber essentials and implement any further required security measures.	2, 6 & 7
2.2	By 31 December 2026 to undertake an internal staff survey which focuses on opinions on Board guidance, scrutiny and case review, as part of the Board performance and evaluation process.	1, 2, 5, 6 & 7
2.3	By 31 March 2027, to review Board contingency planning and induction training, to coincide with future Board recruitment.	4, 6 & 7
2.4	By 31 March 2027 to undertake a full review of the Commission's case handling procedures in order to ensure that they continue to be 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
3.1	By 30 September 2026 to have put in place a process for digitising and categorising exceptional case files, in accordance with the Data Retention Policy and the Records Management Plan, in order to facilitate transfer of appropriate data to the National Archive of Scotland.	1, 2, 3, 4, 5 & 7
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 March 2027 to work closely with the Commission's sponsor team to enhance joint working practices, exchange of feedback and performance information and compliance with the revised framework agreement.	1, 2 & 7
4.1	By 31 March 2027 to undertake a full review of the Commission's complaint handling processes, ensuring that these provide fair, objective and independent consideration and recourse in respect of complaints concerning administrative processes, in accordance with good practice.	1, 2, 4, 5, 7 & 8
4.2	By 31 December 2026 to have extended the Commission's Health & Wellbeing practices to reflect the changing and increasing demands on staff resource and promote a working environment responsive to the impact of modern working.	4, 5, 7 & 8
4.3	By 31 March 2027, to have considered further learning opportunities through peer review and benchmarking activities with other review bodies and comparable public sector organisations.	1, 2, 3, 4, 5, 6, 7 & 8
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 Role; **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 2026 we have received a total of 3716 applications and completed the review of 3652 cases. As at 31 March 2026, a total of 169 cases were referred to the High Court for an appeal. Our overall rate of referral has therefore been 4.6%. The stage 2 referral rate is 11.9%

The referral rate in the last five years – the number of referrals (21) expressed as a percentage of the total number of cases concluded (840) – was 2.5%. The stage 2 referral rate in the last five years was 13.5%

Of the 169 cases referred to the High Court a total of 153 had been determined by 31 March 2026. Of these cases, 100 appeals were granted and 53 were refused. A further 14 cases were abandoned by the applicants. Therefore 65.4% 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, 5 Legal Officers (one of whom is a fixed-term appointment) 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, which provides detailed information about the Commission, our governance arrangements and key corporate documents. We also publish details of our Board and management team. The website was completely reviewed and updated in 2025-26 and now provides for significantly improved functionality.

Performance: 2025-26

In each of the previous two years we reported that we concluded our busiest years on record in terms of new applications received (213 in 2024-25 and 177 in 2023-24). We also reported that we concluded a record number of cases and that we had performed positively against each of our case-related targets. All of this was achieved against a backdrop of reduced staffing and real-term funding.

However, as reported last year, we predicted that a continued pattern of increasing case numbers would likely have a negative impact on our capacity to handle core business in line with our strategic aims. Accordingly, we, in consultation with our sponsor team at Scottish Government, took forward a capacity-planning review. We secured additional funding for legal officers, which comprised one permanent and one fixed-term position (to cover maternity leave), and those posts were filled in 2025-26.

In 2025-26 we received our highest number of applications (240) and concluded our highest number of cases (232), demonstrating the continued upward trend of case numbers. Of the total number of cases concluded, 34 were concluded after a stage 2 review, five of which resulted in referrals to the High Court. This represents a 14.7 % referral rate in those cases that were subject to stage 2 review.

The High Court determined two appeal proceedings upon our referrals, one of which the High Court granted and one it refused. A further case was abandoned following referral. Overall, the percentage of successful referral cases since the Commission's inception has remained consistent at 65.4%.

Regarding our involvement in the Post Office/Horizon cases, this largely concluded 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.

Significantly, on 12 November 2025, the Supreme Court issued its decision in the linked appeals in the cases of *Daly & Keir v HMA*. The Supreme Court held in those cases that the approach that the High Court had adopted to the common law of relevancy and the "rape shield" legislation (sections 274 and 275 of the Criminal Procedure (Scotland) Act 1995) risked breaching the human rights of people accused of sexual offences. The decision opened the door to the reconsideration of sexual offence convictions in certain cases in the period from 2013 to 2025.

