



CCRC

Criminal Cases Review Commission

Annual Report and Accounts

2014/2015

Criminal Cases Review Commission Annual Report and Accounts 2014/15

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Our vision and purpose:

- to bring justice to the wrongly convicted by referring cases to the appellate courts
- to identify, investigate and correct miscarriages of justice in a timely manner
- to act independently in the interests of justice and to use our unique knowledge and experience to improve the criminal justice system and inspire confidence in the integrity of the criminal justice process

Our overall aims:

- to investigate cases as efficiently and effectively as possible with thoroughness and care
- to work constructively with our stakeholders and to the highest standards of quality
- to treat applicants, and anyone affected by our work, with courtesy, respect and consideration
- to promote public understanding of the Commission's role

Our values:

- independence
- integrity
- impartiality
- professionalism
- accountability
- transparency
- timeliness

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Chair's Foreword

It is a significant moment in the life of any public body when a Parliamentary committee holds an inquiry into its work.

The Justice Select Committee announced in October 2014 that it would hold a full inquiry into this Commission having held a one-off evidence session earlier in the year. The Committee's call for evidence generated almost 50 written submissions. It took oral evidence from fourteen people including myself and our Chief Executive.

The Committee's central finding was that the Commission was "functioning reasonably well". We welcome that central finding along with their conclusion that the Commission "remains as important and as necessary a body as ever".

Over the past decade the Commission has faced a 30% budget reduction alongside a 70% increase in workload. The Committee noted that under-resourcing was leading to increasing and unacceptable delays. In my evidence to the Committee I said that these delays could be eliminated with an additional £1 million of annual funding. The Committee recommended that we be given that money as a matter of urgency.

We told the Committee that there had been a failure by successive governments to grant us an obvious and much needed power to require private bodies to disclose to it documents relevant to our enquiries. The Scottish CCRC already has this power. The Committee could see no good reason why this power had not been introduced considering it had universal support and would require only the bare minimum of new legislation, perhaps no more than a single clause. The Committee regarded addressing this weakness in our powers as "a matter of great urgency and priority" and said that no new Criminal Justice Bill should be introduced without the inclusion of clauses addressing this deficiency in our powers.

We welcome this clear and unambiguous support for additional funding and rectifying the deficiencies in our present powers. As I told the Committee the current combination of under-funding and lack of appropriate powers means that miscarriages of justice are going unaddressed. No government that is committed to justice, fairness and the rule of law would wish to see this situation continue for a moment longer than necessary. We look to the new government to deliver on these recommendations.

There seemed to be some confusion about the Commission's position on the "real possibility" test. Some giving evidence seemed to think we have a target that 70% of our referrals result in successful appeals. We do not now and never have had such a target. The figure of 70% is the outcome we observe, not a target we set. We refer cases if, and only if, in our professional judgement we think there is a basis for referral. As a matter of fact, around 70% of the cases we refer go on to succeed at appeal. In our view, that is about the percentage one would expect if the statutory test – that there is a real possibility, but not a certainty, that the appeal will succeed – is being properly applied.

One of the Committee's findings was widely misinterpreted. The Committee considered so called "lurking doubt" cases and whether, as some claim, the Court of Appeal is too reluctant in such cases to allow appeals where there is no new evidence available (i.e. where the argument is simply that the jury got it wrong), and whether, as a consequence, this Commission is reluctant to refer potential miscarriages of justice on the basis of lurking doubt.

The Committee noted that Dr Heaton, an independent academic who has had full access to the Commission's casework records, published findings concluding that the Commission was applying the statutory test correctly. Dr Heaton said:

"...if I had been charged with discharge of the statutory "real possibility" test, I would have reached the same conclusion [as the Commission]".

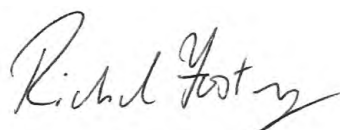
The Committee acknowledged this finding but nevertheless urged us to err on the side of boldness when deciding whether or not to refer cases for appeal.

Some parts of the media reported this call for boldness as if the Committee were saying that if only the Commission were bolder, then significant numbers of additional potential miscarriages might be referred and convictions quashed. Setting aside the fact that we are talking only about a handful of cases at most, this is to ignore the central point that irrespective of the basis on which this Commission refers a case, only the Court of Appeal can quash a conviction. Accordingly, those who think that the basis on which the Court takes decisions in such cases is wrong need to address their concerns to the Court rather than to the Commission. The Select Committee recommended that the Law Commission look at this issue – the Court of Appeal's own criteria for assessing the safety of a conviction – and consider the benefits and dangers of an amendment to statute law, "to allow and encourage the Court of Appeal to quash a conviction where it has serious doubt about the verdict even without fresh evidence or legal argument". The Commission welcomes that recommendation as the appropriate way to take forward any further discussion.

The Committee wanted the Commission to adopt a formal system for feeding our knowledge and experience into the wider criminal justice system. This is an area where we have wanted to do more, but have had to balance the cost and impact of doing so against the imperatives of casework. The Committee's recommendation, and the more general support for more feedback from the Commission to the criminal justice system, has helped persuade us and we have already begun the process of working out what such a formal system might look like.

The Committee also encouraged us to speak on these matters with a strong public voice. We certainly shall.

Finally, I must pay tribute to former Commissioner Penelope Barrett who left the Commission in June 2014 after a full ten years' of dedicated service. Her knowledge and experience as a defence counsel, her determination, her clarity of purpose and commitment to the Commission were invaluable to us as an organisation.



Richard Foster CBE Chair

Chief Executive's Introduction

There has always been a fundamental tension at the heart of the Criminal Cases Review Commission between the casework demands of quality and speed. The central question here is: how can we properly consider a high volume of cases in a reasonable timeframe while ensuring we give every applicant an appropriately considered and timely review, and reach the correct decision as to whether or not to refer the case?

It is a question with which the Commission has wrestled ever since its birth in 1997, but it has become ever more pressing since we introduced our Easy Read application form in early 2012.

We did not know then what a profound effect the new form would have. Almost from the moment it went into service the total number of applications we received went up from around 900 a year to upwards of 1,500 where it has remained. Inevitably, the 50% increase in workload, during a period when our funding has been static at best, has put enormous pressure on the Commission.

For me as Commission Chief Executive, the most striking feature of 2014/15 has been the way in which our staff have responded to that pressure and to the demands we have made of them because of it. We have called upon everyone here to dig in and redouble their efforts in order to deal with the sheer number of cases and the length of our queues. It is not an exaggeration to say that they have responded magnificently and thanks to them I am confident that, as this annual report testifies, we are now starting to turn the tide.

Thankfully, we have during 2014/15 remained relatively stable in terms of personnel. This follows an unsettled two or three year period when we have had to contend with the loss and replacement of several experienced Commissioners leaving at or near the end of their tenure, the uncertainty of having significant numbers of staff on short term contracts, and the unfortunate departure of some senior personnel under voluntary redundancy arrangements.

This recent stability has allowed us to focus our attention on how to make effective changes to casework and other processes in order to better cope with our case intake while making sure we provide a high quality service and do justice to every application we receive.

We introduced some changes in 2013/14 and in 2014/15 and they have, with the help of staff, contributed to the improving picture presented in this report. There is more yet to do and we are as an organisation doing a lot of soul searching in pursuit of the kinds of changes we clearly need to make if we are to achieve our own ambitions for the Commission's performance.

As an organisation, we have set ourselves a challenging aim; that within three years we will reduce waiting times to the point where an applicant whose case needs a detailed review will wait no more than three months for the review to begin. Given that it typically takes around three months to collect from other organisations and then assemble the material needed for such a review, this would effectively amount to starting a review as soon as we had obtained the necessary information. To do so would clearly be the right thing not only for our applicants, but also for us as an organisation.

It is undoubtedly an ambitious target; some may think it too ambitious. There is little point to targets that are not at least a stretch, but there is no sense at all in setting unachievable targets. I believe that we can get there if as an organisation we are single-minded, clear-sighted and determined.

As Chief Executive, I know that I can rely on the professionalism and commitment of everyone here at the Commission. In working together we can provide the very best service to those who apply to us; and in doing so continue to play our crucial role in identifying, investigating and correcting miscarriages of justice.

A handwritten signature in black ink, appearing to read 'Karen Kneller', with a stylized flourish at the end.

Karen Kneller Chief Executive

The Criminal Cases Review Commission is the public body with statutory responsibility for investigating alleged miscarriages of justice in England, Wales and Northern Ireland.

Section One

Directors' Report

The Commission

The Criminal Cases Review Commission is the public body with statutory responsibility for investigating alleged miscarriages of justice in England, Wales and Northern Ireland. It was established by Section 8 of the Criminal Appeal Act 1995 and began work on 31 March 1997. The Commission has the power to refer appropriate cases back to the appeal courts.

The Commission may review convictions and sentences in cases dealt with on indictment (in the Crown Court) and summarily (in magistrates' courts), as well as those heard in the Court Martial and Service Civilian Court.

The Commission is an independent Non-departmental Public Body. It is based in Birmingham.

The Board

The Commission's Board is made up of the Commissioners, the Senior Management Team and the Non-executive Directors.

Commissioners

Commissioners are appointed by the Queen on the recommendation of the Prime Minister. Each Commissioner is appointed for a period of up to five years and can, if re-appointed, serve for a maximum of ten years.

At the end of March 2015 there were 12 Commissioners including the Chair, Mr Richard Foster. During the year Commissioner Penelope Barrett left the Commission after a full ten years of service. In April 2014 Mr Stephen Leach joined the Commission as Commissioner with particular knowledge of Northern Ireland.

Therefore, during 2014/15, the Commissioners were:

Mr Richard Foster CBE (Chair)
 Ms Penelope Barrett (until 8th June 2014)
 Mrs Elizabeth Calderbank
 Mr James England
 Miss Julie Goulding
 Ms Celia Hughes
 Mr Stephen Leach CB (from 28th April 2014)
 Ms Alexandra Marks
 Dr Sharon Persaud
 Mr Andrew Rennison
 Mr David James Smith
 Mr Ewen Smith
 Mr Ranjit Sondhi CBE

Senior Management Team

During 2014/15, the Senior Management Team responsible for the day-to-day running of the Commission consists of Miss Karen Kneller, Chief Executive and Accounting Officer, Mrs Sally Berlin, Director of Casework Operations, and the Director of Finance & IT. From 1 April to 31 August the Director of Finance & IT was Mr Colin Albert. From 9 September 2014 to 27 April 2015, the Director of Finance and Corporate Services was Mr Justin Rees.

Non-executive Directors

Mrs Caroline Corby and Mr Jonathan Baume took up posts as non-executive directors (NEDs) at the Commission in July 2014. They join our existing NED, Dr Maggie Semple OBE, FCGI. Dame Anne Owers stepped down as a NED on 31st March 2014.



Code of Best Practice

The Commission adopted a Code of Best Practice for Commissioners at its first meeting in January 1997. This code was revised in 2012 in light of the Cabinet Office Code of Conduct for Board Members of Public Bodies and it was decided to merge the Staff Code of Conduct with the Commissioner Code of Conduct. The resulting Code of Conduct for Commission Board Members and Employees sets out the standards of personal and professional behaviour and propriety expected of all Board members and members of staff. The key principles on which the code is based are the Seven Principles of Public Life also known as the Nolan principles. The Code of Conduct for Commission Board Members and Employees includes a commitment to maintain a register of Commissioners' interests and to make that register available, by appointment, for inspection at the Commission.

Risks and uncertainties

The Commission's systems of internal control have been designed to manage the risks faced by the Commission in order to safeguard its assets against unauthorised use or disposition, to maintain proper accounting records and to communicate reliable information for internal use or publication.

Audit and Risk Committee

This Committee ensures high standards of financial reporting and proper systems of internal control and reporting procedures. It reviews internal and external audit reports on behalf of the Commission. The committee is chaired by Commission non-executive director Dr Maggie Semple.

Auditor

Arrangements for external audit are provided for under paragraph 9 of Schedule 1 to the Criminal Appeal Act 1995, which requires that the Comptroller and Auditor General examine, certify and report on the statement of accounts. The report, together with the accounts, is laid before each House of Parliament.

No remuneration was paid to the auditor for non-audit work during the year. The members of the Board have taken all the steps which they ought to have taken to make themselves aware of any relevant audit information and to establish that the Commission's auditor is aware of that information. As far as the members of the Board are aware, there is no relevant audit information of which the Commission's auditor is unaware.

Personal data related incidents

The Commission takes very seriously its responsibilities to protect personal data relating to applicants, witnesses, victims and others. Section 23 of the Criminal Appeal Act 1995 makes it an offence to disclose any information obtained by the Commission in the exercise of its functions except in very specific circumstances. There were no personal data related incidents in 2014/15, or in any previous year, which had to be reported to the Information Commissioner or were otherwise recorded as being of significance.

Expenses of Commission Chair and Chief Executive

The total expenses claimed in 2014/15 by the Chair was £927.72. The total claimed by the Chief Executive was £37.21.

Karen Kneller

Chief Executive and Accounting Officer
30th June 2015

Section Two

Strategic Report

Casework

Introduction

During 2014/15, we received 1,599 applications. Taken along with the case intake for the previous two years – 1,470 in 2013/14 and in 1,625 in 2012/13 – this indicates that this higher level of applications has become our new ‘norm’.

To meet the increased demand the Commission has fostered a culture of positively challenging established ways of working and thinking. We have undertaken in-depth reviews of operational processes to identify efficiencies in the way services are delivered and to ensure the most cost effective use of our resources. As a result, the average number of cases handled by each Case Review Manager (CRM) has increased.

In June 2014, we put a greater emphasis on making decisions quickly in the review cases that do not require a significant amount of work by the Commission – such as those cases where no new grounds are raised with us and where we cannot identify any reasonable line of investigation.

At the end of September 2014, we took steps to reduce the significant administrative burden of issuing a final decision document to applicants where we have received no further submissions in response to our provisional decision document. We now issue the initial decision document in a way that invites further representations, but if none are received we will close the case without further correspondence.

In October 2014 a major change was introduced to the methodology for handling cases which come to us without any application having been made for leave to appeal first, which we call ‘no appeal’ applications. That change has allowed us to focus our attention and resources on those cases that meet the ‘exceptional circumstances’ criteria for review.

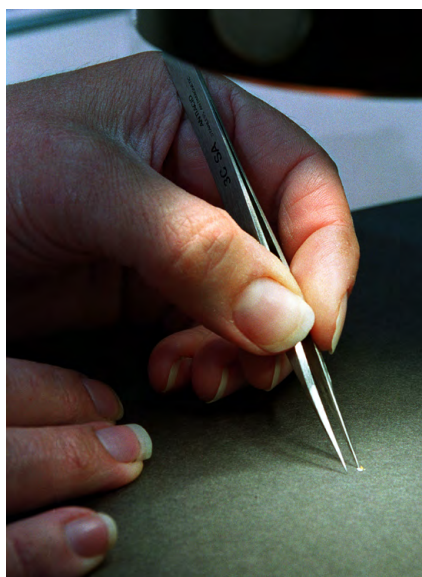
Together, those changes have enabled us to continue to provide a high quality service, to reduce waiting times to within agreed targets and meet the ongoing challenge of the increased number of applications. With minimal changes to staff numbers, we have managed a huge amount of casework in 2014/15 completing 1,632 cases compared with 1,131 in the year before.

In March 2015, we began to apply a new scrutiny process to cases under review for 12 months or more to ensure that we keep those cases on the track and progressing appropriately.

We reduced the number of cases awaiting allocation from 807 at the end of March 2014 to 593 at the end of March 2015. All in all, we have had an extremely productive year, but most applicants are still waiting far too long for us to begin our reviews of their cases and for us then to make a decision at the end of the review.

Casework resources

We are relieved to have received ‘stand still’ budgets for 2014/15 and 2015/16, following our submission to the Ministry of Justice of a business case in light of the continuing high level of applications and the process changes we have been making to help us to work more efficiently. We have managed to retain most of the fixed-term contract staff recruited in recent years and have now moved most fixed-term staff onto permanent contracts.



Quality is of key importance to us and, in complex cases, the review process often takes many months of painstaking work.

No appeal cases

Applications to the Commission should not be seen, or used, as a mechanism by which applicants can by-pass conventional appeal processes.

We reported last year that 48% of all new applications received by the Commission were “No Appeal” cases. These are applications where there has been no previous appeal and no previous application for leave to appeal. This year, the proportion continued at a similar level, at 46%.

In No Appeal cases, the Commission can only refer the case for appeal if, in addition to the real possibility test that applies to every case, we find that there are exceptional circumstances that mean the Commission we should review the case in spite of there having been no earlier attempt to appeal. Where no exceptional circumstances are suggested by the applicant, and where none are apparent to the Commission, the applicant is advised to seek an appeal in the conventional way.

As outlined above, we made a major change in October 2014 to how we deal with No Appeal cases. Our initial focus in those cases is now almost solely on the question of whether there are any potential exceptional circumstances. That means that we now focus more of our resources on cases where the applicant has no alternative avenue of appeal.

In the vast majority of No Appeal applications, no potential exceptional circumstances are raised and none are apparent to us. The continued high level of such applications is of considerable concern to us as it detracts from our ability to deal more quickly with those who no longer have a right of appeal.

Casework performance

We have said in recent Annual Reports that even with the extra staff, we would have to work hard to avoid longer waiting times and longer reviews for our applicants.

We have made changes to how we do things and we have worked hard. We are very pleased to report that between March 2014 and March 2015 we have reduced maximum waiting times to allocation from 12 months to seven months for custody cases¹ and from 32 months to 26 months for liberty cases.

We do not, however, make light of the current waiting times. They are still too long and we will continue to work hard and to look for changes to our processes in order to make further significant reductions.

Quality is of key importance to us and, in complex cases, the review process often takes many months of painstaking work such as interviewing applicants or witnesses, examining police and court files and re-testing forensic material. This work depends on the involvement of the various individuals and agencies that tend to be involved in complex criminal cases, many of whom/which are under considerable resource pressure themselves, and as a result detailed case reviews can rarely be undertaken quickly.

The Commission’s casework performance is monitored using a set of Key Performance Indicators, or KPIs. The KPIs are discussed below and are set out on pages 72 to 74 of this report.

Time from receipt to allocation

We appreciate how important it is for applicants to know that we are addressing the issues in their case. KPI 1 monitors the average time taken for an application to be allocated to a CRM so that a case review can begin. We prioritise applications from people in custody over those from people who are at liberty; during 2014/15, 72.8% of applications were from people in custody and 27.2% from people at liberty.

¹ Custody cases are those where the applicant is in custody for the offence to which the application relates; liberty cases are those where the applicant is at liberty. The Commission prioritises custody cases over liberty cases.

