

JOB TITLE: LEGAL OFFICER (LO)

GRADE: B3 EQUIVALENT

RESPONSIBLE TO: CHIEF EXECUTIVE

SKILLS, COMPETENCIES AND ATTRIBUTES OF AN LO

An LO is expected:

- to exemplify the quality of performance exhibited by the Commission;
- to demonstrate high levels of knowledge of Scots criminal law and procedure and the Commission's case review process;
- to show a commitment to delivering the Commission's four strategic objectives; and
- to work for long periods under their own direction and to demonstrate an ability to address, in an expeditious manner and to a consistently high standard, the normal caseload for an LO.

MAIN RESPONSIBILITIES OF AN LO

- Considering applications from convicted persons or their representatives concerning allegations of wrongful conviction or sentence.
- Undertaking such inquiries as an LO deems necessary, and where appropriate seeking the advice and agreement from the committee to which the case is allocated ("the committee"), the Chief Executive or the Board of the Commission.
- Considering the outcome of any inquiries and informing and agreeing with the committee on the appropriate recommendation to the Board about the disposal of the case.
- Drafting the appropriate statement of reasons for consideration and approval by the committee and ultimately the Board.
- Presenting cases (supported by written submissions) to the committee during the course of any review and the Board for final determination.
- Undertaking additional roles pursuant to the Commission's effective operation.

SPECIFIC DUTIES OF AN LO

Stage 1

- Upon the allocation of a new application, an LO considers whether there are any reasons to believe that “reasonable adjustments”, in terms of the Equality Act 2010, may be necessary and, if they consider that there are such reasons, what reasonable adjustments to the Commission’s procedures should be made in this case.
- An LO drafts the stage 1 report, in which they provide details of the applicant’s conviction and sentence and the summary grounds of review, and in which they recommend whether the application should be accepted for a stage 2 review.
- Where an LO recommends that the application should not be accepted for a stage 2 review, they prepare a draft statement of reasons setting out the Commission’s reasons for rejecting the application.
- At a Board meeting, an LO presents the case to the Board Members and those others present, recommending whether it should accepted for a stage 2 review and answering any questions that the Board Members have about the terms of the document.

Stage 2

- An LO prepares a case plan – in which they set out the case history, the summary grounds of review and their recommendations about how to address the grounds of review – for consideration by the committee (comprising three or four of the Board Members, the Chief Executive and the LO).
- An LO prepares a report for each subsequent committee meeting to update the committee on the progress of the review and the lines of inquiry, and agreeing with the committee what further investigative steps are required.
- An LO conducts the investigations considered necessary to progress the review of the case, including: interviewing the applicant and witnesses; identifying and instructing expert witnesses; requesting documents or information from individuals and organisations; analysing the documents/information ingathered; and undertaking legal research.
- Where required, an LO follows the Commission’s procedures in relation to the exercise of the Commission’s powers of investigation under s194H (precognition on oath) and s194I and s194IA (recovery of documents) of the 1995 Act.
- In connection with obtaining a precognition on oath, an LO prepares the petition, lodges it with the relevant sheriff court, arranges service of the petition and then, if qualified to do so, appears at the court hearing to take the precognition.
- An LO corresponds with the applicant and their representatives to inform them about the progress of the review.

- At the end of the committee process, an LO prepares a draft statement of reasons to refer or not to refer the case to the High Court, incorporating amendments to the statements of reasons as agreed by the committee (and ultimately the Board).
- At a Board meeting, an LO presents the case to the Board Members and those others present, recommending whether it should be referred to the High Court and answering any questions that the Board Members have about the terms of the document.
- Where the Commission issues a statement of reasons not to refer the case, and where it receives further submissions, an LO carries out any further inquiries that the committee considers necessary and drafts a supplementary statement of reasons not to refer the case or a statement of reasons to refer the case.
- At a Board meeting, an LO presents the case again to the Board Members and those others present.
- An LO writes to interested parties to tell them about the Commission's decision.

INFORMATION ABOUT SCCRC

The Scottish Criminal Cases Review Commission was established in 1999 by Part XA of the Criminal Procedure (Scotland) Act 1995 as an independent public body to review potential miscarriages of justice. It has the power to refer cases to the High Court for determination.

Those convicted of a criminal offence in Scotland may apply to the Commission (but generally only after they have appealed) to have their conviction and/or sentence reviewed.

The Commission has a statutory obligation to provide a statement of reasons for making a reference to the High Court or for deciding not to refer a case.

The Commission operates within a framework of statutory provisions concerning the disclosure of information. It is, for example, a criminal offence for any Board Member or Commission employee to disclose information obtained by the Commission in the exercise of any of its functions, unless a statutory exception applies.

As at 1 April 2026, the Commission was staffed by a Chief Executive, a Director of Corporate Services, 2 Senior Legal Officers, 5 Legal Officers and 3 Administration Staff.

POST LOCATION

4th Floor, Portland House
17 Renfield Street
Glasgow

The Commission also has hybrid working arrangements in place and, once fully proficient, staff can apply to work from home for up to 2-days per week.

REMUNERATION

Salary & Grade: £49,401 to £59,152
SG Grade B3 Equivalent

Holidays: Annual leave entitlement of 25 days, increasing to 30 days after 2 years continuous service, plus 11 ½ public and privilege holidays.

Hours of work: 35 hours (excluding lunch breaks) – however, you will be expected to undertake any additional and out of hours work in order to fully discharge the responsibilities of the position.