The Commission responded to this decision by considering the potential impact on its subsequent case numbers and by providing advice to potential applicants. In line with our risk management arrangements, we put in place a team to review this class of cases, and we engaged with our sponsor team at Scottish Government, alerting them to the potential increase in cases and the impact on both our capacity and resilience.

As at 31 March 2026, the number of such cases that we received was fewer than expected, although there are currently 20 cases under review. We remain alert to future decisions of the court concerning the rape shield provisions and the potential impact on our case numbers.

Given the significant increase in case numbers, including receipt of S274/275 cases, and the maintenance of our target timescales at a consistently challenging level, we successfully achieved three of our five case-related targets. The two targets that were missed were in relation to the stage 2 reviews in sentence-only cases and in conviction cases. This level of performance is still considered positive and we are confident that ongoing measures to enhance resilience, including additional staff resource, will assist us in achieving those targets in the coming years. These achievements are only possible through the ongoing commitment, dedication and hard work of our staff and Members, without whom we cannot achieve such high levels of performance and cannot manage effectively our increasing case numbers.

We will continue to review case numbers on an ongoing basis in line with our capacity planning arrangements so that we can continue to deliver a high-quality service for our stakeholders.

Case Review Target	
1. To allocate cases received within an average of 1 month from the date of receipt	Achieved: 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.	Achieved: 1.7 month average
3. To conclude sentence-only reviews within an average of 4 months of the date of stage 2 allocation.	Not Achieved: 5.4 month average
4. To conclude cases involving a review of conviction within an average of 8 months of the date of stage 2 allocation,	Not Achieved: 8.8 month average
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 4 of the Commission's cases are more than 12 months old.	Achieved: 0 cases over 12 months old

Case Related Statistics

The Commission has set itself several key performance indicators, as identified within the 2025-28 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:

	2021-22	2022-23	2023-24	2024-25	2025-26
Number of cases received	98	139	177	213	240
*Number of concluded cases	102	138	142	226	232
Average time taken from date of acceptance to date of conclusion	7.3 mths	6.0 mths	6.6 mths	6.7 mths	7.0 mths
Number of cases where initial decision not to refer is changed to a decision to refer following submission of further representations	0	0	1	0	0
Referrals per year	3	6	4	3	5
Outcome of referrals decided in year	1 granted	1 granted	7 granted 1 refused	4 granted 1 refused	1 granted 1 refused
Cases abandoned following referral	1	0	0	0	1
Number of formal complaints received	7	3	2	1	3
Number of cases subject to judicial review	2	0	0	1	0

*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 three formal complaint received were not upheld following full investigation. One of these decisions was appealed to the Board.

Financial Performance

The Commission's cash budget for 2025-26 was set at £1,411,000. This included additional funding agreed for a new permanent legal officer position and maternity cover.

The Commission's financial performance for 2025-26 will be set out within the 2025-26 Annual Accounts which are due to be audited in September 2026 before being laid in Parliament. A summary of the audited figures and account will be updated within this section once available.

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 17 separate business plan objectives were agreed for 2025-26, year 1 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:

- 5 objectives fully achieved

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

- 4 objectives fully achieved
- 1 objective partially complete

The one objective partially complete relates to the review and streamlining of all administrative processes in order to enhance efficiency and effectiveness. An initial review and update of key tasks and associated job descriptions has been completed, with further work delayed as a result of staff turnover. Conclusion of this will be taken forward in 2026-27.

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:

- 1 objective fully achieved
- 1 objective outstanding
- 1 objective ongoing

The outstanding objective relates to the evaluation of the implementation and impact of the Commission's Easy Read Application Form and Information Leaflets. External assistance will likely be required to fully consider the effectiveness of these developments and this will be further explored in 2026-27.

The objective classified as ongoing relates to the Commission's involvement in relevant legal reform consultations which are considered on an ongoing basis as and when they arise.