Our target for KPI 1 is to allocate custody cases in an average of less than 26 weeks from receipt of an application. Where the applicant is at liberty, we aim for an average of less than 52 weeks. In 2014/15, the actual average time was 30 weeks for custody cases and 66 weeks for liberty cases.

In 2013/14, in light of the Commission's policy of prioritising custody cases over liberty cases, we allocated only a limited number of liberty cases to help us reduce the waiting time for applicants in custody. In mid- 2014/15 we started to move our focus to reducing the waiting time for liberty cases and expect to see liberty waiting times fall as a result.

Time from allocation to provisional decision

We aim to review cases with speed and thoroughness. KPI 2 monitors the average time taken for an application to be reviewed. In 2014/15, the time taken for review cases to reach the provisional decision stage was 26.5 weeks of allocation to a CRM, against our KPI 2 target of 40 weeks. No Appeal cases took, on average, 19.2 weeks to reach a provisional decision against our target of 15 weeks.

Caseflow balance

KPI 3 shows how the overall number of cases completed in a year compares with the number of applications received. If the number of cases received is greater than the number dealt with in a year, queues and waiting times may well increase; if the number is smaller they may decrease. During 2014/15 we completed 33 more cases than we received. For comparison, in 2013/14 we completed 339 fewer cases than we received, in 2012/13 we completed 351 fewer than we received and in 2011/12 it was 162 fewer cases than we received.

Referrals

In 2014/15 the Commission referred 36 cases to the appeal courts. This means that we referred 2.2% of the 1,632 cases concluded in the year. In the previous year the referral rate was 2.7%, in 2012/13 1.6%, and in 2011/12 it was 2.5%. The Commission's long-term referral rate now stands at 3.35%.

Two main factors seem to have influenced the slight increase in the absolute number of referrals this year. Two of the referred matters were "multi-handed", one involving three applicants (co-defendants) and one involving two applicants, referred on the same basis having had their cases reviewed together by the Commission. Eleven of the referrals involved convictions for offences relating to the applicants' entry to the UK, such as having a false passport or no passport at all, where the applicant was a refugee (see below).

The Commission has always reported its referral rate as a percentage of the total number of cases closed. However, it is perhaps worth providing here some information about what the calculation involves. The total number of cases closed includes every application dealt with regardless of whether it comes under the statutory remit defined for the Commission by the Criminal Appeal Act 1995. This means that the total cases figure includes applications relating to ineligible cases (such as civil matters or other proceedings outside of our jurisdiction or where applicants have appeals pending), and No Appeal cases where there are no exceptional circumstances (discussed above). If cases of this type were removed from the calculation, along with those reapplications that raise no new grounds, the Commission's long-term referral rate would stand at something close to 7.5%.

Prosecutions of refugees and asylum seekers

In our last three Annual Reports, we have discussed the Commission's identification of a series of cases where refugees or asylum seekers have been prosecuted for offences relating to their entry to the UK, such as having a false passport or no passport at all. International law prohibits such prosecutions where people are fleeing persecution and UK law provides defences designed to protect people in this position.

In 2014/15 the Commission referred 36 cases to the appeal courts.

As well as reviewing those cases that come to us by way of applications from individuals, the Commission also conducts some investigations in relation to cases where the Court of Appeal Criminal Division is considering a first appeal.

We referred several of these types of cases between 2011/12 and 2013/14 and have referred eleven this year (see page 19 for details). As things stood at the end of March 2015, the Commission had referred a total of 34 such cases and was reviewing around 30 cases raising similar issues and had a further 30 or so cases waiting to be reviewed. Of the referred cases where appeals had been heard, 30 convictions had been quashed, one appeal was dismissed and another was abandoned by the appellant.

Although the number of applications relating to convictions of this nature has decreased, some are for very recent convictions. We have continued to invest resources in liaising with relevant organisations in an attempt to prevent further unsafe convictions of that type from occurring in the future. This year, we have focussed our attention on working with the Crown Prosecution Service, defence lawyers and the courts.

Special Demonstration Squad

At the beginning of March 2014, the Home Secretary instructed Mark Ellison QC to carry out a review (following his report associated with the Stephen Lawrence case) into cases where the activity of the Metropolitan Police Special Demonstration Squad may have caused miscarriages of justice. During the course of 2014/15, the Commission has liaised with Mr Ellison in respect of this work, along with the Police, Crown Prosecution Service and Attorney General's Office. The impact that continuing work in this area will have on our resources remains to be seen.

Post Office 'Horizon Computer' cases

In March 2015, we received 15 applications from former Postmasters/mistresses convicted of offences such as theft and false accounting having been prosecuted by the Post Office (as this report was being prepared, the Commission had received a total of 20 such applications and expects to receive more). The central theme of these applications is the suggestion that difficulties with the 'Horizon' computer system and/or with the training and support provided to those using the system were the cause of the facts that led to the convictions. We expect to receive more applications on this same theme in the coming months and will be taking a co-ordinated approach to our reviews.

Cases relating to Mazher Mahmood, the Fake Sheikh

During 2014/15 the Commission received five applications from individuals whose convictions were related to the activities of the journalist Mazher Mahmood. Following the halting of the trial of Tulisa Contostavlos in July 2014, the Crown Prosecution Service identified 25 cases resulting in convictions based on evidence provided by Mazher Mahmood and provided each defendant with a "disclosure pack" detailing material that they may consider undermines their convictions. As a result the Commission considers it likely that several more applications of this kind will be made to the Commission in the coming months.

The Commission has already dealt with cases involving issues arising out of the work of the Fake Sheikh. In 2009/10, the Commission referred for appeal the case of Besnik Qema who was convicted for supplying cocaine and for possession of a false passport following a "sting" operation organised by Mazher Mahmood. The successful appeal that resulted from the Commission's referral was uncontested by the Crown.

Section 15 investigations for the Court of Appeal

As well as reviewing those cases that come to us by way of applications from individuals, the Commission also conducts some investigations in relation to cases where the Court of Appeal Criminal Division is considering a first appeal or an application for leave to appeal. The Court can direct the Commission to investigate and report on matters related to ongoing appeals pursuant to sections 15 of the Criminal Appeal Act 1995 and 23 of the Criminal Appeal Act 1968.

During 2014/15 we received four such directions relating to eight individual appellants. All of the directions from the Court asked the Commission to investigate matters relating to alleged juror impropriety; two concerned the alleged inappropriate use of the internet by jurors.

We reported last year that the number of occasions on which the Court had chosen to direct the Commission in section 15 investigations had fallen from nine in 2012/13 to two in 2013/14. The four section 15 cases in 2014/15 clearly represent an increase on last year but fall short of a return to the numbers we had become used to in recent years.

A high proportion of section 15 investigations have traditionally related to questions of juror impropriety and recently particularly to allegations about jurors inappropriate use of the internet. We surmised in last year's annual report that the issuing by the Court in November 2012 of the President of the Queen's Bench Division's Jury Protocol may have largely been responsible for the drop in the number of investigations.

Support for that view came from Master Michael Egan QC, Registrar of Criminal Appeals, in the most recent Court of Appeal Criminal Division annual report when he said:

"...the apparent decrease in instances of inappropriate internet research seems to confirm an improvement in clear and unambiguous jury direction by Trial Judges."

He went on to say this of the Commission:

"We continue to have a strong relationship with the Criminal Cases Review Commission. Directed investigations under section 23A Criminal Appeal Act 1968 into allegations of jury impropriety depend upon them and no one can ever fail to be impressed by the thoroughness and impartiality of their investigations."

Analysis of Referrals to the Court of Appeal in 2014/15

The Commission referred 36 cases to appellate courts during the year. A table of all referrals in the year appears in this report at page 69.

Nanthakumar, Miah, Kumbay

The subject of joint enterprise convictions for murder has in recent years been a matter of heated debate among campaigners, commentators and others. The Justice Select Committee published a report on the issue in 2014 having conducted an inquiry to which the Commission contributed.

During 2014/15, the Commission referred the cases of three men who had together been convicted of murder on the basis of joint enterprise. The complexity of the case and the issues involved illustrate why joint enterprise murder convictions can cause such anxiety.

Kirush Nanthakumar, Aziz Miah and Asif Kumbay, and three other co-defendants, were charged with the murder of Prabaskaran Kannan on the basis of joint enterprise. Mr Kannan was stabbed to death in the early hours of 15 June 2007 at Tooting, South London, during a fight between two rival groups of predominantly Sri Lankan/Tamil men.

All defendants pleaded not guilty to murder at the Central Criminal Court in London in June 2008. Messrs Nanthakumar, Miah and Kumbay and a fourth man were convicted; two co-defendants were acquitted. Messrs Miah, Kumbay, both aged 20 at trial, were sentenced to life imprisonment with a minimum term of 17 years. Mr Nanthakumar, aged 18 at trial, was detained at Her Majesty's pleasure with a minimum term of 14 years.

The prosecution case was that all the defendants had acted together as parties to a joint enterprise and, in so doing, had jointly intended that death, or at least serious

The complexity of the case and the issues involved illustrate why joint enterprise murder convictions can cause such anxiety.

The principle issue in the rape charges was whether or not the complainant had consented.

harm, would be caused. The defendants ran different defences, although all denied any involvement in Mr Kannan's death.

Messrs Nanthakumar, Miah and Kumbay appealed but their appeals were dismissed, in October 2009. All three applied to the Commission in March 2011.

The issues in the Commission's review of the case included whether or not a post-conviction admission by the fourth man convicted of the murder that he alone had wielded the knife, affects the safety of the other convictions obtained on the basis of joint enterprise.

The Commission referred the three murder convictions because it considered that the new evidence relating to who inflicted the fatal wounds on the victim might, if it had been available at trial, have led the jury to different verdicts in relation to Messrs Nanthakumar, Miah and Kumbay.

C

C was charged with sexual offences against teenage girls, including the complainant in the case after police investigation identified a paedophile ring of which C was said to be a part. He was convicted in 2008 of two counts of sexual activity with a child and one count of rape, and received a sentence of imprisonment for public protection.

The Commission decided to refer the case on the basis of new evidence regarding false allegations of rape made by the complainant. Mr C's defence was that he never engaged in any sexual activity with the complainant. However, in this case, we also considered new scientific evidence which demonstrated that sexual activity between the complainant and our applicant did in fact take place. Notwithstanding this, and having considered the totality of the evidence, we were satisfied that there was a real possibility that the Court would conclude that the conviction for rape was unsafe and that a conviction for unlawful sexual activity with a child should be substituted.

G

Mr G pleaded not guilty in 2009 to one count of indecent assault in relation to one woman and two counts of rape in relation to another woman. The principle issue in the rape charges was whether or not the complainant had consented. Mr G acquitted of the indecent assault and one count of rape but convicted of the other count of rape. He was sentenced to a total of five years' imprisonment.

During the course of the Commission's review, it became apparent that a good character direction had been withheld on the basis of a caution for harassment. New evidence showed that the caution had been given without safeguards. The applicant had accepted the caution with no solicitor, appropriate adult or interpreter present, notwithstanding serious mental health issues and non-fluency in English. In any case, it was difficult to see how the caution could go towards a propensity to rape or lie.

Hillman and Gowans

On 29 January 2000, Mr Barry Hillman and Mr Paul Gowans robbed Vytautas Jelinskas, a pizza delivery man in Wandsworth, London. During the robbery Mr Jelinskas sustained a subdural haematoma; he fell into a coma and required constant hospital care.

On 14 August 2000, Messrs Hillman and Gowans pleaded guilty to the robbery, but not guilty to inflicting grievous bodily harm (GBH) with intent on Mr Jelinskas. On 16 August 2000, both were convicted of GBH with intent.

On 19 August 2000, Mr Jelinskas died of septicaemia having contracted an infection in hospital. The Crown subsequently prosecuted Messrs Hillman and Gowans for Mr Jelinskas' murder. The prosecution case was that the injuries sustained through the GBH were a substantial cause of death because Mr Jelinskas would not have undergone invasive procedures that led to the fatal infection if he

had not been hospitalised in the assault. Hillman and Gowans men were convicted of murder and sentenced to life imprisonment with minimum tariffs of twelve and thirteen years respectively.

On 1 October 2014, the Commission received a letter from the Attorney General's office saying that, following an enquiry by Mr Hillman's solicitors, a check had been carried out as to whether the Attorney General had given consent for the prosecution for murder under the Law Reform (Year and a Day Rule) Act 1996.

Under The Law Reform (Year and a Day Rule) Act 1996, proceedings for murder may only be instituted with the consent of the Attorney General, where the person being prosecuted has previously been convicted of an offence alleged to be connected with the death.

It appeared that in this case the Attorney General's consent had not been given and that the Court of Appeal might therefore regard the conviction to be a nullity. The failure to obtain the Attorney General's permission to institute proceedings for other offences has resulted in convictions being overturned by the Court of Appeal. Applying the same logic to this case, the Commission concluded that there must be a real possibility that the Court would quash the murder convictions and consequently referred the case.

Idris Ali

Idris Ali was the co-defendant of Alan Charlton, whose murder conviction was referred by the Commission in February 2014. Mr Charlton's high profile case was discussed in last year's annual report.

In 1991 Idris Ali and Alan Charlton were both convicted of the 1981 murder of 15-year-old Karen Price. Both appealed. In November 1994 Mr Charlton's conviction was upheld while Mr Ali's was quashed and a retrial ordered. In December 1994, prior to retrial, Mr Ali pleaded guilty to manslaughter and sentenced to six years' imprisonment.

The Commission referred Charlton's murder conviction last year on the basis of multiple breaches of Police and Criminal Evidence Act 1984 (PACE) and of PACE Code of Practice C (regarding the detention, treatment and questioning of persons by police officers). The referral was also based on new evidence that a number of officers from South Wales Police who were involved in the Lynette White murder inquiry (the Cardiff Three case), and the Philip Saunders murder inquiry (the Cardiff Newsagent Three case which was referred for by the Commission in 1998), were also involved in Mr Charlton's case and may have used investigative techniques similar to those used in the White and Saunders cases and which contributed to the quashing of the convictions in those cases.

Shortly after referring Mr Charlton's case, the Commission contacted Mr Ali and invited him to apply. Mr Ali's manslaughter conviction was referred because, following a full review, the same issues surrounding Mr Charlton's murder conviction were also found to be relevant to Mr Ali's case.

Asylum and Immigration cases

As last year, a significant proportion of the cases referred to the appeal courts were 'Asylum and Immigration' cases. Most of these were referrals to the Crown Court.

It appears to the Commission that a significant proportion of these convictions were unsafe principally because of poor legal advice at the Magistrates' Court. Notably the cases of Mr O, convicted in August 2013, N, convicted in July 2013 and Mr P who was – convicted in November 2013 were all dealt with at Uxbridge Magistrates' court.

All three were convicted of failure to produce a satisfactory immigration document contrary to section 2(1) Asylum and Immigration (Treatment of Claimants, etc.) Act 2004. Subsequent investigations showed that all three had a defence open to them under 2(4)(c) of that same Act.

Mr O fled because of the war and because of verbal threats he had received from the Assad regime.

For example, in July 2013, Mr O fled because of the war and because of verbal threats he had received from the Assad regime. He travelled by car to Turkey and in August 2013 from there flew to the UK, via Dubai, with the assistance of an agent. Mr O used his own Syrian passport to travel from Turkey to Dubai but handed the passport over to an agent in the transit area of Dubai airport because the agent told him to. On 5 August 2013, Mr O arrived at Heathrow airport and claimed asylum. The Home Office Screening Interview was conducted on the same day. He was charged on 6 August 2013 and pleaded guilty the following day at Uxbridge Magistrates' Court. He was legally represented at the police station and Magistrates' Court. Mr O was granted asylum in December 2013, following the substantive Home Office interview.

Mr O had a reasonable excuse for not producing a genuine immigration document (pursuant to section 2(4)(c) of the 2004 Act) on the basis that it was unreasonable to expect him not to comply with the agent's instruction to hand over his passport and his disposal of the document was, therefore, for a reasonable cause (section 2(7)). Mr O could not travel to the UK legitimately and, therefore, required the assistance of an agent. He said that he was very frightened and that the agents were like "mafia gangs". The agent told him to hand over his Syrian passport before flying from Dubai to the UK and Mr O was not in a position to question those instructions. Mr O was not advised/ not adequately advised of the statutory defence. As such, there is a real possibility that the Crown Court will conclude that in all the circumstances it should allow Mr O to vacate his guilty plea on the basis it would be an affront to justice to allow it to stand.

As discussed in this and earlier annual reports, the Commission has undertaken a proactive role in relation to this issue.

Analysis of appeal court decisions in 2014/15

A table listing all these cases and their outcomes appear in this report at page 70.

A number of the judgments from the cases decided during this period have not yet been made available. The Commission has therefore not been able consider the Court's reasons for the decision.

Latevi Lawson

The case of *Latevi Lawson*² is one which carries particular significance for the Commission; when we referred the case in March 2014, it was only the second time that the Commission had twice referred the same matter to the Court of Appeal (the first such case was that of *Anthony Stock* which was referred in 2003 and 2007).

The first time the *Latevi Lawson* case was referred by the Commission the conviction was upheld; that judgment appears as *R v Lawson* [2012] EWCA Crim 1961. The judgment following the Commission's second referral of the case is reported as *R v Lawson* [2015] EWCA Crim 741.

On 10 November 2006, Mr Lawson was convicted on three specimen counts of sexual assault on the victim, M. The jury were unable to reach a verdict on the remaining counts of sexual assault, indecent assault and rape. The prosecution sought to retry Mr Lawson all the counts upon which the jury were unable to reach a verdict, but ultimately the retrial in January 2008 proceeded on the single count of rape.

The prosecution relied explicitly on the medical evidence of penetration as supportive of their case that M had been raped by Mr Lawson. The defence case remained that no sexual activity had taken place. The defence also suggested that the complainant had told Mr Lawson she had previously been raped and that the medical evidence of penetration was attributable to that earlier event and not to an attack by Mr Lawson.

² Mr Lawson's case has been mentioned in previous annual reports under the anonymous title, Z.

The Commission's review uncovered police failures to disclose photographs demonstrating differences between Mr Amin and descriptions of the robber given by witnesses.

In cross-examination, M denied that there had been an earlier rape, but said that she had almost been raped by her landlord or another person who had come into her lodgings. The jury were referred to M's interview, in which she had described how her landlord had made advances towards her and how she had fought him off. She denied having ever told anyone that she had been raped before.

The jury were directed that the medical evidence that M was not a virgin at the time of examination in February 2005 could only assist them if they accepted M's evidence that she was a virgin at the time of the attack by Mr Lawson.

