

FORMAL MEMORANDUM
SECTION 15 DIRECTIONS
FROM THE COURT OF APPEAL

Introduction

1. Most of the Commission's work relates to its reviews of cases which have already been considered and turned down by the Court of Appeal, in order to determine whether any of those cases should be referred back to the Court for reconsideration. Section 15 of the Criminal Appeal Act 1995 ("the Act"), however, addresses those situations where the Court of Appeal has directed the Commission to investigate a discrete issue or issues on the Court's behalf¹.
2. This means that the Commission can be asked to carry out investigations on cases during their first instance appeals before the Court of Appeal, or during their applications for leave to appeal.

Prioritisation

3. As a general rule, the Commission will prioritise section 15 investigations: see [Priority Ranking and Ordering of Cases](#).

Procedure

4. The Registrar of Criminal Appeals ('the Registrar') will notify the Commission when an Order is made.
5. The case will be treated as a Stage 2 review case and allocated to a case reviewer immediately. The Director of Casework (DoC) will assign a Commissioner to act as Nominated Decision Maker in the case.
6. A provisional timetable for completion will be agreed. The DoC will notify the Registrar of the provisional completion date.

¹ The Court's power to make such directions is to be found in section 23A(1) of the Criminal Appeal Act 1968 and section 25A(1) of the Criminal Appeal (Northern Ireland) Act 1980.

7. The DoC will forward the report to the Registrar as soon as it has been approved by a committee of three Commissioners.