

## CASEWORK POLICY

### PRIORITY OF CASES

#### Introduction

1. As the CCRC has a number of cases at any one time, decisions are routinely made (and reassessed) as to whether all or some of the work on specific cases under review should be given priority.

#### Ordering of cases

2. Cases are generally allocated in date order of receipt<sup>1</sup>.
3. The factors set out below are relevant to the degree of priority that a case will receive. Priority assessments are fluid and relative to the needs of other cases. Prioritisation relates only to timing and allocation of resources to the case review.
4. Cases are given higher priority if:
  - (i) The case has been referred by the Court of Appeal under s.23A(1) CAA 1968<sup>2</sup> for investigation by the CCRC under **section 15 of the Criminal Appeal Act 1995**. The CCRC recognises the need for such matters to be addressed and finalised expeditiously given that such directions are always made during live appeal proceedings. As a general rule, the CCRC will prioritise such investigations ahead of other CCRC work. For further information see: [Section 15: Direction from the Court of Appeal](#)
  - (ii) The applicant has applied for review of **sentence only and has less than two years to serve in prison**

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<sup>1</sup> The CCRC can only review a case once it has sufficient documents and materials to work with. As a result, cases will from time to time be taken out of order.

<sup>2</sup> Or s. 25A(1) of the Criminal Appeal (Northern Ireland) Act 1980  
Priority Ranking and Ordering of Cases

This document will be reviewed and updated when necessary.

This current version was reviewed on 3 March 2020.

- (iii) The applicant is in prison for the relevant offence (as opposed to being at liberty).
- (iv) The duration of the CCRC's review – any case will be regarded as high priority from the point at which it has been under review<sup>3</sup> by the CCRC for 2 years.
- (v) There are **exceptional circumstances that justify priority attention** – taking account of the following factors:
- The old age<sup>4</sup> and/or ill health<sup>5</sup> of the applicant where there is concern that the applicant may die before the case is dealt with
  - Evidence that the applicant's serious ill health (or that of any close family member of the applicant) is directly and significantly aggravated by any delay<sup>6</sup>
  - The youth of the applicant where, having regard to the nature of the offence, the sentence imposed and the applicant's personal circumstances, the conviction has an exceptionally adverse impact on their welfare and/or educational and career prospects. In the same way, the young age of the applicant at the date of conviction will also be a consideration<sup>7</sup>
  - The risk of being unable to secure or obtain relevant evidence, or of relevant evidence deteriorating, for whatever reason (priority being relevant to the point at which the evidence is secured)
  - The CCRC's assessment of the likelihood of the conviction or sentence being referred to the appeal court
  - Operational effectiveness
  - The impact of delay on the criminal justice system

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<sup>3</sup> From the point of allocation to a Case Review Manager for review

<sup>4</sup> The CCRC will usually prioritise a case if the applicant is aged 75 or over.

<sup>5</sup> The CCRC requires medical evidence to support a request for prioritisation on the grounds of ill health.

<sup>6</sup> See footnote 4 above.

<sup>7</sup> The CCRC will usually prioritise a case if the applicant was under 18 at the time of conviction.  
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