



Criminal Cases Review Commission

QUALITY POLICY

Policy Title: **CCRC Quality Policy**

Reference: **Q-POL-01**

Version: **1.0**

Contents

The CCRC's Quality Statement	1
Introduction	2
Key Points.....	2
Definitions	3
Policy Content.....	3
1 Overarching Principles and Objectives	3
2 Our Independence	4
3 Our Staff and Commissioners	5
4 Our Applicants, their Representatives, and Interested Parties	6
5 Our Case Reviews	6
6 Our Decision Making.....	7
7 Our Decision Documents	8
8 The Criminal Justice System.....	9
9 Victims	9
Relevant CCRC Documents	10
Document Control	10

The CCRC's Quality Statement

The CCRC is committed to achieving high-quality case reviews as quickly as possible. In order to achieve this, we operate under a Quality Management System; this policy document provides further information. Our policy documents are available on our website: <https://ccrc.gov.uk/>.

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

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

OFFICIAL - Criminal Cases Review Commission		
Document Ref: Q-POL-01	CCRC Quality Policy	Date Issued: 18/02/2021
Page 1 of 10	Uncontrolled When Printed	Version: 1.0

Introduction

This policy links to 'Q-POL-02 CCRC Quality Policy Statement' and has been approved by the CCRC's Chief Executive with the full support of the CCRC's staff and Commissioners.

The content of this policy is aligned to, and informed by, the CCRC's 'Corporate Plan 2020 to 2023' and 'Business Plan 2020 to 2021', both documents, and the other documents mentioned in this policy, are available on our website: <https://ccrc.gov.uk/corporate-information-and-publications/>.

This policy outlines the quality objectives that we strive to achieve in carrying out our statutory function to independently investigate and identify potential miscarriages of justice and, in doing so, promote public confidence in the justice system. We carry out our purpose vigorously, impartially, and objectively to the very best of our ability.

You may find it helpful to read this policy alongside 'CW-POL-04 Case Review Process' as this will provide more information concerning how we operate.

The quality objectives are an important way in which we demonstrate our values, which are:

- Independent – working with integrity, being objective and impartial.
- Proactive – looking and planning ahead, acting with vigour and pace.
- Accountable – taking responsibility, listening to feedback, being transparent.
- Respectful – treating people with respect and dignity.

Key Points

- 1) This policy is aligned to the CCRC's Corporate and Business Plans and directly compliments Strategic Aim 1 - Excellence in Case Review.¹
- 2) The CCRC seeks to operate in accordance with an ISO 9001:2015 compliant Quality Management System (QMS).
- 3) Quality is at the heart of what we do and ensures we undertake our statutory role as effectively and efficiently as possible whilst providing reassurance to the public and the Criminal Justice System (CJS).
- 4) Our quality objectives cover eight core areas:
 - I. Our Independence
 - II. Our Staff and Commissioners
 - III. Our Applicants, their Representatives, and Interested Parties
 - IV. Our Case Reviews
 - V. Our Decision Making
 - VI. Our Decision Documents
 - VII. The Criminal Justice System
 - VIII. Victims

¹ See 'Corporate Plan 2020 to 2023' for further information.

OFFICIAL - Criminal Cases Review Commission		
Document Ref: Q-POL-01	CCRC Quality Policy	Date Issued: 18/02/2021
Page 2 of 10	Uncontrolled When Printed	Version: 1.0

Definitions

Key Word	Meaning
CJS	Criminal Justice System
Lawyer	A legal professional i.e. a legal executive, solicitor, or barrister
MoJ	Ministry of Justice
Personnel	Unless otherwise stated, this refers to permanently employed staff, those working at the CCRC on fixed term contracts / agency workers, Commissioners, and Board members.
Quality objective	A result to be achieved in relation to the quality of our work.
QMS	Quality Management System