The Commission's first referral in 2011 was made based on fresh evidence in the form of a previously undisclosed note made by an assistant social worker who accompanied M to a medical examination which mentioned the occurrence of an earlier rape. The Commission considered that this new evidence was capable of affecting the credibility of the complainant's evidence, and the significance of medical evidence regarding the conviction for rape, and that that in turn potentially affected the safety of earlier convictions for sexual assault.

The appeal was dismissed on 19th July 2012 the court having concluded, in short, that the social worker's note was likely to be inaccurate since the statement of the examining doctor did not mention any assertion of an earlier rape, and that his statement was likely to be a more accurate record of the information provided by M.

The Commission's second referral was made on the basis of that original notes of two examining doctors subsequently obtained by the Commission support the assistant social worker's note that the complainant had reported that she had been raped before.

The Court was satisfied that this new evidence was capable of belief and afforded a ground for allowing part of the appeal. The fresh evidence cast doubt of M's assertion that she was a virgin and raised the possibility that the hymenal injury described to the jury could have been caused by an earlier incident.

In all the circumstances, the Court was satisfied that the impact of the fresh evidence was sufficient to undermine the safety of the conviction for rape. However, the Court concluded that the issue of M's lack of credibility could not apply in the circumstances of the first trial when M was not challenged by the defence about her virginity and where the judge's directions to the jury effectively dismissed it from account. As a result the Court upheld the convictions for indecent assault.

Mohammed Amin

Mr Amin was sentenced to three years' imprisonment after he was convicted of being one of two men who robbed Mr R in a busy café, one Friday afternoon in 2010. On the following Sunday evening, Mr R and his girlfriend saw Mr Amin in the street, believed him to be one of the robbers, called the police and Mr Amin was arrested. On the next afternoon, both picked out Mr Amin from a video identification procedure and he was charged. At trial, the defence argued that Mr Amin was of good character and did not have the distinctive hairstyle or beard that witnesses had described.

The Commission's review uncovered police failures to disclose photographs demonstrating differences between Mr Amin and descriptions of the robber given by witnesses. There were also issues surrounding the identifying of witnesses at the scene, the failure to obtain/disclose relevant CCTV footage and to record that the witnesses had approached Mr Amin and identified him after his arrest.

The Court of Appeal did not find that there was anything to substantiate a suggestion of deliberate misconduct, nor did it find that the identification process was invalid due to breaches of Police and Criminal Evidence Act 1984 regulations. However, the Court concluded that the fresh evidence obtained by

The issue was very similar to that raised in the Commission's 2008 referral of the murder conviction in the well-known case of Barry George.

the Commission might reasonably have affected the decision of the jury to convict and quashed Mr Amin's conviction on that basis. The citation is *R v Amin* [2015] EWCA Crim 174.

Dwaine George

Dwaine George was tried in 2002 at Preston Crown Court for murder, attempted murder and possession of a firearm with intent to endanger life. He pleaded not guilty but was convicted and sentenced to life imprisonment with a minimum tariff of 12 years. His 2004 appeal against conviction was dismissed.

Following a wide ranging review, the Commission referred Mr George's convictions to the Court of Appeal in November 2013 on the basis that evidence relating to gunshot residue found on Mr George's coat was not as conclusive as was presented at trial. The issue was very similar to that raised in the Commission's 2008 referral of the murder conviction in the well-known case of Barry George.

The Court of Appeal quashed Dwaine George's conviction in December 2014. The case was unusual and notable in that this was the first time that a case submitted to the Commission by an innocence project has resulted in a conviction being quashed.

Mr George was represented in his application to the Commission by Cardiff University Law School Innocence Project. In the application, the project raised issues relating to gunshot residue and made representations to the Commission based on an expert report obtained by them. The Commission arranged for further specific expert analysis of the gunshot residue evidence and its presentation at trial. While the referral was essentially based around that further expert report, it should be recognised that Cardiff University Law School Innocence Project's work on Mr George's behalf was crucial and the project made a very significant contribution to the Commission's referral of Mr George's case and to the eventual quashing of his murder conviction. The Court of Appeal's judgment (*R v George* [2014] EWCA Crim 2507) in the case says:

"In addition to expressing our gratitude to the Criminal Cases Review Commission, we pay tribute to the work of the Innocence Project and Pro Bono Unit at Cardiff Law School, which took up the appellant's case and pursued it so diligently."

John Jordan

In September 2014, the Commission's referral of Mr Jordan's case came before the Crown Court at Southwark. This case concerned the widely publicised matters concerning the activities of the Metropolitan Police Special Demonstration Squad (see also page 16).

Mr Jordan stood trial with nine other defendants who were all members of an environmental activist group known as Reclaim the Streets (RTS). On 7 August 1996 demonstrators took part in an organised cycle ride in central London in support of striking London Underground train drivers. Following this event some of the demonstrators moved on to the headquarters of London Transport at Broadway, SW1. Mr Jordan and others were charged with offences after gaining entry to the building. Mr Jordan was charged with assault on a police officer for which he received a conditional discharge and with unlawful possession of that officer's police helmet for which he received an absolute discharge.

During the investigation the Commission made use of its powers under s17 of the Criminal Appeal Act 1995 to ascertain that one of Mr Jordan's co-accused (who was acquitted) was an undercover police officer. At trial the CPS, the court and the defence were not aware of this fact. The CPS subsequently acknowledged that, had they been aware of the situation, there was a "strong likelihood" that John Jordan would not have been prosecuted.

The Commission made use of its powers under s17 of the Criminal Appeal Act 1995 to ascertain that one of Mr Jordan's co-accused was an undercover police officer.

The Commission concluded that, under all the circumstances, there was a real possibility that an appeal to the Crown Court would succeed if referred. The reasoning for the Commission's decision was included in a statement of reasons accompanied by a confidential annex dealing with sensitive information relating to the case. As is normal practice, this annex was served on the CPS and the court only.

The CPS did not contest this appeal and on 24 September 2014 Mr Jordan's appeal was allowed. During proceedings in this case, The BBC, *The Guardian* and other media outlets made formal applications to the Court for the disclosure to the Commissions confidential annex; as this report was being written, that matter had yet to be resolved.

Omar Benguit

Mr Benguit was convicted in January 2005 at Winchester Crown Court for the murder of Jong-Ok Shin and sentenced to life imprisonment. His appeal against conviction was dismissed in July 2005. He applied to the Commission for a review of his conviction in May 2010.

The Commission referred the conviction in December 2012 on the basis of new evidence which it considered potentially undermined the reliability of a prosecution witness, and on new evidence relating to another individual which, had it been known at trial, would have enabled Mr Benguit's defence to suggest a possible alternative suspect for the offence.

The Court of Appeal, in its April 2014 judgment (*R v Benguit* [2014] EWCA Crim 690), indicated that the jury would have convicted Mr Benguit even if it had been aware of the credibility issues of the main prosecution witness, and the possibility of an alternative suspect defence. In that judgment the Court said:

"The Commission has to tread a fine line in referring cases to the appeal courts. The real possibility test put the Commission in the position of second guessing the Court of Appeals decision making. Inevitably, this will lead to referrals being made where the courts do not feel that the conviction is unsafe. The alternative, where every referral results in a conviction being quashed is undesirable from the Commissions point of view. This scenario would inevitably be the consequence of the Commission not referring enough cases to the courts. When the Commissions referrals are usually, but not always, successful then the Commission is arguably treading the fine line with some success."

Jian Xie

This was another in a line of cases where Commission's referral was made based on doubts about the medical evidence that was heard at trial.

The Commission instructed Dr Mary Pillai to review the evidence of the medical expert in the trial, Dr Aziz. Dr Pillai is a consultant obstetrician and gynaecologist and also a Forensic Medical Examiner specialising in sexual offences. She was instructed to review the original evidence in light of the current state of expert knowledge (as expressed in the most recent guidance from the Royal College of Paediatrics and Child Health), academic research and prosecutorial guidance. She was also asked to assess whether the examination had been conducted in line with best-practice guidelines.

In light of the fresh evidence provided, the Commission considered that the medical evidence at trial appeared to have overstated the probative value of the complainant's hymenal injury as evidence that sexual intercourse had occurred. The case was referred on the basis that the conviction may have been founded on unreliable medical evidence.

However, in this case the Court of Appeal upheld the appeal, stating that in their judgment the evidence of Dr Pillai did not afford any ground for allowing the

appeal and did nothing to render this conviction unsafe. The judgment is at *R v Xie* [2014] EWCA Crim 715.

Northern Ireland

Judgments in the Northern Ireland Court of Appeal have also featured prominently this year with a total of four Commission referral cases decided there in 2014/15.

The case of Martin McCauley was the most prominent of these since it involved the infamous 1982 “hay barn” shooting and related to allegations that the Royal Ulster Constabulary (RUC) operated a “shoot to kill” policy at that time.

Martin McCauley was convicted in February 1985 at Belfast Crown Court of the unlawful possession of three rifles. He was given a suspended sentence of two years’ imprisonment. The Commission referred Mr McCauley’s case in January 2013; the judgment was delivered in September 2014 (*R v McCauley* [2014] NICA 60).

The incident which gave rise to the charges took place in November 1982. Three members of an RUC patrol surrounded a hay barn on Ballynerry Road North, a rural address about three miles from Lurgan in County Antrim. Mr McCauley was inside the barn with another man, Michael Tighe. The police officers fired into the barn, killing Mr Tighe and severely wounding Mr McCauley. No shots were fired from inside the barn. The police took Mr McCauley into custody and then searched the barn, discovering three rifles lying on bales of hay. No ammunition was found in the rifles or anywhere else in the barn.

The RUC officers initially gave witness statements claiming that they had attended the scene after witnessing an armed man enter the barn. The officers subsequently admitted that that explanation was untrue, and said they had lied at the instruction of their superior officers in order to protect the source of the Special Branch information which had, in fact, led the police to the barn. At Mr McCauley’s trial, the RUC officers gave evidence that they had seen Mr McCauley and Mr Tighe holding rifles and aiming them in the direction of the police.

The trial judge expressed reservations about the credibility and accuracy of the RUC officers’ evidence regarding the gunshots, and whether they saw either occupant of the barn holding and pointing a rifle, and excluded the police officers’ evidence from his considerations. However, he was satisfied that McCauley and Tighe had entered the barn for the purpose of handling and working on the rifles, and that at all material times the rifles had been in their possession.

In the mid-1980s, after Mr McCauley’s conviction, John Stalker, then Deputy Chief Constable of Manchester Police, led a large-scale inquiry into the hay barn shooting and other RUC shooting incidents from the same period. The Commission’s review included consideration of materials from the Stalker inquiry, and other highly sensitive documents. The Commission decided that certain information within that material (which was not available to the judge at the time of trial) gave rise to a real possibility that the Court of Appeal would overturn Mr McCauley’s conviction.

The Commission’s analysis and reasons for this case was provided for the Court by way of a Confidential Annex (also provided to the Public Prosecution Service, but not provided to Mr McCauley or to his representatives).

The Commission’s investigation found that there had been an eavesdropping operation carried out at the barn prior to and during the shooting of 24th November 1982. This was not brought to the attention of the trial judge or the defence. Although the Director of Public Prosecutions was aware of the operation, they were not informed that the operation had produced audio recordings of events immediately before and during the RUC raid on the hay barn. Tape recordings were in the possession of the security services at the time of the trial, but were subsequently destroyed in the summer of 1985. Those who had listened to the tapes confirmed that they revealed that the RUC officers opened fire on the barn without warning.

The Commission’s investigation found that there had been an eavesdropping operation carried out at the barn prior to and during the shooting.

The Court subsequently found the conviction unsafe, with Lord Chief Justice Declan Morgan concluding that this was a case where the misconduct was such that it would be contrary to the public interest and the integrity of the criminal justice system to uphold the conviction.

In January 2015, Following the Commission's review and the quashing of Mr McCauley's conviction, the Director of Public Prosecutions for Northern Ireland, Barra McGrory QC, announced that he had requested that the Chief Constable and the Police Ombudsman to carry out full investigations into the actions of former RUC and Security Service personnel in relation to the withholding, concealment and destruction of surveillance evidence in the case.

As regards reporting on Mr McCauley's case, the Commission is in the unusual position of being able to divulge details of its review which it would usually be impossible for it to disclose. This is because the Northern Ireland Court of Appeal took the unprecedented step of including a high level of detail in its published judgment.

Terence Laverty

The Troubles-related case of Terence Laverty was referred to and quashed by the Northern Ireland Court of Appeal in 2014/15.

Mr Laverty was convicted in 1971 at the Belfast Magistrates' Court of riotous behaviour, and sentenced to six months' imprisonment. Mr Laverty's brother, John Laverty, was shot and killed during the same incident. The Commission liaised with the Historical Enquiries Team (HET) which was reviewing the John Laverty case.

During the course of its review, HET spoke to the individual known as Private X. Private X was one of two soldiers who gave evidence against Terence Laverty (the other soldier is deceased). Private X was recorded by HET as giving an account which amounted to a retraction of his evidence relating to Terence Laverty.

As a result of that testimony, the Commission referred Mr Laverty's conviction for appeal and it was subsequently overturned in February 2015 at Belfast County Court. This was another case where the Commission had to make its referral to the court by way of a confidential annex so that Private X's details were revealed only to the Court and the Public Prosecution Service Northern Ireland.

Judicial Reviews

Applications for judicial review are handled by the Administrative Court at the Royal Courts of Justice in London and in a few regional court centres. Following a successful judicial review of a decision taken by the Commission, the Administrative Court can require us to revisit the decision in question.

During 2014/15, Commission decisions have been subject to 28 challenges.

The Commission conceded two cases prior to proceedings being issued. Each was a re-application which had been rejected as raising no new argument. It was identified, subsequent to the challenge, that there was in fact new argument. Accordingly, the Commission agreed to accept the re-applications and is now considering the merits of each.

A third case was conceded following a hearing at the Administrative Court in Northern Ireland. At the court hearing the applicant's representatives raised new submissions, and as a result the Commission reconsidered its decision not to re-open the case. At the time of writing, the Commission was awaiting further submissions from the applicant's representatives.

The remaining challenges which have been concluded in 2014/15 were either refused permission by the Administrative Court to judicially review a Commission decision or the applicant chose not to issue proceedings following the correspondence under the pre-action protocol for judicial review designed to avert the need for court action.

The Commission considers a complaint to be upheld if any aspect of our conduct of the case is found to have been deficient regardless of whether or not the deficiency affected the outcome of the review.

Complaints

The Commission received 54 complaints in 2014/15 compared to 55 in 2013/14; a decrease of two per cent. This year's complaints came from 52 individuals two of whom made two separate complaints each.

The Commission takes all complaints seriously and deals with them fairly and transparently. Our policy is set out in the Complaints Procedure Formal Memorandum which is available in the publications section of our website at www.ccr.gov.uk.

Our aim is to acknowledge all complaints within ten days of receipt and to try to provide a substantive response within 20 days. In 2014/15 the average time to acknowledgment was nine days compared to five days last year. The average time from receipt of a complaint to the issuing of a substantive response was 43 working days; last year the figure was 38 working days. The increase in the time taken to provide a substantive response can be linked to the level of complexity of the complaints received during the year.

The Commission operates a two-stage complaints process by which applicants who remain dissatisfied after their complaint has been dealt with at stage one can have the matter reviewed by the Chief Executive or by a non-executive director of the Commission.

During 2014/15, seven complaints (13% of the total) moved to stage two of the process. In the previous year, five cases, or nine per cent of the total, moved to stage two.

The Commission considers a complaint to be upheld if any aspect of our conduct of the case is found to have been deficient regardless of whether or not the deficiency affected the outcome of the review. In the event that a complaint is upheld, the Customer Service Manager can require a range of remedies from issuing an apology to re-opening a case.

In all, six complaints (11% of the total) were upheld in 2014/2015. That is one fewer than in 2013/14 when 13% of complaints were upheld.

During the year, only one case needed to be reopened as a result of a complaint being upheld. That compares with three cases reopened in 2013/14 and none in 2012/13. The issue in the case reopened in 2014/15 related to how the Commission had addressed the issues raised in a re-application.

In four of the other cases where complaints were upheld in 2014/15, the Commission apologised for the shortcomings giving rise to the upholding of the complaints. In the remaining upheld complaint the applicant was sent a second provisional statement of reasons as the appropriate form of redress.

None of the matters in relation to which complaints were upheld in 2014/15 affected the outcome of the cases concerned.

Complaints to the Commission are generally made by individual applicants on their own behalf. That proved to be the case in 2014/15 with the exception of three complaints submitted by applicants' legal representatives, two submitted by members of the applicants' families, two from non-legal representatives and, unusually, one triggered by a witness in the original case to which an application related.

As has been the case in previous years, the majority (76%) of complaints in 2014/15 were made after the final decision had been made in the case concerned.

One complaint made during 2014/15 raised issues relating to equality and discrimination. This is a decrease on the previous year where five separate complainants (9%) raised issues of this kind. In neither year was there any cause to uphold a complaint based on such issues.

During 2014/15 the Commission received three applications relating to cases of a military origin.

The Commission introduced an Easy Read complaint form in 2013/14 to assist people who struggle with reading and writing. In 2014/15, nine (17%) of complaints received were made using the Easy Read form.

During 2014/15, complaints were received from five applicants who have been described by the Commission as “persistent applicants”. Together they were responsible for seven complaints, or 13% of the total during the year. A definition of persistent applicants, and the Commission’s policy relating to such applicants, can be seen in the formal memorandum on the subject at www.ccrcc.gov.uk

The complaints received in 2014/15 related to cases involving a range of offences varying in seriousness. However, it is perhaps worthy of note that, as was the also the case in 2013/14, a high proportion of the complaints came from applicants convicted of what might be described as relatively ‘minor’ offences involving no custodial sentence. In 2014/15, 33% of complaints fell into this “non-custodial” category. In 2013/14 the figure was 36%. To put this into context, approximately 83% of all applications to the Commission relate to convictions that resulted in imprisonment while only 17% relate to non-custodial cases.

Military cases

The Armed Forces Act 2006 amended the Criminal Appeal Act 1995 and the Court Martial Appeals Act 1986 to give the Commission jurisdiction over convictions and/or sentences arising from the Court Martial or Service Civilian Court after 31 October 2009. During 2014/15 the Commission received three applications relating to cases of a military origin. Those three cases bring to six the total number of applications received by the Commission in relation to military cases. At the time of writing this annual report, two cases remain under consideration at the Commission.

Royal Prerogative of Mercy

Section 16 of the Criminal Appeal Act 1995 gives the Commission two areas of responsibility relating to the Royal Prerogative of Mercy. One is to recommend the use of the Royal Prerogative where the Commission sees fit. The other is to respond to requests from the Secretary of State in relation to the use of the Royal Prerogative. The Commission has had no cause to do either in 2014/15.

