



Privacy Notice

Privacy Notice – Criminal Cases Review Commission (CCRC)

This privacy notice sets out the standards that you can expect from the CCRC when we obtain and hold personal information ('personal data') about you; how you can get access to a copy of your personal data; and what you can do if you think the standards are not being met.

The Criminal Cases Review Commission is the data controller for the personal information we hold.

There are many ways you can contact us, including by phone, email and post.

Our postal address:

Criminal Cases Review Commission
5 St Philip's Place
Birmingham
B3 2PW

Tel: 0121 233 1473 / 0300 456 2669

info@ccrc.gov.uk

Our Data Protection Officer is Esther Parker-Duber. You can contact her at dpo@ccrc.gov.uk or via our postal address. Please mark the envelope 'Data Protection Officer'.

Why we process information about you

The CCRC collects processes and shares personal information in order to carry out our functions. Our main function is to investigate cases where people believe they have been wrongly convicted of a criminal offence or wrongly sentenced.

The majority of personal data we hold is passed to us by our applicants themselves, their representatives, or is contained in the information that we obtain from other organisations that had involvement in the case. Such information may include personal data about others involved in a criminal case such as witnesses, victims, solicitors, barristers, experts and others.

If we process personal information about you, you are a 'data subject'.

The type of personal information we collect and process

We collect and retain personal data that is relevant to the matters we investigate in order to decide whether a case can be referred back to the courts for a further appeal. We will share this data with third parties where

necessary (please see the section “Who the information may be shared with” below).

If you are an applicant, the personal data we collect about you are your full name, date of birth, and address details as well as information about your conviction. We also collect some ethnicity information about you where you agree to give this to us as part of the application form. This information is kept separate from the application and will not be accessible by those dealing with your case. We use ethnicity information only in an anonymised form for statistical purposes in order to monitor how we perform.

We only have limited information about those individuals who were witnesses or victims in a criminal case that we look at. We do not collect or record the personal information about those who are not the applicant in a structured way (for example as part of a database). Information that we hold about witnesses or victims and others in a criminal case is generally that which is available from the information that we obtain from other organisations about a case they dealt with (for example the police).

We may also hold some personal information about other people, who have contacted us with a general enquiry but have no involvement in any particular case. This is usually limited to their name and contact details that they have supplied to us in order to deal with an enquiry.

We also hold personal information about our employees and prospective employees. To find out how we deal with their information, please refer to the separate privacy notice [here](#).

Purpose of processing and lawful basis for the process

Our purpose is to investigate possible miscarriages of justice in criminal cases according to our duties and powers set out in the Criminal Appeal Act 1995.

The legal basis we rely on to process personal data are section 35(2)(a) of the Data Protection Act 2018 (DPA 2018), which allows us to process personal data for any of the law enforcement purposes when the data subject has given consent the processing for that purpose and section 35(2)(b), which allows us to process personal data when the processing is necessary for the performance of a task carried out for that purpose by a competent authority.

The DPA 2018 lists the CCRC as a competent authority.

For the processing of personal data that does not relate to criminal cases that we review, we generally rely on consent to process any personal data.

Who the information may be shared with

We sometimes need to share the personal information we process with the individuals themselves, including those acting for them (such as a solicitor),

and also with other organisations. Where this is necessary we will comply with all aspects of the applicable data protection legislation (DPA 2018) and not disclose any personal information where it would not be lawful to do so.

If you apply to the CCRC, we will use your personal data, including details about your conviction, in order to obtain information from others about the case that you have asked us to look at. This may be those who have files about you and your case that we need in order to investigate your application. We may also make other enquiries as necessary and this could include checking, for example, matters relating to a previous witness or a victim. Where this is required, we may therefore use their personal data to make enquiries. We always make sure that any personal data is used in a way that is permitted under the law.

If you apply to the CCRC we will use the information you give us to help look into your case.

The organisations and individuals we may share your personal information with include, but are not limited to:

- Trial courts, including Magistrates' and Crown Courts
- Appeal Courts
- Investigating authorities, such as the police
- Prosecuting authorities, such as the Crown Prosecution Service (CPS)
- Social Services
- GPs
- Legal representatives who previously dealt with you.
- Experts that we instruct to re-test evidence or to provide a fresh opinion about a matter.

Retention period for information collected

For information about this, please see the retention schedule on the corporate publication section of our website [here](#).

Access to personal information

You can find out if we hold any personal data about you by making a 'subject access request'. See more information on making a subject access request on our website at www.ccr.gov.uk.

You can make your request verbally or in writing. If you make your request verbally, we recommend that you follow it up in writing so that we can be confident that we provide you with the correct information, Because we can

only disclose personal information directly to the 'data subject', we may also need to ask you for confirmation of your identity.

You can call us or write to us by post or email asking for your personal data.

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5 St Philip's Place
Birmingham
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dpo@ccrc.gov.uk

There is no charge for subject access requests.

How to exercise other rights available to you under the Data Protection Act 2018

To exercise any other rights available to you please refer to the Data Protection Officer at the above postal address or by emailing directly to dpo@ccrc.gov.uk

The DPA 2018 in part 3, Law Enforcement Processing, sets out the following rights of Data Subjects:

- **Right of access**
This is commonly known as subject access request and is the right which allows you access to your personal data and supplementary information however it is subject to certain restrictions.
- **Right to rectification**
You are entitled to have your personal data rectified if it is inaccurate or incomplete.
- **Right to erasure or restriction of processing**
You have the right to request the deletion or removal of your personal data and/or the right to 'block' or restrict the processing of your personal data where there is no compelling reason for its continued processing.
- **Right not to be subject to automated decision-making**
Automated individual decision making and profiling is a decision made by automated means without any human involvement. The CCRC does not base any of its casework decisions on automated decision making.

Making a complaint to the CCRC

If you wish to make a complaint about the way your personal data has been handled, please put it in writing to:

Data Protection Officer
Criminal Cases Review Commission
5 St Philip's Place
Birmingham
B3 2PW

Or by email to:

dpo@ccrc.gov.uk

Making a complaint to the Information Commissioner

For independent advice about the Data Protection Act 2018 you can contact the ICO:

Information Commissioner's Office (ICO)
Wycliffe House
Water Lane
Wimslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

www.ico.org.uk