



Criminal Appeal Act 1995

1995 CHAPTER 35

PART II

THE CRIMINAL CASES REVIEW COMMISSION

Investigations and assistance

15 Investigations for Court of Appeal

- (1) Where a direction is given by the Court of Appeal under section 23A(1) of the 1968 Act or section 25A(1) of the 1980 Act the Commission shall investigate the matter specified in the direction in such manner as the Commission think fit.
- (2) Where, in investigating a matter specified in such a direction, it appears to the Commission that—
 - (a) another matter (a “related matter”) which is relevant to the determination of the case by the Court of Appeal ought, if possible, to be resolved before the case is determined by that Court, and
 - (b) an investigation of the related matter is likely to result in the Court’s being able to resolve it,the Commission may also investigate the related matter.
- (3) The Commission shall—
 - (a) keep the Court of Appeal informed as to the progress of the investigation of any matter specified in a direction under section 23A(1) of the 1968 Act or section 25A(1) of the 1980 Act, and
 - (b) if they decide to investigate any related matter, notify the Court of Appeal of their decision and keep the Court informed as to the progress of the investigation.
- (4) The Commission shall report to the Court of Appeal on the investigation of any matter specified in a direction under section 23A(1) of the 1968 Act or section 25A(1) of the 1980 Act when—

Status: This is the original version (as it was originally enacted).

- (a) they complete the investigation of that matter and of any related matter investigated by them, or
 - (b) they are directed to do so by the Court of Appeal,
- whichever happens first.
- (5) A report under subsection (4) shall include details of any inquiries made by or for the Commission in the investigation of the matter specified in the direction or any related matter investigated by them.
- (6) Such a report shall be accompanied—
- (a) by any statements and opinions received by the Commission in the investigation of the matter specified in the direction or any related matter investigated by them, and
 - (b) subject to subsection (7), by any reports so received.
- (7) Such a report need not be accompanied by any reports submitted to the Commission under section 20(6) by an investigating officer.

16 Assistance in connection with prerogative of mercy

- (1) Where the Secretary of State refers to the Commission any matter which arises in the consideration of whether to recommend the exercise of Her Majesty's prerogative of mercy in relation to a conviction and on which he desires their assistance, the Commission shall—
- (a) consider the matter referred, and
 - (b) give to the Secretary of State a statement of their conclusions on it;
- and the Secretary of State shall, in considering whether so to recommend, treat the Commission's statement as conclusive of the matter referred.
- (2) Where in any case the Commission are of the opinion that the Secretary of State should consider whether to recommend the exercise of Her Majesty's prerogative of mercy in relation to the case they shall give him the reasons for their opinion.