The Commission continued with the successful internship programme run in conjunction with The Kalisher Scholarship Trust.

Resources

Human Resources

There was very little recruitment activity at the Commission during 2014/15 due to the uncertain budget situation. However, towards the end of the final quarter of the year, when our budget position for 2015/16 was settled, we were able to convert to permanent roles a number of the casework and other posts we had filled in 2013/14 using fixed-term contracts.

The fixed-term contracts had been used to increase capacity at a time when uncertainty around our future finances meant that we could not employ new staff on a permanent basis. The move to permanent status has had a positive effect on morale after a period of considerable uncertainty, not only for the individuals involved, but also for the Commission at large.

Mr Stephen Leach was appointed as a Commissioner in April 2014. Mr Leach is the Commissioner with particular knowledge of the criminal justice system in Northern Ireland.

Following the partial retirement of our Director of Finance and IT (who has remained on a part time basis in order to complete a particular IT project) the Commission recruited a Director of Finance and Corporate Services. The revised role also has overall responsibility for Human Resources and provides the Human Resource function with representation at Board level. Unfortunately, the new Director resigned in April 2015; the Commission has started the process of recruiting a replacement.

The appointment of a secondee from the Public Defender Service (PDS) was made to cover the secondment of a Commission legal adviser who took an opportunity within the Ministry of Justice. The Commission also made informal secondment arrangements in relation to two PDS advocates who joined the Commission for three months each; one was full time and one part time.

The Commission continued with the successful internship programme run in conjunction with The Kalisher Scholarship Trust, appointing one intern for a six month period who went on to secure a pupillage in Chambers. Recruitment for an new Kalisher intern for 2015/16 started at the end of March 2015.

The Commission also continued with its apprenticeship programme and during 2014/15 appointed one apprentice for a period of 12 months. Other apprentices who have worked at the Commission have gone on to secure permanent roles in respected public bodies or gone into full-time education.

As at the 31st March 2015 there were 80 permanent members of staff making up a Full Time Equivalent (FTE) of 79. They included 37 Case Review Managers (FTE 36.57). At the end of 2014/15 there were 12 Commissioners (FTE 8.41), including the Chair, Richard Foster.

In the summer of 2014 the Commission ran its bi-annual staff survey achieving an Employee Satisfaction Index of 85%. The survey findings were generally positive but there were some specific areas that the Commission decided needed attention. We plan to run a shorter targeted survey in Summer of 2015 to see if the steps taken have addressed the areas of concern. Our next full survey is planned for June 2016.

In February 2015, in line with government guidance for arms length bodies, the Commission introduced a new pay scheme designed to remove automatic pay increases based on time served. Those staff who were still due progression under their contracts when the new scheme was introduced received a one-off progression buy-out. Henceforth all pay awards will be based on performance.

We achieved a substantial improvement in our sickness absence record during 2014/15. Our KPI (key performance indicator) target is for sickness absence to be on average less than 7.5 days per person per year. In 2014/15, the actual annual average sickness absence was 7.8 per person per year; significantly better

At the 31st March 2015 the Commission had 50 female and 30 male staff, seven male and five female Commissioners.

than in 2013/14 when it was 13.3 days. In 2012/13 the figure was seven days. Sickness absence at the Commission has, over the last two years in particular, been affected by a number of longer term absences. Because the Commission has fewer than 100 members of staff, even a relatively small number of long term absences has a disproportionate effect on the overall sickness absence picture. Senior and middle managers are being pro-active in tackling the issue and the Commission plans to provide training in the year ahead to help line managers deal with sickness absence effectively.

At the 31st March 2015 the Commission had 50 female and 30 male staff, seven male and five female Commissioners and two female and one male non-executive directors.

IT Resources

A key objective of the Commission is the provision of a secure and stable IT environment that meets our business needs at reasonable cost.

This is achieved through a small in-house IT team, which again has continued to provide a near-100% system availability throughout the year despite some staffing issues in the first six months which left the team operating with greatly reduced resource. The main work during the year comprised maintenance and update activities including preparation for migration away from unsupported Microsoft products and a move onto the latest government secure network.

Having recently procured a replacement for the Commission's vital case management system, we embarked late in 2014/15 on the building and testing phase of the project and expect the new system to become fully available during 2015/16.

Financial Resources

The Commission is funded almost entirely by means of a cash grant, called a Grant in Aid, from the Ministry of Justice. However, financial control is mainly exercised by means of delegated budgets. These are divided into three categories. The Resource Departmental Expenditure Limit (RDEL) covers most cash expenditure, but also includes depreciation; Resource Annually Managed Expenditure (RAME) covers movements in provisions; and Capital DEL (CDEL) is for expenditure on non-current assets which are capitalised.

At the time of writing the Commission has received a firm indicative RDEL budget for 2015/16. The table below shows a comparison of budget figures for the current year, the previous four years and the following year.

	2010/11 £000	2011/12 £000	2012/13 £000	2013/14 £000	2014/15 £000	2015/16 £000
Fiscal RDEL	5,465	5,113	5,107	5,178	5,304	5,180
Non-cash RDEL	297	229	240	214	(55)	(55)
RDEL total	5,762	5,342	5,347	5,419	5,249	5,125
RAME	413	413	411	403	509	509
CDEL	205	100	43	235	132	207
Total	6,380	5,855	5,801	6,057	5,890	5,841

The main source of risk and uncertainty faced by the Commission in planning and managing its financial resources relates to the level of funding it receives from its sponsor department. The continuing need for budgetary savings to be made across government is particularly difficult for the Commission as the majority of its expenditure relates to staff costs. This makes it difficult to plan ahead with any confidence. In addition, a project to replace the Commission's case management software is currently in progress. This project is mission critical, and consequently the risks of the project failing are considered material for the organisation as

The cash Grant in Aid received from the Ministry of Justice in the year was £5.67 million.

a whole. The Governance Statement on pages 44 to 48 describes how the Commission manages these risks and uncertainties.

The cash Grant in Aid received from the Ministry of Justice in the year was £5.67m (2013/14 £5.47m). In accordance with government accounting rules which require Grant in Aid only to be drawn when needed, the Commission forecasts its cash requirement on a monthly basis. By only drawing down the amount of Grant in Aid needed in the month, the Commission aims to keep its monthly end of period cash balances as low as possible. The balance at the end of the year was £9,000 (2013/14 £4,000).

The Commission has completed the migration of its banking arrangements from a commercial provider in July 2014 to the Government Banking System. At the end of the year the balance held with the Government Banking System was £9,000 (2013/14 – £nil), and there was a residual balance of £nil with a commercial provider (2013/14 – £4,000).

Financial performance

The primary indicator of financial performance is expenditure measured against the respective elements of the delegated budget. The Commission's actual expenditure compared with budget was as follows:

	2014/15			2013/14		
	Actual £k	Budget £k	Variance £k	Actual £k	Budget £k	Variance £k
Fiscal DEL	5,304	5,304	0	5,158	5,178	(20)
Non-cash	(65)	(55)	(10)	15	241	(226)
RDEL	5,239	5,249	(10)	5,173	5,419	(246)
RAME	526	509	17	438	403	35
CDEL	115	132	(17)	181	235	(54)
Total	5,880	5,890	(10)	5,792	6,057	(265)

Expenditure against the budget heads shown above reconciles to net expenditure after interest as shown in the statement of comprehensive net expenditure on page 51: as follows:

	2014/15 £000	2013/14 £000
Resource DEL	5,239	5,173
Resource AME	526	438
Total resource expenditure	5,765	5,611
Notional expenditure	607	621
Net expenditure after interest	6,372	6,232

Notional expenditure is a presentational item included to ensure that the financial statements show the true cost of the Commission's operations. It is not scored against the Commission's budgets as it is not actually incurred by the Commission. Notional costs relate to the cost of office accommodation, which is borne by the sponsor department on behalf of the Commission. The costs are included in the Statement of Comprehensive Net Expenditure as a notional cost in accordance with the FReM. There is an equivalent reversing entry in the Statement of Changes in Taxpayers' Equity. Full details are given in notes 1 and 18 to the accounts.

Financial performance as measured by expenditure against budget is one of our Key Performance Indicators (KPIs). The targets for KPI 8 are that for each of RDEL and CDEL expenditure should not exceed budget, nor fall below budget more than a percentage target of the budget. Actual RDEL expenditure in 2014/15 was 0.2% below budget compared with the target of 2.5%. The favourable variance on Fiscal DEL represents that part of the budget which is cash-based and therefore

susceptible to in-year control. This was comfortably within the KPI target, although this is the net effect of some overspends and savings in other areas.

Expenditure was higher than budgeted in several areas related mainly to IT, office supplies, storage costs, travel, legal & professional and recruitment. Savings have emerged on staff costs and in other ancillary areas where spend has been cut back. Actual CDEL (capital) expenditure was below budget, as a result of delays in the project to replace our case management software. Some of the implementation costs have now been deferred into the next business year. See page 74 for results of KPI 8.

Financial statements

The accounts for the year ended 31 March 2015 are set out on pages 43 to 68.

The Statement of Comprehensive Net Expenditure on page 51 shows total expenditure for the year of £6.11m (2013/14 – £6.01m). Staff costs have increased by £30,000 compared with the previous year. Other expenditure has increased from £1.42m in 2013/14 to £1.49m in the current year.

The main investment in non-current assets during the year was in respect of on going work for a replacement case management software solution. This has been classified as assets under development as the software is not yet in use. Deployment and configuration work will take place in the following business year. Cash balances were minimal at the year-end. This reflects the continuous focus on good cash management so that Grant in Aid is only drawn down as needed.

Pension liabilities continue to grow and represent by far the largest item on the Statement of Financial Position. Commissioners are now appointed without a pension, which means that the current service cost has declined markedly. However, the unwinding of the discount and actuarial losses has contributed to an increase in the liability of £551,000 in the current year. The Statement of Financial Position on page 52 now shows overall net liabilities of £6.24m (2013/14 £5.69m). The net liabilities largely fall due in future years, and will be funded as necessary from future Grant in Aid provided by the Ministry of Justice. As a result, it has been considered appropriate to continue to adopt the going concern basis for the preparation of the accounts. This is discussed further in the Accounting Policies notes on pages 55 to 68.

Compliance with public sector payment policy

The Commission follows the principles of the Better Payment Practice Code. The Commission aims to pay suppliers wherever possible within ten days. Where this is not possible, the Commission works to targets to pay suppliers in accordance with either the payment terms negotiated with them or with suppliers' standard terms (if specific terms have not been negotiated). The average terms are approximately 30 days, and performance against this target is shown in the table below:

	2014/15		2013/14	
	£000	Number	£000	Number
Total invoices paid in year	1,380	1,530	1,332	1,726
Total invoices paid within year	1,290	1,506	1,292	1,670
Percentage of invoices paid within target	93.5%	98.4%	97.0%	96.8%

Performance has exceeded our 95% target for number of invoices paid but is just under in terms of invoice value.

No interest was paid under the Late Payment of Commercial Debts (Interest) Act 1998.

The average credit period taken for trade purchases is calculated by expressing trade and capital payables as a proportion of the total value of supplier invoices

During 2014/15
we logged 839
such advice calls
– a significant
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years.

in the year, multiplied by the number of days in the financial year. This period is 6.3 days for the current year (2013/14 17.5 days).

Applicants' advice line

The Commission operates an advice call rota whereby applicants, potential applicants, their lawyers or supporters, can call the Commission and speak to one of our Case Review Managers about matters relating to a current or potential application. During 2014/15 we logged 839 such advice calls– a significant increase on the average of 650 a year in recent years.

Advice calls of this kind are often complicated and time consuming. While the advice rota represents a significant investment of casework resources, we view it as a valuable service which, among other things, helps potential applicants make the important and sometimes difficult decisions about how they should seek to progress their cases.

Records Management

Our ability to obtain material and manage the flow of documents and information at the Commission is of fundamental importance to our operation as a caseworking organisation. Our handling of such material is subject to legislation including the Public Records Acts of 1958 and 1967, the Data Protection Act 1998 and the Freedom of Information Act 2000. We act in accordance with the requirements of those Acts, and in consultation with the National Archives, in the way we create, manage and preserve or destroy records. We operate a retention and disposal schedule which sets out how we will manage all paper and electronic records in our possession; we keep paper casework records for three months after case closure and keep our own electronic casework records for ten years.

During 2014/15 the Records Management team has coped admirably with the continued very high level of demand for the acquisition and management of casework material. They have also continued to work steadily towards the first ever transfer of material retained by the Commission to the National Archives under the new 20-year rule.

Corporate

The Justice Select Committee

The Commission was notified in October 2014 by the Justice Select Committee that it intended to carry out an inquiry into the work of the Commission. This was the first full scale Select Committee inquiry into the Commission since its inception in 1997. Commission Chair Richard Foster discusses the inquiry and our response to it at some length in his foreword to this annual report on pages seven and eight.

The Justice Select Committee's inquiry stemmed from an earlier one-off evidence session involving the Commission in January 2014. In its full inquiry the Select Committee issue a public call for evidence on all aspects of the work and effectiveness of the Commission, but in particular on the following points:

- Whether the CCRC has fulfilled the expectations and remit which accompanied it at its establishment following the 1993 Report of the Royal Commission on Criminal Justice;
- Whether the CCRC has in general appropriate and sufficient (i) statutory powers and (ii) resources to carry out its functions effectively, both in terms of investigating cases and in the wider role of promoting confidence in the criminal justice system;
- Whether the 'real possibility' test for reference of a case to the Court of Appeal under section 13(1) of the Criminal Appeal Act 1995 is appropriate and has been applied appropriately by the CCRC;
- Whether any changes to the role, work and remit of the CCRC are needed and, if so, what those changes should be.

The inquiry received 47 written submissions and held four oral evidence sessions, hearing from a number of lawyers, academics, campaigners including Lord Runciman, Chair of, and Professor Michael Zander QC, Member of the Royal Commission on Criminal Justice whose report (The Runciman Report) first recommended the creation of the Criminal Cases Review Commission.

The inquiry also heard from the, Rt Hon Mike Penning MP, Minister of State for Policing, Criminal Justice and Victims and Stephen Muers, Director for Sentencing and Rehabilitation, Ministry of Justice the Chair and Chief Executive of the Commission.

The Justice Select Committee report runs to 37 pages and covers a range of issues relating to various aspects of the Commission and its work. It is too detailed to be adequately summarised here. However, in its own summary of the report, the Justice Select Committee said:

"...our overall conclusion is that the CCRC is performing reasonably well, with areas for improvement identified, but that it could be doing more to increase understanding of its work. We also say that the Commission needs to be given the resources and powers it requires to perform its job effectively. It remains as important and as necessary a body as ever."

The Justice Select Committee's full report (along with all evidence submitted) can be seen at: <http://www.parliament.uk/business/committees/committees-a-z/commons-select/justice-committee/news/criminal-cases-review-commission-report/>

Our wider contribution

The Commission is fundamentally a caseworking organisation which seeks first and foremost to deal with cases in a fair and timely manner. We also seek, within budgetary constraints, to engage with a wide range of stakeholders through a varied programme of activities and events. Our efforts in this area generally aim to raise awareness of the Commission and its work and to build relationships with

...the Commission needs to be given the resources and powers it requires to perform its job effectively. It remains as important and as necessary a body as ever."

The Justice Select Committee

We plan to hold our next conference in Spring 2017 to coincide with the 20th anniversary of the creation of the Commission.

relevant parties as well as to feed the knowledge and experience gained by the Commission back into the wider criminal justice system.

The centrepiece of our stakeholder programme during 2014/15 was the conference held in London in November. The event was attended by an invited audience of around 130 people drawn from all parts of the criminal justice system, including the judiciary, defence and prosecution lawyers and police as well as other interested parties such as campaigners, lobby groups, academics and others.

The speakers were: The Right Honourable Lord Justice Colman Treacy, Lord Justice of Appeal and Chairman of the Sentencing Council; Commission Chair Richard Foster CBE; Mick Creedon, Chief Constable of Derbyshire Police and national police lead for a number of areas including serious and organised crime; Mark Newby, solicitor advocate and principal member of Quality Solicitors Jordans; and Professor Carolyn Hoyle, Director of the Centre for Criminology at the University of Oxford, who is currently conducting research on the Commission (see also page 37). The conference was chaired by David Rose, a journalist and author who has written extensively on crime and miscarriages of justice.

The Commission is grateful to University College London, and in particular to Professor Cheryl Thomas, for allowing us to hold the conference in the Denys Holland Lecture Theatre at Bentham House, London.

This was the third bi-annual stakeholder conference organised by the Commission since it committed to holding such events in 2010. Feedback from those attending the 2014 event was very positive. Commission conferences have become an established and valued feature of our relationship with many stakeholders and we aim, as long as resources allow, to continue hosting interesting and relevant events of this kind. We plan to hold our next conference in Spring 2017 to coincide with the 20th anniversary of the creation of the Commission.

Visits and visitors

In June 2014 the Commission hosted a visit from a 14-strong delegation of judges from various courts within the Chinese criminal justice system. The delegation was led by Ms Xu Jing, Senior Judge, Deputy Chief Judge, Supreme People's Court of China. Their visit to the Commission was part of a trip to the UK arranged by the Great Britain China Centre which is sponsored by the Foreign and Commonwealth Office.

During the year, the Commission also hosted a fact-finding visit and provided training for Mr D. B. Seetulsing, Chairman, National Human Rights Commission of Mauritius. Mr Seetulsing leads a recently created Commission which deals with wrongful convictions in the Mauritius and was interested in learning about the Commission's investigations, decision-making and the procedures for referral.

During the year the Commission received a number of visitors including: the Attorney General, The Rt Hon Mr Jeremy Wright QC MP; Stephen Muers, Director of Sentencing and Rehabilitation at the Ministry of Justice; Dr Vicky Kemp Principal Research Fellow, School of Law, University of Nottingham, Mr Jack Dromey MP, Steve McCabe MP, Master Michael Egan QC, Registrar of Criminal Appeals, and Commission applicant Victor Nealon.

Since 2009 the Commission has had jurisdiction over convictions and/or sentences arising from the Court Martial or Service Civilian Court after 31 October 2009. In May 2014 Commission staff presented to all staff and detainees at Colchester Military Prison about the role of the Commission in relation to military matters within our jurisdiction.

In 2014/15 the Commission for the first time attended a meeting of the Prison Governing Governors where staff spoke to all prison governors from the West Midlands area about the role of the Commission. We also continued with a series of prisoner advice sessions held at HMP The Mount in September 2014 January

A variety of Commission activities are designed specifically to share with others our knowledge and experience relating to miscarriages of justice and to feed those lessons directly into the relevant parts of the criminal justice system.

2015 which are designed to help prisoners make the right decision about whether or not to apply to the Commission.