Policy Content

1 Overarching Principles and Objectives

- 1.1 We are committed to continuous improvement of our work processes.
- 1.2 The work of our personnel will be carried out in a way that corresponds with the CCRC Code of Conduct, the Seven Principles of Public Life and the CCRC's values.²
- 1.3 All work carried out will follow a clear strategy moving the case review towards a properly reasoned and well-documented outcome.
- 1.4 We are responsible for making decisions and working in a way that:
 - 1) Does not compromise our actual or perceived independence.
 - 2) Is proportionate to that which is required to achieve a reasoned outcome in an efficient, effective, and reasonably consistent way.
 - 3) Only lasts as long as is necessary in order to reach the reasoned outcome.
 - 4) Explains, as clearly as possible, our decision and rationale.
 - 5) Is fair to our applicants.
 - 6) Is fair to victims in line with the Victims' Code³ and Victim Charter.⁴
 - 7) Promotes public confidence in the CJS.

² The CCRC Code of Conduct and the Seven Principles of Public Life can be found in 'CCRC Code of Conduct' available on our website.

³ Official title 'Code of Practice for Victims of Crime in England and Wales'.

⁴ Official title 'Victim Charter: A Charter for Victims of Crime.' This document is specific to Northern Ireland only.

OFFICIAL - Criminal Cases Review Commission		
Document Ref: Q-POL-01	CCRC Quality Policy	Date Issued: 18/02/2021
Page 3 of 10	Uncontrolled When Printed	Version: 1.0

- 1.5 Our personnel make decisions in accordance with:
- 1) The law, precedent, and previous judgments of the Courts.
 - 2) Relevant policies, procedures, and guidance issued by the CCRC's QMS and external sources.⁵
- 1.6 Our quality objectives cover eight core areas:
- 1) Our Independence
 - 2) Our Staff and Commissioners
 - 3) Our Applicants, their Representatives, and Interested Parties
 - 4) Our Case Reviews
 - 5) Our Decision Making
 - 6) Our Decision Documents
 - 7) The Criminal Justice System
 - 8) Victims

Our Quality Objectives

2 Our Independence

- 2.1 We are funded by the Ministry of Justice (MoJ) through Grant in Aid. That means our service to applicants is free of charge. The CCRC's case decision-making is entirely independent from the MoJ,⁶ the rest of Government, the Courts, and campaign groups. We are also independent of the applicants and victims. This ensures that no person, body, or group interferes with our decision-making powers.
- 2.2 Our quality objectives in this core area require our personnel to:
- 1) Apply our four key values.⁷
 - 2) Refuse to accept any bribes, gifts, or similar gestures in return for making a particular recommendation or decision.
 - 3) Declare any such attempts in the CCRC's Gifts and Hospitality Register and report any and all instances of attempts to influence or otherwise compromise the CCRC's independence.

⁵ This is a non-exhaustive category which encompasses important documents including the Victims' Code, the Victim Charter, and the Codes relevant to the use of investigatory powers (such as the Regulation of Investigatory Powers Act) etc.

⁶ See 'CCRC Framework Document' available on our website.

⁷ Independent, Proactive, Accountable, Respectful.

OFFICIAL - Criminal Cases Review Commission		
Document Ref: Q-POL-01	CCRC Quality Policy	Date Issued: 18/02/2021
Page 4 of 10	Uncontrolled When Printed	Version: 1.0

3 Our Staff and Commissioners

- 3.1 The CCRC cannot carry out its role properly without the right people in place. We have an excellent workforce comprising staff and Commissioners. All our Commissioners and the majority of our staff undertake casework.
- 3.2 Our people are very important to us and it is through working in line with our four key values that we perform our core purpose. We recognise the importance of ensuring we recruit people with the right skills and attitude, train them to a high standard, and nurture their professional development.
- 3.3 Our quality objectives in this core area require the CCRC and our personnel, to:
- 1) Work together as a team in a respectful and collegiate manner both supporting and challenging each other. In so doing we will create and nurture an environment of success based on honesty and integrity.
 - 2) Recruit new staff in accordance with our recruitment and selection policy.⁸
 - 3) Act in a manner which promotes inclusion, actively valuing equality and diversity.⁹
 - 4) Provide an effective induction and training programme, support continuous professional development, and ensure personnel are regularly re-assessed to maintain their competency.
 - 5) Act, consistently, in support of the CCRC fulfilling its statutory function to investigate and identify miscarriages of criminal justice.

