



Criminal Cases Review Commission

CASEWORK POLICY

Policy Title: **Next Steps Post-CCRC Decision**

Reference: **CW-POL-10**

Version: **2.0**

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The CCRC's Quality Statement

The CCRC is committed to achieving high-quality case reviews as quickly as possible. In order to achieve this, we operate under a Quality Management System; please see 'Q-POL-01 CCRC Quality Policy' for further information. Our policy documents are available on our website: www.ccrcc.gov.uk.

If you or someone you represent has difficulty accessing the internet then please contact us via 0300 456 2669 (calls charged at local rate) and we will send a hardcopy of the relevant policy free of charge.

This is a quality-controlled document. Significant changes from the last issue are in grey highlight: like this. Significant deletions are shown as: [text deleted].

Introduction

This policy provides information on what to expect after the CCRC refers a case to an Appeal Court.

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Key Points

- 1) If we decide not to refer your case then there are several options available to you:
 - a) You can make a formal complaint.
 - b) You can seek a judicial review in the Administrative Court.
 - c) You can re-apply.
- 2) If we do decide to refer your case, then please be aware the CCRC cannot retract the referral.
- 3) However, you can decide not to proceed with an appeal. You can also apply to amend your grounds of appeal.
- 4) If the appeal court quashes your conviction, there is support available to help you with what happens next.

Definitions

| Key Word | Meaning |
|------------|---|
| MJSS | Miscarriages of Justice Support Service |
| RCJ Advice | Part of the Citizens' Advice Service |

1 General Information

- 1.1 Once the CCRC has made a final decision on your case, the CCRC's involvement in your case review ends.
- 1.2 If we decide not to refer your case then there are several options available to you:
 - a) You can make a formal complaint - see [Section 2](#) below.
 - b) You can seek a judicial review in the Administrative Court - see [Section 3](#) below.
 - c) You can re-apply - see [Section 4](#) below.
- 1.3 If we do decide to refer your case, then please be aware:

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- a) Once a referral has been made, the CCRC cannot retract the referral. But you can decide not to proceed with an appeal. You can also apply to amend your grounds of appeal.
- b) If the appeal court quashes your conviction, there is support available to help you with what happens next - see [Section 5](#) below.

2 Making a Complaint

- 2.1 If you are unhappy with the way your case review has been conducted and/or you feel you have been treated unfairly or discriminated against, then you can make a formal complaint to our Customer Service Officer.
- 2.2 Formal complaints should be received by the CCRC within 3 months of the event which created the subject of the complaint. Alternatively, complaints may be considered within 3 months of a case being closed.
- 2.3 Please see 'CW-POL-12 Complaints' for more information.

3 Judicial Review

- 3.1 If you believe our actions or decision breached one or more of the public law principles,¹ then you can start proceedings in the Administrative Court for a judicial review of the actions or decision taken by the CCRC in respect of your application.
- 3.2 You have 3 months from the date of the action or decision under challenge in which to apply to the Administrative Court.
- 3.3 You should think about taking independent legal advice if you are considering challenging our decision by way of a judicial review.
- 3.4 Please see 'CW-POL-13 Judicial Review' for more information.

¹ Lawfulness, fairness, and reasonableness.

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4 Re-apply

- 4.1 There is no limit on the number of applications that you can make.
- 4.2 However, we will only carry out a new investigation if a re-application raises something important that we have **not** looked at before, or there have been relevant scientific, medical, legal, or other developments which indicate that we should look again at some aspect of the case.
- 4.3 Although there is no limit on how often you can apply to us, applicants who consistently send applications which do not contain anything new and important may become subject to restrictions. These restrictions could include the CCRC refusing to accept a re-application unless it is submitted by a legal representative, or refusing to communicate with you. See 'CW-POL-14 PAM (Persistent, Abusive, Malicious) Applicants' for more information and a full list of the available restrictions.

5 Support if Your Conviction is Quashed

- 5.1 The Miscarriages of Justice Support Service (MJSS) is a specialist service provided by RCJ Advice. RCJ Advice is part of the Citizens' Advice Service. MJSS provide free, confidential, and impartial advice and support for survivors of wrongful convictions.
- 5.2 They can provide advice and support in a number of areas including:
- Finding somewhere to live
 - Establishing income / training
 - Applying for National Insurance credits
 - Registering with a GP and getting healthcare and counselling
 - Opening a bank account and budgeting
 - Support for family relationship issues
 - Finding a solicitor to help with compensation claims.
- 5.3 They can also help with things like writing letters, filling in forms, making and attending appointments.
- 5.4 Contact the MJSS by
- a) emailing: MJSS@rcjadvise.org.uk
 - b) or writing to: RCJ Advice
The Royal Courts of Justice
Strand
London
WC2A 2LL

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Appendices

None

Relevant CCRC Documents

| | |
|-----------|---|
| Q-POL-01 | CCRC Quality Policy |
| CW-POL-12 | Complaints |
| CW-POL-13 | Judicial Review |
| CW-POL-14 | PAM (Persistent, Abusive, Malicious) Applicants |

Document Control

Document author: Head of Quality

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Version History

| Date Issued | Version | Brief Details of Change | DCR |
|-------------|---------|-------------------------|-------|
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| 05/12/2023 | 2.0 | Amend: 4.2 | 23-76 |
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