We also attended the 2014 conference of United Against Injustice; a support network for miscarriage of justice campaign groups. Our contribution to the event was a presentation on the Commission's powers, the concepts of 'unsafety' and 'real possibility', and working practices as well as a separate question and answer session dealing with various issues including disclosure, handling of public interest immunity (PII) material and communication with applicants.

Feeding back to the criminal justice system

A variety of Commission activities are designed specifically to share with others our knowledge and experience relating to miscarriages of justice and to feed those lessons directly into the relevant parts of the criminal justice system.

Where appropriate we respond carefully to criminal justice consultations and evidence-gathering exercises which, in 2014/15, included the Justice Select Committee's consultation for its joint enterprise follow up inquiry.

We are involved in the Ellison Review and Operation Herne, both of which relate to possible miscarriages of justice arising from undercover policing practices. We have been working with the Solicitors Regulation Authority in relation to questions about the quality of legal advice provided by solicitors and barristers in relation of certain types of offence.

During 2014/15 we have devoted considerable time and effort to visiting and providing presentations to the Association of Chief Police Officers (ACPO) and to several police forces. In a new initiative we continue, through the College of Policing's Professionalising Investigation Programme (PIP), to provide training to strategic (PIP4) and senior level (PIP3) investigating officers to increase awareness of issues of concern relating to the causes of miscarriages of justice including non-disclosure, police misconduct and abuse of process.

Much of our stakeholder activity feeds back into the wider justice system by way of training and awareness raising. Several events this year involved providing specific training to interested parties. These included: a workshop for staff at Just for Kids Law where lawyers specialise in giving free advice to young offenders; a visit to the Prisoners' Advice Service to explain the Commission's role in order that they can better advise clients on appeal related matters. We also spoke at a Young Bar CPD event held at the offices of the Bar Council to give a presentation on our role, powers, and review process; delivered training on the role of the Commission and the review process to Birmingham Law Society at an event involving local solicitors firms, a District Judge, the Clerk to the Justices from Birmingham Magistrates Court, as well as a representative of the Legal Services Commission. We appeared at the Inn of Court in Belfast at an event sponsored by Northern Ireland's Bar Council and Law Society to deliver accredited training to practitioners. We also attended a meeting of ATLeP (Anti-Trafficking Legal Project) to talk about the Commission's recent work with cases involving victims of human trafficking.

The Commission has committed to holding a series of presentations for defence practitioners relating to our recent and ongoing string of asylum cases. The first of these events was held jointly with Garden Court Chambers and the Crown Prosecution Service at Garden Court Chambers in London in February 2015.

Commission representatives regularly attend meetings of the Criminal Procedure Rule Committee. In the last year, the Commission has assisted the Committee with the development of an Easy Read version of the form required for appealing against a magistrates' court conviction; as this annual report was being prepared the resulting Easy Read form was being piloted at selected courts.

During the year the Commission was also represented on the Forensic Science Advisory Council by Commissioner Julie Goulding. Commissioner Andrew

Rennison, formerly the Forensic Science Regulator (FSR), was Chairman of the FSR's Quality Standards Specialist Group while Commissioner Ewen Smith was Deputy Chairman of that group.

During 2014 the Commission's Chief Executive Karen Kneller joined the Advisory Board of University of Nottingham's Criminal Justice Research Centre.

Feeding back in the future

In April 2015, the Justice Select Committee published its inquiry report in to the work of the Commission (see also page 33). Its report included a recommendation that the Commission adopt a formal system for feeding back its knowledge and experience to the wider criminal justice system.

Shortly after the Committee published its report, the Commission began considering how it might best formalise the process of distilling its knowledge and experience, identifying and recording relevant findings and communicating them to the appropriate parts of the criminal justice system. That project was ongoing when this report was produced. The outcome of those considerations will be reported in detail in the Commission's annual report for 2015/16.

Pro Bono units and Innocence Projects

During 2014 it emerged that the Bristol University-based Innocence Network UK (INUK) led by Dr Michael Naughton would no longer operate as an umbrella organisation and source of cases for the university-based innocence projects who had hitherto been members of the network.

The Commission remains supportive of innocence projects and similar *pro bono* units and is keen to see them make strong and timely applications. The Commission's Head of Communication spoke at a conference at Sheffield Hallam University organised for innocence projects, INUK and non-INUK, planning to continue operating as university-based *pro bono* units working on, or towards applications to the Commission. At that event the Commission sought to convey a positive and practical message. As well as reiterating the availability of the special advice line established by the Commission in 2013 for *pro bono* units, the Commission also offered to provide casework training workshops to such groups. The offer was made on the basis that, if the *pro bono* units in a region could work together to host an event for the units in their region, several members of Commission staff would attend and provide a detailed casework workshop along similar lines to a previous successful training events. It proved impossible to organise such an event during 2014/15, but the Commission remains willing to provide the training and hopeful that it will be possible to run such sessions in 2015/16.

Website

We are pleased to be able to report that the presence of an independent Commission website was restored at the end of 2014/15. In recent annual reports we have recorded dissatisfaction with the loss, in 2012, of our own website when, along with many arms length bodies, the Commission was required by central government to close its own website and, in our case, to move our web presence to the www.justice.gov.uk site.

That change was always opposed by the Commission and in 2014/15, after a lengthy struggle, we obtained the agreement of the Ministry of Justice and Cabinet Office that we should reinstate an independent Commission website rather than be required to move our web presence to the GOV.UK website. We were able to make extensive use of design work commissioned, but never used, before the 2010 General Election and launch at minimal cost a modern redesigned website at www.ccr.gov.uk on 31st March 2015. We plan to develop the website as a source of information about the Commission and more generally as a tool in our engagement with stakeholders and with the wider public.

We are pleased to be able to report that the presence of an independent Commission website was restored at the end of 2014/15.

The Commission ran 57 in-house training sessions, often involving prestigious external speakers such as judges, academics and leading lawyers and covering a wide range of subjects from the national DNA database and hearsay evidence to forensic mental health and the dangers of unconscious bias.

Knowledge Management

During 2014/15, the Commission has continued to develop its knowledge management capabilities. The role of the Commission's Knowledge Manager is to help the Commission make the best possible use of the knowledge, experience and information at its disposal both in the skill and know-how of its staff and in the data held in IT and other systems.

The creation of an intranet was a central plank of the knowledge management strategy. A Commission intranet the system called SHaRK (Sharing and Retaining Knowledge), developed in-house by the Knowledge Manager, went live in November 2014 bringing together various streams of information and significantly improving the Commission's ability to capture and manage information.

The Commission's extensive programme of in-house training continued throughout the year. We have calculated that, between 1st January 2013 and 31st December 2014, the Commission ran 57 in-house training sessions, often involving prestigious external speakers such as judges, academics and leading lawyers and covering a wide range of subjects from the national DNA database and hearsay evidence to forensic mental health and the dangers of unconscious bias. This means that, not including the rigorous induction training provided to newly recruited staff, our casework staff completed on average 16 hours of training each per year over the last two calendar years.

Academic Research

In recent years, the Commission has increasingly sought to stimulate serious academic research and has been allowing controlled access to casework records in order to assist projects exploring topics of practical use and interest.

In 2014/15 we established the Commission Research Committee. Its remit is to identify areas of potential research beneficial to the Commission and to the wider criminal justice system; to commission relevant research from external providers; to assess *ad hoc* and unsolicited research proposals; and to monitor the progress of ongoing research projects. The Committee is currently evaluating a number of potential projects with a view to identifying academic partners and embarking on new research in 2015/16.

We are very fortunate to have had two distinguished academics agree to sit on the Research Committee. They are; Cheryl Thomas Professor of Judicial Studies at University College London (UCL), Vice Dean (Research) and Director of the UCL Jury Project and UCL Judicial Institute; and Andrew Sanders, Professor of Criminal Law and Criminology and Head of the Law School at University of Birmingham.

A significant piece of research based largely on Commission casework and looking at the work of the Commission was published in 2014/15. It was the PhD thesis of Dr Stephen Heaton of University of East Anglia titled: *A critical evaluation of the utility of using innocence as a criterion in the post conviction process*. It is an extensive study exploring the basis of the Commission's decisions to refer conviction cases and the Court of Appeal's subsequent appeal decisions.

The work was widely referred to during the Justice Select Committee inquiry and report in 2014/15 and can be found at: <https://ueaeprints.uea.ac.uk/48765/>

We expect another significant piece of research to be published in 2015/16. It is the PhD thesis of William Schmidt, a visiting Rhodes Scholar at University of Cambridge. His work explores, through the analysis of Commission casework, the causes of wrongful convictions and looks at what factors statistically predict the Commission's referral of a conviction for appeal and at what factors predict an appellate court quashing a conviction following Commission referral.

Ongoing academic research at the Commission includes:

- a study by Professor Carolyn Hoyle and Dr Mai Sato of the Centre for Criminology at the University of Oxford, of decision making within the Commission. The project aims to identify those variables correlated with the

decision to subject an application to full review, and those factors that lead the Commission to refer a case.

- research by Juliet Horne of University of Warwick into the meaning and appellate consequences of the guilty plea.
- a study by Yewa Holiday of Queen Mary, University of London, on Article 31(1) of the 1951 Refugee Convention and the prosecution of refugees for offences relating to entry to or presence in England, Wales and Northern Ireland

During 2015/16 we aim to establish a section of the new Commission website dedicated to completed and ongoing research projects at the Commission.



Karen Kneller

Chief Executive and Accounting Officer
30th June 2015

Section Three

Remuneration Report

Remuneration policy

The remuneration of Commissioners is set by the Secretary of State for Justice.

Although Commissioners are appointed with different weekly time commitments, all Commissioners, with the exception of the Chairman, are paid salaries at one of two full-time equivalent rates. The full-time rate for Commissioners appointed prior to 2012/13 is £88,836 per annum plus a contributory pension with benefits which are broadly-by-analogy to the Principal Civil Service Pension Scheme. The full-time rate for Commissioners appointed in 2012/13 and subsequent years is £93,796 per annum, with no entitlement to a pension. The full-time rate for the Chairman is £104,800 per annum (2013/14 – £104,800).

Non-executive directors are paid a daily fee which is reviewed annually in the light of increases in the Retail Price Index.

Salaries of senior management and advisors are set by the Remuneration Committee. Until 28 May 2014, membership of the Committee was co-terminous with that of the Finance & Executive Scrutiny Committee. After that date, membership comprises the Chairman of the Commission, the non-executive directors and two Commissioners. The Committee takes into account Treasury pay growth limits, affordability, and performance in determining annual salary increases.

Service contracts

Commissioners are appointed by the Queen on the recommendation of the Prime Minister, one of whom is appointed by the Queen as Chairman. Appointments may be full-time or part-time, and are for a fixed period of not longer than five years. Retiring Commissioners are eligible for re-appointment, provided that no person may hold office for a continuous period which is longer than ten years.

Non-executive directors are office holders appointed for a fixed term of five years, which may be renewed. The posts are non-pensionable.

Senior management are employed on permanent contracts of employment with a notice period of three months. Normal pensionable age under the Principal Civil Service Pension Scheme is 60 for Classic and Premium members, and 65 for Nuvos members. Early termination, other than for misconduct, would result in the individual receiving compensation as set out in the Civil Service Compensation Scheme.

Remuneration (salary, benefits in kind and pensions)

The following sections provide details of the remuneration and pension interests of Board members, i.e. certain Commissioners, non-executive directors and the senior management team. Until the change in Board constitution effective 28 May 2014, all Commissioners were members of the Board. After this date, the Chairman and six selected Commissioners served on the Board. Details of the governance changes can be found on page 44 of the Annual Report. The table below contains details for Commissioners during the currency of their Board membership only. These details have been subject to audit.

	2014/15				2013/14			
	Salary £000	Benefits- in-kind (to nearest £100)	Pension benefits (to nearest £1000)	Total £000	Salary £000	Benefits- in-kind (to nearest £100)	Pension benefits (to nearest £1000)	Total £000
Commissioners								
Mr Richard Foster	80-85	–	–	80-85	95-100	–	–	95-100
Ms Penelope Barrett [to 28.05.14]	10-15	–	13	20-25	85-90	–	24	105-110
Mrs Elizabeth Calderbank	35-40	–	–	35-40	5-10	–	–	5-10
Mr James England	85-90	–	29	115-120	85-90	–	27	115-120
Miss Julie Goulding	70-75	–	22	90-95	70-75	–	19	90-95
Ms Celia Hughes [to 28.05.14]	5-10	–	–	5-10	55-60	–	–	55-60
Mr Stephen Leach [from 28.04.14 to 28.05.14]	0-5	1,100	–	0-5	–	–	–	–
Mr Alastair MacGregor QC [to 30.11.13]	–	–	–	–	20-25	–	6	25-30
Mr Paul Mageean [to 31.08.13]	–	–	–	–	15-20	4,600	–	20-25
Ms Alexandra Marks	35-40	–	–	35-40	15-20	–	–	15-20
Mr Ian Nichol [to 31.10.13]	–	–	–	–	45-50	–	11	55-60
Dr Sharon Persaud [to 28.05.14]	10-15	–	–	10-15	30-35	–	–	30-35
Mr Andrew Rennison [to 28.05.14]	5-10	–	–	5-10	5-10	–	–	5-10
Mr David James Smith	90-95	–	–	90-95	40-45	–	–	40-45
Mr Ewen Smith	70-75	–	26	95-100	70-75	–	20	90-95
Mr Ranjit Sondhi [to 28.05.14]	5-10	–	–	5-10	55-60	–	–	55-60
Non-executive directors								
Mr Jonathan Baume [from 01.07.14]	0-5	1,000	–	0-5	–	–	–	–
Ms Caroline Corby [from 01.07.14]	5-10	2,400	–	5-10	–	–	–	–
Dame Anne Owers [to 31.03.14]	–	–	–	–	0-5	400	–	0-5
Dr Maggie Semple	0-5	300	–	0-5	5-10	400	–	5-10
Senior management								
Miss Karen Kneller	85-90	–	16	100-105	85-90	–	5	90-95
Mr Colin Albert [to 31.08.14]	25-30	–	15	40-45	65-70	–	21	85-90
Mrs Sally Berlin	60-65	–	17	80-85	55-60	–	74	130-135
Mr Justin Rees [from 09.09.14]	35-40	–	15	50-55	–	–	–	–

'Salary' includes gross salary or remuneration.

The value of pension benefits accrued during the year is calculated as the real increase in pension multiplied by 20 less the contributions made by the individual. The real increase excludes increases due to inflation or any increase or decrease due to a transfer of pension rights.

None of the Commissioners, non-executive directors or senior management was entitled to a bonus in the current or previous year, and there is no performance related component to salaries.

The monetary value of benefits-in-kind covers any benefits provided by the Commission and treated by HM Revenue & Customs as a taxable emolument. Benefits relate to costs incurred to enable a part-time Commissioner to work in the Commission's office in Birmingham, and for the non-executive directors to attend meetings in the Commission's office and elsewhere as necessary. These costs are reimbursed to Commissioners and the non-executive directors or incurred on their behalf free of tax and national insurance, and the amounts disclosed above

include the income tax and national insurance contributions which are paid by the Commission. The total net costs actually incurred on behalf of the Commissioners and the non-executive directors or reimbursed to them in the year was £11,608 (2013/14 – £2,800).

Pay multiples

Reporting bodies are required to disclose the relationship between the remuneration of the highest-paid director in their organisation and the median remuneration of the organisation's workforce.

	2014/15	2013/14
Band of highest paid Board member's total remuneration [£000]	100-105	100-105
Median total remuneration	£38,794	£35,913
Ratio	2.6	2.9

Remuneration ranged from £13,000 to £94,000 (2013/14 £12,000 – £94,000).

Total remuneration includes salary, but does not include severance payments, employer pension contributions and the cash equivalent transfer value of pensions.

These details have been subject to audit.

Pension benefits

	Accrued pension at normal retirement age at 31/3/15 and related lump sum	Real increase in pension and related lump sum at normal retirement age	CETV at 31/3/15	CETV at 31/3/14	Real increase in CETV
	£000	£000	£000	£000	£000
Ms Penelope Barrett ⁶	15-20	0-2.5	287	275	11
Mr James England	10-15	0-2.5	230	190	24
Miss Julie Goulding	10-15	0-2.5	237	202	18
Mr Ewen Smith	25-30	0-2.5	456	430	23
Miss Karen Kneller – <i>Chief Executive</i>	30-35 plus 90-95 lump sum	0-2.5 plus 2.5-5 lump sum	534	495	11
Mr Colin Albert ⁷ – <i>Director of Finance & IT</i>	10-15	0-2.5	282	263	15
Mrs Sally Berlin – <i>Director of Casework Operations</i>	15-20 plus 0-5 lump sum	0-2.5 plus 0-2.5 lump sum	188	166	6
Mr Justin Rees – <i>Director of Finance & Corporate Resources</i>	0-5	0-2.5	11	–	8

These details have been subject to audit. Where no lump sums are disclosed this is because of ineligibility due to the type of pension scheme joined.

Notes

- 1 Mr Richard Foster is entitled to a pension but has not opted-in.
- 2 The non-executive directors are not entitled to pension benefits.
- 3 Commissioners appointed after 2012/13 are not entitled to pension benefits.
- 4 Total accrued pension may include benefits arising from transfers-in from other schemes, and may also be augmented by additional voluntary contributions paid by the individual.
- 5 CETVs are calculated using common market valuation factors for the start and end of the period, which may be different from the factors used in the previous year. Consequently, the CETV at 31/3/14 shown in the table above may differ from the CETV at 31/3/14 as disclosed in the 2013/14 remuneration report.
- 6 Ms Penelope Barrett left the Board 28/5/14.
- 7 Mr Colin Albert date of relinquishing 31/8/14.

Pension arrangements

Commissioners appointed prior to 2012/13 are entitled to a pension and may choose pension arrangements broadly by analogy with the Principal Civil Service Pension Schemes. They are entitled to receive such benefits from their date of appointment.

Commissioners' pension arrangements are unfunded, and the Commission is responsible for paying retirement benefits as they fall due. Contributions were paid by Commissioners at the rate of 8.85% of pensionable earnings.

Pension benefits for senior management are provided through the Principal Civil Service pension arrangements. Members of senior management paid contributions at the rate of 6.85% of pensionable salary to the Classic scheme and 8.06 % to 8.85% of pensionable salary to the Premium scheme.

