

insideinformation – fact sheet

CCRC

Information courtesy of Justin Hawkins - CCRC

The Criminal Cases Review Commission (CCRC) is the organisation set up to look into suspected miscarriages of justice in England, Wales and Northern Ireland.

Usually someone convicted of a criminal offence has only one chance to appeal. The CCRC is the only body with the power to refer cases back for a fresh appeal.

The CCRC's job is to investigate cases where someone claims they have been wrongly convicted or given an excessive sentence and to consider whether there is a real possibility that the appeal court would now decide that the conviction was unsafe and should be overturned, or that the sentence should be reduced.

If the CCRC thinks a "real possibility" does exist, it can refer the case and the relevant appeal court must hear a fresh appeal to decide the matter.

To refer a case, the CCRC usually needs to be able to identify some new evidence or new legal argument that could convince the appeal court that a conviction is unsafe or a sentence is incorrect.

Evidence must be new in the sense that it must be something that was not considered at trial and has not already been considered as part of an appeal. There are exceptions to this rule about new evidence or argument, but they are very rare.

To help it investigate cases, the CCRC has special legal powers to get files from public bodies such as the police, the CPS, the NHS, social services and so on. Papers from these kinds of public bodies can be crucial and the Commission's powers to get hold of them mean it can often find important information that would be impossible for others to get.

The CCRC can interview new witnesses or re-interview the original ones. It can also obtain new expert evidence such as psychological reports and DNA testing.

The Commission is completely independent. It does not work for the courts, the police, the prosecution or the applicant. Its remains independent of all sides and impartially reviews alleged miscarriages of justice.

It does not cost anything to apply for a review. Applications are made in writing, usually using one of the Commission's application forms.

Applicants will usually need to have had an appeal dismissed before the CCRC can help.

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It is not necessary to have a lawyer to apply, but cases often involve complex legal issues and a good lawyer can help.

Most applications can be dealt with quite quickly, but some cases are very complicated and can take months or even years to review.

The Commissions usually receives around 950 applications each year. On average one in 25 applications ends in a referral to the appeal courts. Of those cases that are referred, more than two thirds succeed at appeal.

Chapter 3 of Prison Service Order 4400 explains the rules about prisoner communications with the CCRC.

The Criminal Cases Review Commission is based at Alpha Tower, Suffolk Street, Queensway, Birmingham, B1 1TT. For more information the visit www.ccr.gov.uk or e-mail info@ccrc.gov.uk

IMPORTANT NOTICE

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