⁸ See 'Recruitment and Selection Policy' available on our website.

⁹ See 'Single Equality Scheme' available on our website.

OFFICIAL - Criminal Cases Review Commission		
Document Ref: Q-POL-01	CCRC Quality Policy	Date Issued: 18/02/2021
Page 5 of 10	Uncontrolled When Printed	Version: 1.0

4 Our Applicants, their Representatives, and Interested Parties

- 4.1 We encourage applications from, and on behalf of, those who believe they have been a victim of a miscarriage of justice. We do not, however, provide legal advice or represent the applicant. Our relationship with the applicant is very different from the relationship between the applicant and their lawyer.
- 4.2 Our quality objectives in this core area require our personnel to:
- 1) Treat applicants, their representatives, and interested parties with courtesy and respect.
 - 2) Communicate effectively and promptly with applicants, their representatives, and any other parties who have a legitimate interest in an accessible manner using straightforward language and/or use of a translator (if one is required).
- 4.3 In addition to the above objectives, the CCRC is also committed to being as transparent as reasonably possible.¹⁰ Our website contains a document on how to make Freedom of Information requests¹¹ as well as our Privacy Notice.¹²

5 Our Case Reviews

- 5.1 This core area is focussed on the main work we do at the CCRC - reviewing cases for evidence of a miscarriage of criminal justice.
- 5.2 Our quality objectives in this core area require our personnel to:
- 1) Think ahead, anticipate, and resolve issues proactively through effective case planning where necessary.
 - 2) Conduct the case review in a manner which contributes to the review reaching a proper and timely outcome.
 - 3) Comply with our procedural obligations.

¹⁰ However, our founding legislation (the Criminal Appeal Act 1995) does place some restrictions on what we can say about certain aspects of our casework.

¹¹ See 'Guidance on Requests for Information Under FoI and DPA' available on our website.

¹² See 'CCRC Privacy Notice' available on our website.

OFFICIAL - Criminal Cases Review Commission		
Document Ref: Q-POL-01	CCRC Quality Policy	Date Issued: 18/02/2021
Page 6 of 10	Uncontrolled When Printed	Version: 1.0

- 4) Hold other parties to account especially in regard to the provision to the CCRC of case materials.
- 5) Promptly and accurately record what we have done and why in a way which is proportionate, so that our position is clear and work is not duplicated.
- 6) Take all appropriate steps to ensure that, at the appropriate time, the decision-makers are provided with recommendations which take account of key evidence, all other relevant information and relevant unused material, and are:
 - I. Factually correct
 - II. Logically and legally-sound
 - III. Clearly reasoned
 - IV. Accurate, and
 - V. Well-researched

6 Our Decision Making

- 6.1 This core area is centered on our decision-making processes on whether to refer a conviction and/or sentence to the appeal courts.
- 6.2 Our quality objectives in this core area require our decision-makers to:
 - 1) Correctly apply the law in each case.
 - 2) Make timely decisions as to whether or not to refer a conviction and/or sentence to the appeal court.
 - 3) Make decisions which are:
 - I. Factually correct
 - II. Logically and legally-sound
 - III. Clearly reasoned
 - IV. Accurate, and
 - V. Represent the interests of justice.
 - 4) Promptly and accurately record decisions in a way which is proportionate, so that our reasoned position is clear, can be understood by others, and is capable of withstanding scrutiny.

OFFICIAL - Criminal Cases Review Commission		
Document Ref: Q-POL-01	CCRC Quality Policy	Date Issued: 18/02/2021
Page 7 of 10	Uncontrolled When Printed	Version: 1.0

7 Our Decision Documents

7.1 The CCRC is required¹³ to provide a document explaining our decision. The decision document could be presented in one of three ways:¹⁴

Type	Purpose	Decision type
Decision Notice	This is the nominal starting point for non-referral decisions. An alternative document is used if this format is inappropriate for the case or applicant.	Non-referral
Short Letter	This document is used if a Decision Notice is not appropriate.	Non-referral
Formal Report	This document is used if the case is: <ul style="list-style-type: none">• very substantial and complex, or• being referred to the appeal court	Non-referral (complex cases) Referral

7.2 Irrespective of the type of decision document we provide, our quality objectives in this core area require our personnel to:

- 1) Explain the decision clearly, effectively, and authoritatively without the use of complicated technical and/or legal language (where possible and appropriate to do so).
- 2) Provide a rationale which is:
 - I. Factually correct
 - II. Logically and legally-sound
 - III. Clearly reasoned
 - IV. Accurate, and
 - V. Appropriately understood by the intended audience.
- 3) Promptly and accurately record decisions in a way which is proportionate, so that our reasoned position is clear, can be understood by others, and is capable of withstanding scrutiny.