Cash equivalent transfer values

A Cash Equivalent Transfer Value (CETV) is the actuarially assessed capitalised value of the pension scheme benefits accrued by a member at a particular point in time. The benefits valued are member's accrued benefits and any contingent spouse's pension payable from the scheme. A CETV is a payment made by a pension scheme or arrangement to secure pension benefits in another pension scheme or arrangement when the member leaves a scheme and chooses to transfer the benefits accrued in their former scheme. The pension figures shown relate to the benefits that the individual has accrued as a consequence of their total membership of the pension scheme, not just their service in a senior capacity to which disclosure applies. CETVs are calculated in accordance with The Occupational Pension Schemes (Transfer Values) (Amendment) Regulations 2008 and do not take account of any actual or potential reduction to benefits resulting from Lifetime Allowance Tax which may be due when pension benefits are taken.

The figures include the value of any pension benefit in another scheme or arrangement which the member has transferred to the Civil Service pension arrangements. They also include any additional pension benefit accrued to the member as a result of their purchasing additional pension or years of pension service in the scheme at their own cost.

Real increase in CETV

This is the element of the increase in accrued pension that is funded by the employer. It excludes increases due to inflation and contributions paid by the member (including the value of any benefits transferred from another pension scheme or arrangement). It is worked out using common market valuation factors for the start and end of the period.

Compensation for loss of office

None of the Commissioners, non-executive directors or senior management received any compensation for loss of office in the year.



Karen Kneller

Chief Executive and Accounting Officer
30th June 2015

Section Four

Accounts

Statement of the Commission's Accounting Officer's responsibilities

Under the Criminal Appeal Act 1995, the Secretary of State (with the consent of HM Treasury) has directed the Criminal Cases Review Commission to prepare for each financial year a statement of accounts in the form and on the basis set out in the Accounts Direction. The accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of the Criminal Cases Review Commission and of its resource outturn, application of resources, changes in taxpayers' equity and cash flows for the financial year.

In preparing the accounts, the Accounting Officer is required to comply with the requirements of the *Government Financial Reporting Manual* and in particular to:

- observe the Accounts Direction issued by the Secretary of State (with the consent of HM Treasury), including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis;
- make judgements and estimates on a reasonable basis;
- state whether applicable accounting standards as set out in the *Government Financial Reporting Manual* have been followed, and disclose and explain any material departures in the accounts; and
- prepare the accounts on a going concern basis.

The Accounting Officer of the Ministry of Justice has designated the Chief Executive as Accounting Officer of the Criminal Cases Review Commission. The responsibilities of an Accounting Officer, including responsibility for the propriety and regularity of the public finances for which the Accounting Officer is answerable, for keeping proper records and for safeguarding the Commission's assets, are set out in *Managing Public Money* published by the HM Treasury.



Karen Kneller

Chief Executive and Accounting Officer
30th June 2015

Governance Statement 2014/15

Governance framework

The governance framework comprises the systems and processes, culture and values by which the Commission is directed and controlled and its activities through which it accounts to and engages with its sponsor department and other stakeholders. It enables the Commission to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the proper discharge of its functions as defined in its founding legislation, the Criminal Appeal Act 1995, and have provided value for money.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Commission's policies, aims and objectives, to evaluate the likelihood and potential impact of those risks being realised, and to manage them efficiently, effectively and economically. The Commission's internal control framework is based on the review of regular management information, administrative procedures including the segregation of duties, and a system of delegation and accountability. This is supported by regular meetings of the Board at which the Commission's strategic direction and plans are reviewed, and performance against goals is reported.

Changes were made to the constitution of the Board in May 2014 for a trial period to the end of the financial year. After the trial period, the Board reverted to the previous arrangements and formally evaluated its own performance during the trial of the smaller board. It decided unanimously at a meeting in June 2015 to revert to the larger form where all Commissioners are Board members along with the non-executive directors and the members of the senior management team.

Up until 28 May 2014 the Board comprised all of the Commissioners, two non-executive directors and the three members of the senior management team. There were three Board sub-committees: the Finance & Executive Scrutiny Committee (FESC), the Policy & Casework Committee (PCC) and the Audit & Risk Committee (ARC). After 28 May 2014 and until the end of the financial year the Board was made up of the Chairman, six Commissioners, three non-executive directors and the three members of the senior management team. The Audit & Risk Committee was retained as a Board sub-committee, and the Remuneration Committee became a new Board sub-committee. The Finance & Executive Scrutiny Committee and the Policy & Casework Committee were both discontinued. The reasons for this change are set out in the section of this statement "Governance structures" below. After the end of the financial year the Commissioner membership of the Board reverted to the previous arrangements, but the number of non-executive directors remained at three. A third Board sub-committee, the Long Running Case Review Committee, was added.

Details of the post holders are given overleaf on page 45 of this report.

Membership of the committees, and the attendance record of members, are shown in the table. The first meeting of the Board in the year was under the new membership arrangements:

	Board									RC	FE	ARC			
	24.06.14	18.08.14	23.09.14	28.10.14	25.11.14	16.12.14	27.01.15	24.02.15	24.03.15	16.12.14	27.05.14	29.04.14	24.06.14	28.10.14	28.01.15
Commissioners															
Elizabeth Calderbank	✓	✗	✓	✓	✓	✓	✓	✓	✓						
James England	✓	✓	✓	✓	✓	✓	✓	✓	✓			✗	✓		
Richard Foster	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓				
Julie Goulding	✓	✗	✓	✓	✓	✓	✓	✓	✗			✓	✓		
Celia Hughes											✗				
Alexandra Marks	✓	✓	✓	✓	✓	✓	✓	✓	✓						
Andrew Renninson										✓				✓	✓
David James Smith	✓	✓	✓	✓	✓	✓	✓	✓	✓						
Ewen Smith	✓	✗	✓	✓	✓	✓	✓	✓	✓		✗				
Ranjit Sondhi										✓				✗	✓
Non-executives															
Jonathan Baume		✓	✓	✓	✗	✓	✓	✓	✓	✓					
Caroline Corby	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓					
Maggie Semple	✓	✓	✓	✓	✓	✗	✓	✓	✓	✗	✓	✓	✓	✓	✓
Senior management															
Colin Albert	✓	✓									‡	‡	‡		
Sally Berlin	✓	✓	✓	✓	✓	✗	✓	✓	✓		‡				
Karen Kneller	✓	✓	✓	✓	✓	✓	✓	✓	✓	‡	✓		‡	‡	‡
Justin Rees			✓	✓	✓	✓	✓	✓	✗	‡				‡	‡

‡ In attendance

RC Remuneration Committee

FE Finance & Executive Scrutiny Committee

ARC Audit & Risk Committee

No meetings of the Policy and Casework Committee were held.

The Board met quarterly until 28 May 2014. After that date it now meets monthly and deals with strategic issues (including the annual business plan and the three-year strategic plan), reviews key management information including key performance indicators, deals with matters of casework policy and approves the annual report and accounts.

The Finance & Executive Scrutiny Committee acted as the standing committee of the Board and normally met each month when there was no Board meeting.

The Policy & Casework Committee developed the Commission's strategic approach to casework and ensured the effectiveness of the Commission's policies and practices. The Committee met four times each year, but no meeting was held in the year before the governance arrangements changed on 28 May 2014.

The Audit & Risk Committee supports the Board and the Accounting Officer in their responsibilities for issues of risk, control and governance. Specifically, it advises the Accounting Officer and the Board on the strategic processes for risk, control and governance; the accounting policies, the accounts, and the annual report; the planned activity and results of both internal and external audit and anti-fraud policies and whistle-blowing processes. The committee meets quarterly, and regularly reviews the Commission's major risks and the plans for their mitigation.

The Remuneration Committee keeps under review the salaries of the senior staff who are not placed on the Commission's normal salary scales, and considers any other remuneration issues related to staff. The Committee is chaired by one of the non-executive directors, and normally meets annually or as required.

In addition to the Board sub-committees there are a number of other committees and groups that contribute to the wider governance of the Commission. These include the Internal Communications Group, the Management Information Security Forum, the Equality & Diversity Group and various *ad hoc* groups formed to discharge specific functions.

Board performance

The Board maintains a number of processes and systems to ensure that it can operate effectively. Recruitment by the sponsor department of new Commissioners and non-executive directors is conducted in accordance with the Office of the Commissioner for Public Appointments' code of practice. New members receive induction consistent with their experience and knowledge of the public sector and the criminal justice system. Board members are subject to regular personal appraisal.

Meeting agendas and papers are made available to members electronically and as paper copies one week before Board meetings. Papers provide sufficient information and evidence for sound decision-making. Agendas are planned to ensure all areas of the Board's responsibilities are examined during the year.

The Board carries out an annual self-evaluation of its performance, using a questionnaire published by the National Audit Office, which compares how the Board operates with the recommendations in the Corporate Governance Code. The last self-evaluation exercise was carried out shortly after the 2014/15 year-end.

Corporate governance

The Commission aims to ensure that its governance arrangements follow best practice, and follow the Corporate Governance Code to the extent that it is relevant and meaningful. The Board has identified the following material departures from the provisions of the Code:

- The Board has no nominations and governance committee, as it is considered that the size of the organisation does not warrant it.
- The constitution of the Board does not reflect the optimal balance recommended by the Code, particularly in terms of the number of non-executive directors, which is below the recommended minimum of four. As there are only three non-executive directors, it is not considered necessary to designate one of them as the lead non-executive director. Only one of them is on the Audit & Risk Committee to ensure there is an appropriate segregation of duties.
- Approximately two thirds of Board members are Commissioners. They are selected primarily for their ability to make casework decisions and for their experience of the criminal justice system. The ability of the Board to ensure that it has the necessary mix and balance of skills is therefore somewhat limited, but the opportunity is taken at each recruitment round to ensure that any gaps in the broader skills, experience and background of members are addressed.

Governance structures

A triennial review of the Commission was undertaken in 2012/13 by the Ministry of Justice as part of the triennial review programme overseen by the Cabinet Office. A final report was approved by Ministers in June 2013. As part of its proposals to overhaul the Commission's governance, the report recommended reducing the size of the Board and rebalancing its membership. At a meeting of the Board in May 2014 it was decided to alter the governance structure for a trial period until the end of the 2014/15 financial year. The changes introduced a smaller Board comprising the Chair and six Commissioners, the senior management team and three Non-Executive Directors. The Board met monthly. The Finance and Executive Scrutiny Committee and the Policy & Casework Committee were discontinued.

After the end of the 2014/15 financial year and the trial period for the new Board arrangements, all Commissioners were reinstated as Board members. In addition, a new Board sub-committee, the Long Running Case Committee, was established.

Risk assessment

The Commission's risk management framework ensures that risks to the Commission achieving its business objectives are identified, managed and monitored. Risks are assessed in the light of their impact and likelihood using a scale which reflects the Commission's appetite for risk. Risk appetite is determined by reference to the Commission's objectives, the degree to which it is able to absorb financial shock and its need to maintain its reputation in order to continue to command respect and support amongst its stakeholders. The Board approved a new risk appetite statement during the year, which now informs the assessment of risks at each review.

Individual risks are assigned to named individuals, and risks are reviewed on a systematic and regular basis. Each review is endorsed by the Audit & Risk Committee and a report is made annually by the Audit & Risk Committee to the Board. A summary of significant risks and progress against mitigating actions is also included in the Board's management information pack for review at each of its meetings. In addition, the assessment and monitoring of risk is embedded in the Commission's project management processes.

Internal audit services are provided by TIAA Ltd. The previous three-year contract with Capita Business Solutions Ltd ended on 31 March 2015. Following a competition exercise under the Crown Commercial Service ConsultancyOne framework, TIAA Ltd was awarded a three-year contract to 31 March 2018. Both internal and external audits assist the Commission with the continuous improvement of procedures and controls. Actions are agreed in response to recommendations, and these are followed up to ensure that they are implemented.

During the year, the Commission has continued to ensure that it is managing risks relating to information security appropriately. Information security and governance arrangements broadly comply with the ISO 27001 Information Security Management standard. An internal audit of the statement of compliance was completed during the year with no significant recommendations. Self-evaluation of the Commission's compliance with the mandatory requirements of the Security Policy Framework relating to information assurance was positive. All staff were briefed on the Commission's policy on reporting security incidents as part of the programme of security awareness training. There were no data loss incidents during the year.

Major risks

The major risks to which the Commission is exposed include risks over which the Commission has limited control. These are principally the level of case intake and provision of financial resource. The Commission uses its management information to plan for the uncertainties associated with these areas of risk. The number of new applications has continued at an exceptionally high level for the third successive year, but indicative budgets for 2015/16 include sufficient

funding to allow the Commission to more or less maintain its current staffing level to help with the management of queues and work towards the reduction in waiting times. Nevertheless, because of the uncertainty around future funding in the current fiscal climate, the medium to long term funding risk remains a major risk for the Commission. A further set of risks is associated with the on-going project to replace our case management software, which is mission-critical for the Commission. This was initially planned to be completed early in 2014/15, but various complications mean that the project is still running. The main remaining risk relates to the availability of sufficient internal resource needed to complete the project, although the longer the project runs the greater the risk of failure of the current unsupported case management system. These risks are being monitored on a regular basis by the project board. A final set of risks deemed significant for the Commission are those concerning the retention and management of sufficiently skilled staff. A full staff development strategy, including succession planning, is being developed to mitigate this risk.

During the year, the Commission carried out a desktop exercise to test its business continuity plans. Experience gained from this exercise was used to modify the plans. The Commission now participates in a forum to share experience and resources related to business continuity with other Arms Length Bodies. The Commission also carries out regular IT disaster recovery tests to ensure that the Commission's entire virtual environment, including all operational applications and data, can be re-created from backup tapes in the event of a disaster. The previous year's test, that had to be abandoned before it completed, was successfully re-run during the year after the technical issues that prevented it completing were identified and remedied. A further test was successfully completed during the year.

Accounting Officer

As Accounting Officer, I have responsibility for reviewing the effectiveness of the system of internal control, including the risk management framework. My review is informed by the work of the internal auditors and the executive managers within the Commission who have responsibility for the development and maintenance of the internal control framework, and comments made by the external auditors in their management letter and other reports. In their annual report, our internal auditors have given an overall assurance that the Commission has adequate and effective management and governance processes. I have been advised on the implications of the result of my review by the Board and the Audit & Risk Committee. I am satisfied that a plan to address any weaknesses in the system of internal control and ensure continuous improvement of the system is in place. I am also satisfied that all material risks have been identified, and that those risks are being properly managed. The indicative budget we have received for 2015/16 maintains our current level of funding in money terms, enabling us to continue with the current staff complement. However, continued high levels of new applications mean that reducing our waiting times in the next business year will remain a challenge. We are responding to this challenge by undertaking a fundamental root and branch review of our casework processes to identify areas where we can realise significant efficiency savings while maintaining quality, but in the longer term the availability of sufficient funding remains a major concern.



Karen Kneller

Chief Executive and Accounting Officer
30th June 2015

The Certificate and Report of the Comptroller and Auditor General to the Houses of Parliament

I certify that I have audited the financial statements of the Criminal Cases Review Commission for the year ended 31 March 2015 under the Criminal Appeals Act 1995. The financial statements comprise: the Statements of Comprehensive Net Expenditure, Financial Position, Cash Flows, Changes in Taxpayers' Equity; and the related notes. These financial statements have been prepared under the accounting policies set out within them. I have also audited the information in the Remuneration Report that is described in that report as having been audited.

Respective responsibilities of the Accounting Officer and auditor

As explained more fully in the Statement of the Commission's Accounting Officer's Responsibilities, the Accounting Officer is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view. My responsibility is to audit, certify and report on the financial statements in accordance with the Criminal Appeals Act 1995. I conducted my audit in accordance with International Standards on Auditing (UK and Ireland). Those standards require me and my staff to comply with the Auditing Practices Board's Ethical Standards for Auditors.

Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the Criminal Cases Review Commission's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the Criminal Cases Review Commission; and the overall presentation of the financial statements. In addition I read all the financial and non-financial information in the annual report to identify material inconsistencies with the audited financial statements and to identify any information that is apparently materially incorrect based on, or materially inconsistent with, the knowledge acquired by me in the course of performing the audit. If I become aware of any apparent material misstatements or inconsistencies I consider the implications for my certificate.

I am required to obtain evidence sufficient to give reasonable assurance that the expenditure and income recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Opinion on regularity

In my opinion, in all material respects the expenditure and income recorded in the financial statements have been applied to the purposes intended by Parliament and the financial transactions recorded in the financial statements conform to the authorities which govern them.

Opinion on financial statements

In my opinion:

- the financial statements give a true and fair view of the state of the Criminal Cases Review Commission's affairs as at 31 March 2015 and of the net expenditure for the year then ended; and
- the financial statements have been properly prepared in accordance with the Criminal Appeals Act 1995 and Secretary of State directions issued thereunder.

Opinion on other matters

In my opinion:

- the part of the Remuneration Report to be audited has been properly prepared in accordance with Secretary of State directions made under the Criminal Appeals Act 1995; and
- the information given in the Strategic Report and Directors' Report for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which I report by exception

I have nothing to report in respect of the following matters which I report to you if, in my opinion:

- adequate accounting records have not been kept; or
- the financial statements and the part of the Remuneration Report to be audited are not in agreement with the accounting records and returns; or
- I have not received all of the information and explanations I require for my audit; or
- the Governance Statement does not reflect compliance with HM Treasury's guidance.

Report

I have no observations to make on these financial statements.

Sir Amyas C E Morse

Comptroller and Auditor General
8th July 2015

National Audit Office
157-197 Buckingham Palace Road
London
SW1W 9SP

Financial Statements

Statement of Comprehensive Net Expenditure**for the year ended 31 March 2015**

	Note	2014/15 £000	2013/14 £000
Expenditure			
Staff Costs	3	4,532	4,502
Depreciation & Amortisation	9, 10	99	94
Other Expenditure	5	1,486	1,417
Total Expenditure		6,117	6,013
Income			
Income from Activities	7	(5)	(5)
Net Expenditure		6,112	6,008
Interest Payable	6	260	224
Net Expenditure after Interest		6,372	6,232
Other Comprehensive Expenditure			
Pensions: actuarial losses	4	455	422
Total Comprehensive Expenditure		6,827	6,654

The notes on pages 55 to 68 form part of these accounts.

Statement of Financial Position

as at 31 March 2015

	Note	31 March 2015 £000	31 March 2014 £000
Non-current assets			
Property, plant & equipment	9	285	346
Intangible assets	10	352	306
Trade & other receivables	11	0	1
Total non-current assets		637	653
Current assets			
Trade & other receivables	11	151	138
Cash	12	9	4
Total current assets		160	142
Total assets		797	795
Current liabilities			
Trade payables & other current liabilities	13	(362)	(362)
Non-current assets less net current liabilities		435	433
Non-current liabilities			
Provisions	14	(54)	(53)
Pension liabilities	4	(6,616)	(6,065)
Total non-current liabilities		(6,670)	(6,118)
Assets less total liabilities		(6,235)	(5,685)
Taxpayers' equity			
General reserve		(6,235)	(5,685)
Total taxpayers' equity		(6,235)	(5,685)

The notes on pages 55 to 68 form part of these accounts.