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

- 2 objectives fully achieved
- 1 objective underway
- 1 objective ongoing

The objective classified as underway relates to the development and implementation of new administrative service standards. To conclude this work further development of the Commission's case management system and telephony equipment is required so that standards can be automated and effectively monitored. This will be concluded during 2026-27.

The objective classified as ongoing relates to the Commission's interactions with stakeholder organisations and peer review work. Considerable review work has been undertaken during the year and these activities are continuous.

Business Plan Objectives 2026-27

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 2026, in accordance with the requirements of the Public Services Reform (Scotland) Act 2010, all relevant 2025-26 public reporting information be published on the website.	Director of Corporate Services
1.2	By 30 September 2026, to lay the 2025-26 Annual Report & Accounts in Parliament.	Chief Executive/Director of Corporate Services
1.3	Following the implementation of the Commission’s new corporate website in January 2026, undertake analysis of the online application process to identify any trends in respect of application quality, quantity and accessibility, and implement any enhancements that can be developed to address any findings.	Chief Executive/Director of Corporate Services/Legal Officer & Admin Team
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 30 September 2026 to have successfully concluded a further re-accreditation under cyber essentials and implement any further required security measures.	Director of Corporate Services
2.2	By 31 December 2026 to undertake an internal staff survey which focuses on opinions on Board guidance, scrutiny and case review, as part of the Board performance and evaluation process.	Board/Management Team
2.3	By 31 March 2027, to review Board contingency planning and induction training, to coincide with future Board recruitment.	Internal Audit Facilitation
2.4	By 31 March 2027 to undertake a full review of the Commission’s case handling procedures in order to ensure that they continue to be efficient, effective and meet the needs of stakeholders, taking into account good practices, equality and accessibility issues.	Board/Chief Executive/Director of Corporate Services

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 30 September 2026 to have put in place a process for digitising and categorising exceptional case files, in accordance with the Data Retention Policy and the Records Management Plan, in order to facilitate transfer of appropriate data to the National Archive of Scotland.	Information Officer/Chief Executive/Director of Corporate Service
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.	Board/Management Team
3.3	By 31 March 2027 to work closely with the Commission’s sponsor team to enhance joint working practices, exchange of feedback and performance information and compliance with the revised framework agreement.	Chief Executive/Director of Corporate Services/Board

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 March 2027 to undertake a full review of the Commission's complaint handling processes, ensuring that these provide fair, objective and independent consideration and recourse in respect of complaints concerning administrative processes, in accordance with good practice.	Management Team
4.2	By 31 December 2026 to have extended the Commission's Health & Wellbeing practices to reflect the changing and increasing demands on staff resource and promote a working environment responsive to the impact of modern working.	All Staff
4.3	By 31 March 2027, to have considered further learning opportunities through peer review and benchmarking activities with other review bodies and comparable public sector organisations.	Management Team
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 2026, so that by the beginning of the 2027-28 reporting year no more than five 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 2026-27

	2025-26 Revise Budget	2026-27 Budget
Members Fees & Expenses	£100,000	£102,000
Staff Costs	£901,000	£950,000
Accommodation	£195,000	£195,000
System Support	£70,000	£70,000
Investigations	£8,000	£8,000
Legal Costs	£10,000	£10,000
Travel & Subsistence	£2,000	£2,000
Training	£5,000	£5,000
Capital	£5,000	£5,000
Non Pay Costs	£115,000	£115,000
Total	£1,411,000	£1,462,000

The Commission's cash budget for 2026-27 has been set at £1,462,000. As noted earlier, we were successful in obtaining additional funding in 2025-26 to increase the level of legal officer resource, initially, by one full time equivalent. Funding was also provided for a 12-month fixed-term appointment to cover maternity leave.

The allocated resource for 2026-27 is however £40,000 under our initial forecast and, given the continued increase in case volumes and other resource pressures, further funding has been sought to make the current fixed-term role permanent and bolster our administrative support function. We will continue to work closely with our sponsor team in order to address these budgetary challenges, whilst maintaining the delivery of an excellent public service.