¹³ By virtue of sections 14(4) and 14(6) Criminal Appeal Act 1995.

¹⁴ See 'CW-POL-04 Case Review Process' for further information.

8 The Criminal Justice System

- 8.1 The CCRC exists to identify potential miscarriages of criminal justice and then refer them, where appropriate, to the appropriate appeal court so that the case can be reconsidered there. It is not the CCRC's role to quash convictions or provide revised sentences.
- 8.2 In order to prevent the root causes of miscarriages of justice from being repeated, we feedback (where appropriate to do so) to the CJS so that lessons can be learned. To enable us to effectively do this, our quality objectives in this core area require our personnel to:
- 1) Abide by the policies, procedures and guidance issued by our QMS. This will allow for continuous improvement of our work processes, thereby making our role more effective and efficient.
 - 2) Provide copies of all decision to refer documents to the Director of Casework Operations and the Head of Quality so that the root causes can be identified, tracked, and reported back to the CJS.
 - 3) Bring other relevant matters to the attention of the Director of Casework Operations and the Head of Quality so that their impact on the CJS can be assessed and reported back to the CJS if required.

9 Victims

- 9.1 We recognise that the work we do may have a bearing on individuals affected by the offence(s) we review.
- 9.2 Our quality objectives in this core area require our personnel to:
- 1) Treat victims and communities with respect and understanding.
 - 2) Take account of the rights, interests, and needs of victims through our adherence to the Victims' Code (for England and Wales)¹⁵ and the Victim Charter (for Northern Ireland).¹⁶
 - 3) Where appropriate to do so, communicate effectively so that victims are given the right information at the right time.

¹⁵ Official title 'Code of Practice for Victims of Crime in England and Wales'.

¹⁶ Official title 'Victim Charter: A Charter for Victims of Crime.'

OFFICIAL - Criminal Cases Review Commission		
Document Ref: Q-POL-01	CCRC Quality Policy	Date Issued: 18/02/2021
Page 9 of 10	Uncontrolled When Printed	Version: 1.0

- 4) Make correct, properly reasoned decisions which can be explained to, and understood by, those affected.

Appendices

None

Relevant CCRC Documents

Q-MAN-01	CCRC Quality Manual
Q-POL-02	CCRC Quality Policy Statement
CW-POL-04	Case Review Process
TBC	Corporate Plan (2020 to 2023)
TBC	Business Plan (2020 to 2021)
TBC	Framework Document between the Ministry of Justice and Criminal Cases Review Commission
TBC	Code of Conduct - Commission Board Members and Employees
TBC	Recruitment and Selection Policy
TBC	CCRC Single Equality Scheme
TBC	Guidance on Requesting Information Under FoI and DPA
TBC	CCRC Privacy Notice

The 'Code of Practice for Victims of Crime in England and Wales' is available for free from: <https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime>

The 'Victim Charter: A Charter for Victims of Crime' is available for free from: <https://www.justice-ni.gov.uk/publications/victim-charter>

The Criminal Appeal Act 1995 is available for free from: www.legislation.gov.uk

Document Control

Document author: Head of Quality
Issue authorised by: Karen Kneller (Chief Executive Officer)

Version History

Date Issued	Version	Brief Details of Change	DCR
18/02/2021	1.0	First Issue	20/02

END OF DOCUMENT

OFFICIAL - Criminal Cases Review Commission		
Document Ref: Q-POL-01	CCRC Quality Policy	Date Issued: 18/02/2021
Page 10 of 10	Uncontrolled When Printed	Version: 1.0