The financial statements on pages 51 to 54 were approved by the Board on 30th June 2015 and were signed on behalf of the Criminal Cases Review Commission by:



Karen Kneller

Chief Executive and Accounting Officer
30th June 2015

Statement of Cash Flows

for the year ended 31 March 2015

	Note	2014/15 £000	2013/14 £000
Cash flows from operating activities			
Net cash outflow from operating activities	15	(5,549)	(5,325)
Cash flows from investing activities			
Purchase of property, plant and equipment		(4)	(18)
Purchase of intangible assets		(112)	(165)
Total cash outflow from investing activities		(116)	(183)
Cash flows from financing activities			
Capital Grant in Aid	2	115	183
Revenue Grant in Aid	2	5,555	5,287
Total financing		5,670	5,470
Net increase/(decrease) in cash	12	5	(38)

The notes on pages 55 to 68 form part of these accounts.

Statement of Changes in Taxpayers' Equity
for the year ended 31 March 2015

	Note	General reserve £000
Balance at 1 April 2013		(5,122)
Changes in taxpayers' equity for 2013-14		
Total comprehensive expenditure for 2013-14		(6,654)
Grant from sponsor department	2	5,470
Reversal of notional transactions: notional expenditure	18	621
Balance at 31 March 2014		(5,685)
Changes in taxpayers' equity for 2014-15		
Total comprehensive expenditure for 2014-15		(6,827)
Grant from sponsor department	2	5,670
Reversal of notional transactions: notional expenditure	18	607
Balance at 31 March 2015		(6,235)

The notes on pages 55 to 68 form part of these accounts.

Notes to the accounts

1 Accounting Policies

Basis of Accounts

These financial statements have been prepared in accordance with the Accounts Direction given by the Secretary of State for Justice with the consent of the Treasury in accordance with paragraph 9(2) of Schedule 1 to the Criminal Appeal Act 1995. The Accounts Direction requires the financial statements to be prepared in accordance with the 2014/15 Government Financial Reporting Manual (FReM) issued by HM Treasury. The accounting policies contained in the FReM apply International Financial Reporting Standards (IFRS) as adapted or interpreted for the public sector context. Where the FReM permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the particular circumstances of the Commission for the purpose of giving a true and fair view has been selected. The particular policies adopted by the Commission are described below. They have been applied consistently in dealing with items that are considered material to the accounts.

These financial statements have been prepared under the historical cost convention.

Going Concern

The Statement of Financial Position at 31 March 2015 shows negative total taxpayers' equity of £6,235,000. This reflects the inclusion of liabilities falling due in future years which, to the extent that they are not to be met from the Commission's other sources of income, may only be met by future Grants-in-Aid from the Commission's sponsoring department, the Ministry of Justice. This is because, under the normal conventions applying to parliamentary control over income and expenditure, such grants may not be issued in advance of need.

Grant in Aid for 2015/16, taking into account the amounts required to meet the Commission's liabilities falling due in that year, has already been included in the sponsor department's Main Estimates for that year, which have been approved by Parliament, and there is no reason to believe that the department's sponsorship and future parliamentary approval will not be forthcoming.

The triennial review conducted by the Ministry of Justice during 2012/13 confirmed that the functions of the Commission should be retained unchanged, and that the Commission should continue in its current form. It is accordingly considered appropriate to adopt a going concern basis for the preparation of these financial statements.

Grant in Aid

Grant in Aid received is credited direct to the General Reserve in accordance with the FReM.

Notional expenditure

Accommodation costs are borne by the Ministry of Justice on the Commission's behalf. To enable the accounts to show a true and fair view, and to comply with the FReM, such expenditure is included in the Statement of Comprehensive Net Expenditure as notional expenditure under the appropriate expense heads, with a full analysis shown in note 18 to the accounts. An equivalent credit entry to finance the notional expenditure is recognised in the Statement of Changes in Taxpayers' Equity.

Non-current Assets

Assets are capitalised as non-current assets if they are intended for use on a continuing basis and their original purchase cost, on an individual or grouped basis, is £500 or more.

Depreciated historical cost is used as a proxy for fair value of all non-current assets due to short lives and/or low values.

Depreciation and Amortisation

Depreciation or amortisation is provided on all non-current assets on a straight-line basis to write off the cost or valuation evenly over the asset's estimated useful life as follows:

IT hardware / development	eight years
Software systems and licences	eight years
Furniture and fittings	10 years
Office equipment	10 years
Refurbishment costs	over the remaining term of the lease
Dilapidations	over the remaining term of the lease
Assets under development	no depreciation as assets are not yet in use

Pensions

(i) Staff pensions

Staff are members of the Principal Civil Service Pension Scheme (PCSPS). The PCSPS is an unfunded multi-employer defined benefit scheme, and the Commission is unable to identify its share of the underlying liabilities. In accordance with IAS 19 (Employee Benefits), the Statement of Comprehensive Net Expenditure is charged with contributions made in the year.

(ii) Commissioners' pensions

Commissioners appointed before 2012/13 are provided with individual defined benefit schemes which are broadly by analogy with the PCSPS. These schemes are unfunded, and the Commission is liable for the future payment of pensions. The cost of benefits accruing during the year is charged against staff costs in the Statement of Comprehensive Net Expenditure. The increase in the present value of the schemes' liabilities arising from the passage of time is charged as interest payable to the Statement of Comprehensive Net Expenditure after operating expenditure. Actuarial gains and losses are recognised as Other Comprehensive Expenditure in the Statement of Comprehensive Net Expenditure.

The Statement of Financial Position includes the actuarially calculated scheme liabilities, discounted at the pensions discount rate as prescribed by HM Treasury to reflect expected long term returns.

Operating Leases

Payments made under operating leases (net of any incentives received from the lessor) are charged to the Statement of Comprehensive Net Expenditure on a straight-line basis over the period of the lease. Operating lease incentives (such as rent-free periods or contributions by the lessor to the lessee's relocation costs) are treated as an integral part of the net consideration agreed for the use of the leased asset and are spread appropriately over the lease term.

Provisions

Provision is made for the estimated costs of returning the office premises occupied under a Memorandum of Terms of Occupation (MOTO) to an appropriate condition. The estimated amount is adjusted to take account of actual inflation to date when the cash flow is expected to occur (i.e. the end of the period of occupation), and then discounted to the present value.

In previous years some small building alterations have been made which gave access to future economic benefits, therefore a non-current asset has been created corresponding to the amount of the provision, in accordance with IAS 37 (Provisions, Contingent Assets and Contingent Liabilities). This non-current asset is amortised over the period of the MOTO on a straight line basis, and the amortisation charged to Statement of Comprehensive Net Expenditure. The interest cost arising from the unwinding of the discount is also charged each year as interest payable to the Statement of Comprehensive Net Expenditure.

Contingent liabilities

Contingent liabilities are not recognised in the financial statements, but disclosure is made in the notes in accordance with IAS 37 unless the possibility of an outflow of funds is remote.

Taxation

The Commission is not eligible to register for VAT and all costs are shown inclusive of VAT. The Commission is registered with HM Revenue & Customs for corporation tax. There was no taxable income in the year ended 31 March 2015.

Standards in issue but not yet effective

The Commission has reviewed the IFRSs in issue but not yet effective, to determine if it needs to make any disclosures in respect of those new IFRSs that are or will be applicable. References to 'new IFRSs' includes new interpretations and any new amendments to IFRSs and interpretations. It has been determined that there are no new IFRSs which are relevant to the Commission and which will have a significant impact on the Commission's financial statements.

2 Grant in Aid

	2014/15 £000	2013/14 £000
Received for revenue expenditure	5,555	5,287
Received for capital expenditure	115	183
Total	5,670	5,470

Grant in Aid has been received in accordance with the Ministry of Justice main estimate Part III note E as adjusted by the supplementary estimate.

3 Staff Costs

	2014/15 £000	2013/14 £000
Commissioners		
Salaries and emoluments	790	723
Social security contributions	89	82
Pension costs	76	104
Total Commissioners cost	955	909
Non-Executive Directors		
Salaries and emoluments	24	8
Social security contributions	1	1
Total Non-Executive Directors cost	25	9
Staff		
- Staff with permanent employment contracts		
Salaries and emoluments	2,741	2,745
Social security contributions	207	217
Pension costs	482	463
- Other staff (contract, agency/temporary)		
Salaries and emoluments	122	159
Total Staff cost	3,552	3,584
TOTAL	4,532	4,502

At 31 March 2015, the Commission employed 80 staff (2014 92) and 12 commissioners (2014 12). The average number of employees, expressed as full time equivalents, during the period 1 April 2014 to 31 March 2015 was:

	2014/15	2013/14
Commissioners	8	8
Directly employed staff	79	79
Other staff (contract, agency/temporary)	2	3
Total	89	90

There were no exit packages in 2014/15 (2013/14 nil).

4 Pensions

(i) Staff

The Principal Civil Service Pension Scheme (PCSPS) is an unfunded multi-employer defined benefit scheme but the Commission is unable to identify its share of the underlying liabilities. The last formal actuarial valuation undertaken for the PCSPS was as at 31 March 2007. A formal actuarial valuation was due to be carried out as at 31 March 2010. However, formal actuarial valuations for unfunded public service pension schemes were suspended by HM Treasury whilst reforms to public service provisions were discussed. HM Treasury have indicated that the next valuation of the scheme will have an effective date of 31 March 2012. Details can be found in the resource accounts of the Cabinet Office: Civil Superannuation (www.civilservice.gov.uk/pensions).

The cost of the Commission's pension contributions to the Principal Civil Service Pension Schemes is included in employment costs. For 2014/15, employers' contributions of £449,000 (2013/14 £429,000) were payable to the PCSPS at one of four rates in the range 16.7% to 24.3% (2013/14 16.7% to 24.3%) of pensionable pay, based on salary bands. The Scheme Actuary reviews employer contributions usually every four years following a full scheme valuation. The contribution rates are set to meet the cost of the benefits accruing during 2014/15 to be paid when the member retires and not the benefits paid during this period to existing pensioners.

Employees can opt to open a partnership pension account, a stakeholder pension with an employer contribution. Employers' contributions of £31,000 (2013/14 £32,000) were paid to one or more of the panel of two appointed stakeholder pension providers. Employer contributions are age-related and range from 3% to 12.5% of pensionable pay. Employers also match employee contributions up to 3% of pensionable pay. In addition, employer contributions of £2,000 (2013/14 £2,000), 0.8% of pensionable pay, were payable to the PCSPS to cover the cost of the future provision of lump sum benefits on death in service and ill health retirement of these employees.

There were no outstanding contributions due to the partnership pension providers at the Statement of Financial Position date, nor any prepaid amounts.

(ii) Commissioners

Commissioners appointed before November 2012 were offered pension arrangements broadly by analogy with the Principal Civil Service Pension Schemes from their date of appointment.

Commissioners' pension arrangements are unfunded, and the Commission is responsible for paying retirement benefits as they fall due. Contributions are paid by Commissioners at the rate of 8.85% of pensionable earnings.

The value of the scheme liabilities for the current and four previous years are as follows:

	2014/15 £000	2013/14 £000	2012/13 £000	2011/12 £000	2010/11 £000
Liability in respect of					
Active members	707	959	1,241	2,030	1,965
Deferred pensioners	522	865	530	132	110
Current pensioners	5,387	4,241	3,727	2,858	2,723
Total present value of scheme liabilities	6,616	6,065	5,498	5,020	4,798

The scheme liabilities have been valued by the Government Actuary's Department using the Projected Unit Method. The main actuarial assumptions are as follows:

	2014/15	2013/14	2012/13	2011/12	2010/11
Discount rate	3.55%	4.35%	4.10%	4.85%	5.60%
Rate of increase in salaries	0.00%	variable	variable	4.25%	4.90%
Price inflation	2.20%	2.50%	1.70%	2.00%	2.65%
Rate of increase in pensions (deferred and in payment)	2.20%	2.50%	1.70%	2.00%	2.65%

The mortality assumptions use the CMI SAPS S1 tables, which give the following life expectancies at retirement:

	31 March 2015		31 March 2014	
	Men	Women	Men	Women
Current pensioners				
At age 60	29.1	31.3	29.0	31.2
At age 65	24.2	26.4	24.1	26.2
Future pensioners				
At age 60	31.4	33.6	31.3	33.5
At age 65	26.9	29.0	26.8	28.9

The main financial assumptions are as prescribed by HM Treasury. The principal assumptions adopted by the Commission relate to earnings inflation and mortality, and the sensitivity of the valuation of the liability to these assumptions is set out below.

An increase of one year in the life expectancies would increase the present value of the scheme liability by approximately 3% or £205,000.

An increase of 0.5% in the rate of increase in salaries would increase the present value of the scheme liability by approximately 0.1% or £6,000.

The following amounts have been recognised in the Statement of Comprehensive Net Expenditure for the year:

	2014/15 £000	2013/14 £000
Current service cost	102	135
Commissioners' contributions retained	(26)	(31)
Total charge to Staff Costs	76	104
Interest on pension scheme liabilities	260	224
Total charge to Interest Payable	260	224

The estimated current service cost for the next year is 41.3% of pensionable salary. Commissioners' contributions retained are expected to be £17,000 and the expected charge to Staff Costs is £67,000.

The movement in scheme liabilities is analysed as follows:

	2014/15 £000	2013/14 £000
Present value of scheme liabilities at start of year	6,065	5,498
Current service cost	102	135
Interest cost	260	224
Actuarial losses	455	422
Benefits paid	(266)	(214)
Present value of scheme liabilities at end of year	6,616	6,065

Cumulative actuarial gains and losses recognised in taxpayers' equity are as follows:

	2014/15 £000	2013/14 £000
Loss at start of year	1,806	1,384
Net actuarial losses recognised in the year	455	422
Loss at end of year	2,261	1,806

Actuarial gains and losses recognised in the Statement of Comprehensive Net Expenditure for the year and the previous four years are set out below, shown as an amount and as a percentage of the present value of the scheme liabilities at the Statement of Financial Position date:

		2014/15	2013/14	2012/13	2011/12	2010/11
Experience (gains)/losses on pension liabilities	£000	41	(4)	159	(67)	(92)
		0.6%	-0.1%	2.9%	-1.3%	-1.9%
Changes in demographic and financial assumptions	£000	414	426	224	(43)	(326)
		6.3%	7.0%	4.1%	-0.9%	-6.8%
Net actuarial losses/ (gains)	£000	455	422	383	(110)	(418)

5 Other Expenditure

	2014/15	2013/14
	£000	£000
Accommodation - operating lease	607	621
Travel, subsistence and external case-related costs	207	208
IT costs	200	168
Office supplies	107	100
Legal and professional costs	79	37
Case storage	42	35
Information and publications	34	36
Recruitment	30	26
Loss on disposal of non-current assets	31	1
Office services	29	26
Training and other HR	29	42
Audit fee - external	26	26
Telephones	25	24
Audit fee - internal	14	8
Payroll and pension costs	12	14
Library and reference materials	11	39
Equipment rental under operating lease	3	6
Total	1,486	1,417

6 Interest Payable

	2014/15	2013/14
	£000	£000
Interest on pension scheme liabilities	260	224
Total	260	224

7 Income from Activities

	2014/15	2013/14
	£000	£000
Kalisher Trust internships	5	5
Total	5	5

During 2014/15, the Commission created one short-term internship posts, which was partially funded by the Kalisher Trust and ended in 2015.

8 Analysis of Net Expenditure by Programme & Administration Budget

	2014/15			2013/14		
	Programme £000	Administration £000	Total £000	Programme £000	Administration £000	Total £000
Expenditure						
Staff costs	3,646	886	4,532	3,720	782	4,502
Depreciation & amortisation	99	–	99	94	–	94
Accommodation – operating lease	607	–	607	621	–	621
Other expenditure	649	230	879	588	208	796
Total Expenditure	5,001	1,116	6,117	5,023	990	6,013
Income						
Income from activities	(5)	–	(5)	(5)	–	(5)
Net Expenditure	4,996	1,116	6,112	5,018	990	6,008
Interest Payable	260	–	260	224	–	224
Net Expenditure after Interest	5,256	1,116	6,372	5,242	990	6,232

9 Property, Plant & Equipment

	Refurbishment Costs £000	Plant and Equipment £000	Furniture and Fittings £000	IT Hardware £000	Total £000
Cost/valuation at 1 April 2014	107	103	149	448	807
Additions	–	–	–	3	3
Disposals	–	–	(1)	(5)	(6)
Cost/valuation at 31 March 2015	107	103	148	446	804
Depreciation at 1 April 2014	32	74	67	288	461
Charged during the year	11	4	13	34	62
Depreciation on disposals	–	–	(1)	(3)	(4)
Depreciation at 31 March 2015	43	78	79	319	519
Carrying amount at 31 March 2015	64	25	69	127	285
Cost/valuation at 1 April 2013	107	119	144	610	980
Additions	–	3	5	11	19
Disposals	–	(19)	–	(182)	(201)
Reclassification	–	–	–	9	9
Cost/valuation at 31 March 2014	107	103	149	448	807
Depreciation at 1 April 2013	21	87	55	426	589
Charged during the year	11	6	12	34	63
Depreciation on disposals	–	(19)	–	(181)	(200)
Reclassification	–	–	–	9	9
Depreciation at 31 March 2014	32	74	67	288	461
Carrying amount at 31 March 2014	75	29	82	160	346
Carrying amount at 31 March 2013	86	32	89	184	391

All assets are owned by the Commission.

10 Intangible Non-Current Assets

	Assets Under Development	Software Licences	Total
	£000	£000	£000
Cost/valuation at 1 April 2014	124	788	912
Additions	94	18	112
Disposals	–	(66)	(66)
Cost/valuation at 31 March 2015	218	740	958
Amortisation at 1 April 2014	–	606	606
Charged during the year	–	37	37
Amortisation on disposals	–	(37)	(37)
Amortisation at 31 March 2015	–	606	606
Carrying amount at 31 March 2015	218	134	352
Cost/valuation at 1 April 2013	–	782	782
Additions	124	40	164
Disposals	–	(25)	(25)
Reclassification	–	(9)	(9)
Cost/valuation at 31 March 2014	124	788	912
Amortisation at 1 April 2013	–	609	609
Charged during the year	–	31	31
Amortisation on disposals	–	(25)	(25)
Reclassification	–	(9)	(9)
Amortisation at 31 March 2014	–	606	606
Carrying amount at 31 March 2014	124	182	306
Carrying amount at 31 March 2013	–	173	173

All assets are owned by the Commission.

During 2013/14 there were IT Development costs which was reclassified to Software Licences by the end of the year.

11 Trade & other Receivables

	31 March 2015 £000	31 March 2014 £000
Amounts falling due within one year		
Trade receivables	6	–
Travel loans to staff	14	21
Prepayments	131	117
Total	151	138

Amounts falling due after more than one year		
Prepayments	–	1
Total	–	1

12 Cash & Cash Equivalents

	31 March 2015 £000	31 March 2014 £000
Balance at 1 April	4	42
Net change in cash balances	5	(38)
Balance at 31 March	9	4

The following balances at 31 March were held at:		
Government Banking Service	9	–
Commercial banks	–	4
Balance at 31 March	9	4

No cash equivalents were held at any time.

13 Trade Payables & other Current Liabilities

	31 March 2015 £000	31 March 2014 £000
Amounts falling due within one year		
Intra-government balances:		
UK taxation & social security	117	101
Total	117	101
Trade payables	24	64
Other payables	–	1
Capital accruals	–	1
Other accruals	221	195
Total	362	362

14 Provisions

	2014/15 Dilapidations £000	2014/15 Total £000	2013/14 Total £000
The movements in the provisions are analysed as follows:			
Balance at 1 April	53	53	53
Unwinding of discount	1	1	–
Balance at 31 March	54	54	53

The expected timing of discounted cash flows is as follows:

	31 March 2015 £000	31 March 2014 £000
Dilapidations:		
Later than five years	54	53
Balance at 31 March	54	53

15 Reconciliation of Net Expenditure to Net Cash Outflow from Operating Activities

	Note	2014/15 £000	2013/14 £000
Net expenditure after interest		(6,372)	(6,232)
Interest payable	6	260	224
Depreciation and amortisation	9,10	99	94
Loss on disposal of non-current assets	5	31	1
Increase in receivables	11	(12)	(2)
Increase in payables	13	1	48
Increase in provisions	14	1	–
Pension provision:			
Current service cost	4	102	135
Benefits paid	4	(266)	(214)
Notional expenditure	18	607	621
Net cash outflow from operating activities		(5,549)	(5,325)

16 Capital Commitments

Capital commitments contracted for at 31 March 2015 were £nil (2014 £nil).

17 Commitments under Operating Leases

At 31 March 2015 the Commission had the following total future minimum lease payments under non-cancellable operating leases for each of the following periods:

	31 March 2015 £000	31 March 2014 £000
Buildings:		
Not later than one year	607	621
Later than one year and not later than five years	2,428	2,482
Later than five years	455	1,086
Total buildings	3,490	4,189
Equipment:		
Not later than one year	–	1
Total equipment	–	1
Total commitments under operating leases	3,490	4,190

The above commitment in respect of building leases relates to the Commission's current office accommodation at St Philip's Place, Birmingham. This is occupied under a Memorandum of Terms of Occupation (MOTO) issued in accordance with the Departmental Estate Occupancy Agreement for Crown Bodies. The MOTO is between the Ministry of Justice on behalf of the Commission and the Department for Communities and Local Government. The costs of occupation are payable by the Ministry of Justice, but are included in the Commission's accounts as notional expenditure. Accordingly, the commitment shown above is also notional.

18 Notional Expenditure

The Ministry of Justice incurred costs in respect of accommodation on behalf of the Commission.

	2014/15 £000	2013/14 £000
Notional expenditure		
Other expenditure – incurred by MoJ:		
Accommodation – operating lease	607	621
Total notional other expenditure	607	621
Total notional expenditure	607	621

Items shown as notional expenditure are items of expenditure which would otherwise have been recognised in the financial statements in the current year if they had been incurred by the Commission.

19 Contingent Liabilities Disclosed under IAS 37

There were no contingent liabilities at the Statement of Financial Position date (2014 none).

20 Related Party Transactions

The Ministry of Justice is a related party to the Commission. During the period 1 April 2014 to 31 March 2015, the Ministry of Justice provided the Commission with Grant in Aid and made certain payments on behalf of the Commission disclosed in these financial statements and notes as notional expenditure.

In addition, the Commission has had a small number of transactions with other government departments and other central government bodies.

During the period 1 April 2014 to 31 March 2015, none of the Commissioners, key managerial staff or other related parties undertook any related party transactions.

21 Financial Instruments

IFRS 7 (Financial Instruments: Disclosures) requires disclosure of the significance of financial instruments for the entity's financial position and performance, and the nature and extent of risks arising from financial instruments to which the entity is exposed, and how the entity manages those risks. Because of the largely non-trading nature of its activities and the way it is financed, the Commission is not exposed to the degree of financial risk faced by business entities. Moreover, financial instruments play a much more limited role in creating or changing risk than would be typical of the listed companies to which IAS 32 (Financial Instruments: Presentation), IAS 39 (Financial Instruments: Recognition and Measurement) and IFRS 7 mainly apply. The Commission has limited powers to borrow or invest funds and financial assets and liabilities are generated by day-to-day operational activities and are not held to change the risks facing the Commission in undertaking its activities.

The Commission is not therefore exposed to significant liquidity risks, interest rate risk or foreign currency risk.

22 Events after the Reporting Period

In accordance with the requirements of IAS 10 (Events After the Reporting Period), events after the reporting period are considered up to the date the accounts are authorised for issue. This is interpreted as the date of the audit certificate of the Comptroller and Auditor General.

Section Five

Tables and Appendices

Commission referrals to the appeal courts during 2014/15

Name	Ref	Referral date	Offence	Sentence Only
A	1469/13	02-Apr-14	Offences relating to taking, making and possessing indecent images of children; Sexual activity with a child	•
N	399/13	10-Apr-14	Failure to produce a document contrary to section 2 Immigration and Asylum	
AMIN, Mohammed	736/11	01-May-14	Robbery	
B	842/13	23-May-14	Failure to have a passport of identity document contrary to s.2 (1) and (9) of the Asylum and Immigration (Treatment of Claimants) Etc 2004	
C				
	790/09	06-Jun-14	Sexual activity with a child x2; Rape	
PETERSEN, Brian	455/09	16-Jun-14	Indecent Assault x4	
D	1458/12	24-Jun-14	Possession of an identity document with improper intention	
C	966/13	05-Jun-14	Production of cannabis x2	
GEORGE, Aaron	419/12	07-Jul-14	Rape	
E	1344/13	30-Jul-14	Production of a controlled drug of class B	
F	327/14	09-Sep-14	Rape: Sexual assault; Perverting the course of justice	•
LISSAN, Badreldin	973/13	15-Sep-14	Failure to produce a satisfactory immigration document contrary to section 2(1) Asylum and Immigration Act 2004	
JOSEPH, Elizabeth	1125/14	27-Oct-14	Assaulting an officer in the execution of his duty, contrary to s89 (1) of the Police Act 1996; Obstructing an officer in the execution of his duty, contrary to s47 Terrorism Act 2000	
SOHE NGUIDJOL, Richard	1424/12	14-Oct-14	Possession of false identity document with intent	
G	235/10	01-Oct-14	Rape	
GREW, Aidan Francis	1087/14	17-Nov-14	Fraudulent evasion of Customs Duty contrary to Section 170(2)(a) of the Customs and Excise management Act 1979	
O'HAGAN, Myles Christopher	898/06	15-Oct-14	Causing an explosion contrary to section 2 of the Explosive Substance Act 1883	
SHABBIR, Ghazala	808/12	13-Nov-14	Conspiracy to commit fraud (contrary to the Fraud Act 2006, s2)	
NANTHAKUMAR, Kirush	1222/12	19-Dec-14	Murder; Causing grievous bodily harm with intent; Assault occasioning actual bodily harm.	
MAIH, Aziz	1360/12	19-Dec-14	Murder; Causing grievous bodily harm with intent; Assault occasioning actual bodily harm.	
KUMBAY, Asif	1361/12	19-Dec-14	Murder; Causing grievous bodily harm with intent; Assault occasioning actual bodily harm.	

Name	Ref	Referral date	Offence	Sentence Only
H	1366/12	01-Dec-14	Possession of a false document with intent	
HILLMAN, Barry	1179/14	28-Jan-15	Murder	
GOWANS, Paul	1181/14	28-Jan-15	Murder	
I	333/12	20-Jan-15	4 counts of sexual activity with a child under age of 16	
J	1517/12	28-Jan-15	False imprisonment; Causing grievous bodily harm with intent	
LAVERTY, Terence	518/11	20-Jan-15	Riotous behaviour contrary to section 9 Criminal Justice act 1968	
ALI, Idris	295/14	12-Mar-15	Manslaughter	
L	747/12	17-Mar-15	Possession of a false instrument; Attempting to obtain services by deception.	
JOHARCHI, Pooneh	1460/13	20-Mar-15	Failure to produce a satisfactory immigration document	
K	195/14	17-Feb-15	Using a false instrument (Passport)	
M	518/14	24-Mar-15	Failure to produce a satisfactory immigration document	
O	1206/14	24-Mar-15	Failure to produce a satisfactory immigration document	
N	1315/14	24-Mar-15	Failure to produce a satisfactory immigration document	
P	1316/14	24-Mar-15	Failure to produce a satisfactory immigration document	
MONKS, Geoffrey	457/07	11-Mar-15	Possession of food for sale which failed to comply with food safety requirements; Failing to keep a food premises clean and in good repair; Failing to ensure that food waste and other refuse did not accumulate; Failing to store food so as protected against contamination; Failing to store raw materials so as protected against harmful deterioration and contamination	

Commission referrals decided by appeal courts during 2014/15

Name	Referral date	Offence	Sentence Only	Outcome	Appeal Decision
I	20-Jan-15	4 counts of sexual activity with a child under age of 16		Q	06-Mar-15
LAVERTY, Terencet	20-Jan-15	Riotous behaviour contrary to section 9 Criminal Justice act 1968		Q	10-Feb-15
AMIN, Mohammed	01-May-14	Robbery		Q	05-Feb-15
D	24-Jun-14	Asylum case: Possession of an identity document with improper intention		Q	17-Dec-14
MULUGETA, Eyasu	08-May-13	Asylum case: Seeking leave to remain in the United Kingdom as a refugee by deception.		U	16-Dec-14

Name	Referral date	Offence	Sentence Only	Outcome	Appeal Decision
GEORGE, Dwaine	08-Nov-13	Murder; The attempted murder; Possession of a firearm with intent to endanger life		Q	09-Dec-14
F	09-Sep-14	Rape: Sexual assault; Perverting the course of justice	•	Q	02-Dec-14
FORAN, Martin	09-Jan-14	Robbery x4		Q	03-Oct-14
E	30-Jul-14	Production of a controlled drug of class B		Q	26-Sep-14
C	05-Jun-14	Production of cannabis x2		Q	22-Aug-14
A	02-Apr-14	Offences relating to taking, making and possessing indecent images of children; Sexual activity with a child	•		Q
N	10-Apr-14	Asylum case: Failure to produce a document contrary to section 2 Immigration and Asylum		Q	18-Jul-14
CLEMO, Gillian	30-Aug-13	Using a false instrument with intent		Q	13-Jul-14
B	23-May-14	Asylum case: Failure to have a passport of identity document contrary to s.2 (1) and (9) of the Asylum and Immigration (Treatment of Claimants) Act 2004		Q	11-Jul-14
MARTIN, James	23-Sep-11	False Imprisonment (x2); Making Property Available for Terrorism (x2)		Q	01-Oct-14
RYAN, Veronica	23-Sep-11	False Imprisonment x2		Q	01-Oct-14
KHAN, Bakish	02-Aug-13	Conspiracy to supply heroin		R	01-Jul-14
HANIF, Ilyas	02-Aug-13	Conspiracy to supply heroin		R	01-Jul-14
ZONDO, Busani	26-Nov-13	Asylum case: Possession of an improperly obtained identity document		Q	26-Jun-14
SEYMOUR, Roy	07-Nov-13	Rape		Q	25-Jun-14
K	18-Jul-13	Armed robbery		Q	16-Jun-14
McCAULEY, Martin	25-Jan-13	Possession of three rifles		Q	20-May-14
XIE, Jian	24-Apr-13	Rape		U	15-Apr-14
Q	29-Nov-13	Indecent assault on a female x1; Indecent exposure with intent to insult a female x2		U	03-Apr-14
BINGHAM, Stephen	13-Feb-14	Driving otherwise in accordance with a licence		Q	03-Apr-14
JORDAN, John	30-Jul-13	Possession of a police helmet; Assaulting a police officer		Q	23- Sep-14

The following table records the outcomes in relation to four Commission referrals which were not recorded in previous annual reports.

Name	Referral date	Offence	Sentence Only	Outcome	Appeal Decision
CHBEREI, Montazar	30-Mar-12	Speeding		Q	01-May-12
F	23-Nov-12	Wounding with intent to cause GBH	.	Q	07-Jun-13
FORAN, Martin	19-Dec-12	Robbery; Conspiracy to rob		Q	26-Mar-13
H	05-Feb-13	Sexual assault		U	18-Mar-14

Q = Quashed U = Upheld R = Reserved A = Abandoned

Key Performance Indicators

KPI 1 Time from receipt to allocation

Purpose: This KPI records the average time taken for an application to be allocated to a CRM for review, and gives an indication of how long applicants wait before their case is started. Definition: The time from the date of receipt of the application to the date of allocation to a CRM for review, averaged for all applications in the reporting period for which a CRM allocation date has been recorded. Re-allocations are ignored. Calculation: Recorded for each month and the rolling 12 month period, calculated separately for at liberty and in custody cases. Frequency: Monthly. Data source: Case statistics compiled from the case management system.

Plan: for the average time to allocation to be 26 weeks for custody cases and 52 weeks for at liberty cases.

Actual average time for custody cases (weeks):

Apr:	31.2	May:	41.0	Jun:	25.6	Jul:	37.8	Aug:	39.8	Sep:	31.3
Oct:	34.3	Nov:	32.1	Dec:	29.7	Jan:	23.8	Feb:	24.3	Mar:	21.2

Rolling 12 months average time for custody cases: 30.1 weeks.

Actual average time for at liberty cases (weeks):

Apr:	40.0	May:	75.6	Jun:	48.7	Jul:	65.5	Aug:	100.4	Sep:	54.6
Oct:	74.8	Nov:	55.6	Dec:	39.0	Jan:	74.2	Feb:	82.3	Mar:	71.1

Rolling 12 months average time for at liberty cases: 66.2 weeks.

KPI 2 Time from allocation to decision

Purpose: This KPI records the average time taken for an application to be reviewed.

Definition: For review cases, the time from the date of allocation of the application to the issue of an initial decision, and for no appeal cases the time from receipt to initial decision, averaged for all applications in the reporting period for which an initial decision has been issued. Calculation: Recorded for each month and the rolling 12 month period, calculated separately for review cases and no appeal cases. Monthly. Data Source: Case statistics compiled from the case management system.

Plan: for the average duration of review cases to be less than 40 weeks, and for “no appeal” cases to be less than 15 weeks.

Actual average time for review cases (weeks):

Apr:	40.6	May:	31.3	Jun:	40.6	Jul:	13.7	Aug:	28.5	Sep:	15.4
Oct:	23.1	Nov:	33	Dec:	27.8	Jan:	48.4	Feb:	16.4	Mar:	23.4

Rolling 12 months average time for custody cases: 26.53 weeks.

Actual average time for no appeal cases (weeks):

Apr:	19	May:	21.7	Jun:	26.5	Jul:	23	Aug:	24.1	Sep:	19.3
Oct:	21	Nov:	20	Dec:	20.9	Jan:	10.9	Feb:	11.5	Mar:	9.0

Rolling 12 months average time for no appeal cases: 19.2 weeks.

KPI 3 Caseload balance

Purpose: A high-level measure to show the effect of the increase in applications on our queues. The greater the imbalance between intake and case closures the longer waiting times will become. Definition: The total number of cases closed at all stages minus the number of applications received. Applications include s15 directions from the Court of Appeal. Calculation:

Recorded for each month and the rolling 12 month period. Frequency: Monthly. Data source: Case statistics compiled from the case management system.

Plan: Monthly: >0, full year: >0 Actual: Over the whole year we closed 33 more cases than we received.

KPI 4 Complaints and judicial reviews

Purpose: The number of complaints and judicial reviews serves as a measure of the quality of service provided. Definition: 1. The number of cases re-opened as a proportion of complaints and pre-action protocol letters resolved and judicial reviews heard. 2. The number of complaints otherwise upheld as a proportion of complaints resolved. Calculation: Recorded for the current period and for the last 12 months. Frequency: Quarterly. Data source: Records of official complaints maintained by the Customer Service Manager and of judicial reviews maintained by a Legal Advisor.

Plan and performance:

	Target	Actual	Target rate	Actual rate
Cases re-opened	<3	4	<4%	4.9%
Other	<7	5	<9.5%	9.3%

KPI 5 Quality Assurance

Purpose: A measure of the quality of review work as measured by the Commission's own quality assurance systems. Definition: The number of cases examined in the Quality Assurance (QA) sample for which additional work is undertaken, expressed as a percentage of all cases examined. Calculation: Quarterly and for the last 12 months. Frequency: Quarterly. Data Source: QA system records.

Plan: That cases requiring further work should be less than 4% of the sampled cases. Actual: 0%.

KPI 6 Referral conclusions

Purpose: The proportion of referrals which result in a conviction being quashed or a sentence varied is a measure of our interpretation of the 'real possibility' test. Definition: The number of referrals on which judgment has been given in the period which have resulted in a quashed conviction or varied sentence as a proportion of the total number of referrals heard in the period. Calculation: Recorded for the 12 months to date and cumulatively over the life of the Commission. Frequency: Quarterly. Data source: Judgments delivered by appeal courts.

Plan: >60% and <80%. Actual: 73.3% for the 12 months with a cumulative figure of 70.8%.

KPI 7 Staff absence

Purpose: The extent to which staff and Commissioners are absent affects the productivity of the Commission and its ability to meet its casework targets. Definition: The aggregate number of days of employee and Commissioner absence through sickness, divided by the full-time equivalent number of employees and Commissioners. Calculation: Recorded for the current period and for the year to date. Frequency: Monthly. Data source: Internally generated data based on personnel records.

Plan: Sickness absence: <7.5 days per annum.

Actual: Sickness absence: 7.8 days per annum.

KPI 8 Expenditure against budget

Purpose: A key indicator of financial management is the extent to which expenditure in the period is aligned to the delegated budget, with neither overspends nor significant underspends. Definition: Total expenditure less delegated budget, measured separately for resource and capital, expressed as a % of budget. Calculation: Forecast for the year. Frequency: Monthly. Data source: Management accounts.

Plan and performance:

	Target		Actual
	Budget %		Budget %
	<	>	
Resource (RDEL)	0%	-2.5%	-1.3%
Capital (CDEL)	0%	-12.5%	-38.6%

