Seeking Justice

A guide to criminal appeals for women

UNIVERSITY OF SUSSEX BRIGHTON

#APPEAL

APPEAL is a legal charity that provides specialist advice for the wrongfully convicted. We are lawyers and activists who campaign for reform where there have been systemic failures.

About the researchers and lawyers:

Emma Torr is a Barrister and Co-Director at APPEAL. Emma represents women and men who have been wrongfully convicted. Emma leads APPEAL's campaigns for legal reform where the law unfairly discriminates against women and girls. Before joining APPEAL, Emma was a criminal defence barrister.

Dr Lucy Welsh is a Reader (Associate Professor) in Criminal Justice at the University of Sussex, and Director of Sussex Law Clinics. Lucy has published extensively on criminal law and criminal justice, and her research has been engaged with by the Law Commission, the APPG on Miscarriages of Justice, the Parliamentary Office for Science and Technology, and parliament's Justice Committee. Prior to joining academia, Lucy spent 10 years working as a criminal defence solicitor.

Tara Casey is APPEAL's Women's Justice Lawyer. She works on individual cases at CCRC and Court of Appeal level, alongside contributing to APPEAL's campaigning work. Tara qualified as an attorney in New York and as a solicitor in England and Wales.

Nadiyah Akoo is APPEAL's Operations and Resource Development Lead. Working alongside the Co-Directors, Nadiyah plays a central role in overseeing APPEAL's operations and strategic development. Her invaluable support helped develop and fund the Guide from an initial idea to the published version.

ReedSmith

With special thanks to the lawyers at **Reed Smith** and **Citi** who researched the project from the outset, and based on the voices of the women from the focus groups, helped to shape into a trauma informed guide for women and girls.

Parts of this publication have been provided by Reed Smith who provides legal services to APPEAL. This research has been prepared for APPEAL only and has not been applied to specific facts. Reed Smith owes a duty to APPEAL only. The other contributors do not assume or owe any duty to APPEAL or any third parties who seek to rely on the contents of this publication.

This guide is the work of many hands. We would like to say thank you to:

Alannah Burdess | Andy Aitchison | Dr Laura Janes KC (Hon) | Emma Goodall KC
HMPPS National Research Committee | Mark Davies, Reed Smith | The Nuffield Foundation | Staff at HMP Send

Not forgetting a very special thank you to all the women who contributed to our focus groups and who have spoken to us regarding the making of this guide.

The information in this guide applies to appealing convictions and/or systems in **England and Wales only**. There is a different legal system in Scotland and Northern Ireland. This guide focuses on assisting people who were over the age of 18 when they were convicted but may also apply to girls who were convicted in the Youth Court. The information in this guide is correct at 23rd April 2026.

Foreword

by Emma Goodall KC, Barrister at Doughty Street Chambers and Trustee at APPEAL

Today there are more than twice as many women in prison as 30 years ago. In the last year alone (2025), **6,275 women entered prison**, either on remand or to serve a sentence.

In 2024, **nearly a quarter (23.5%) more women received immediate prison sentences of less than 12 months than in the previous year**. The vast majority of these women received sentences of 6 months or less.

The stark reality is that more women are being sent to prison, and for longer. Some are imprisoned for offences for which they should not have been convicted, and some are serving disproportionate sentences.

Once convicted, we know how hard it is to appeal that conviction or sentence. But before that process can even begin our work has shown us that many women can't access the very information and tools they need to make informed choices about their options.

As a woman who has worked in the legal system for many years I have seen this first hand. As a trustee of the charity and law practice APPEAL I recognise the importance of listening and responding to the voices of the women we have spoken to within the criminal justice system. The following information is intended to assist and guide women through this difficult process in a trauma informed way.

We hope that this Guide is a helpful source of information. We recognise that appeals are hard and that the bar is very high. Take from this what you need and remember you can reach out for support along the way.

Figures taken from the Prison Reform Trust Bromley Briefings Factfile February 2026 and russellwebster.com

Why make a guide for women?

We recognised that women faced additional barriers when trying to challenge a wrongful conviction. We held focus groups inside prison and in the community in order to fully understand. Women told us that the process of appealing can feel confusing, lonely and full of obstacles. We listened to this feedback and ideas and put together a guide that is informative, easy to understand and first and foremost designed for women.

The focus groups highlighted the need for straightforward explanations in relation to legal terminology, charts in connection with the steps to appeal and the CCRC, checklists relating to action items, template documents, and for help knowing who to contact and when.

The guide is here to help you understand the process if you are thinking about appealing your conviction or sentence. It aims to set out the appeal steps in a logical and easy to understand way. It includes quotes from women who have been through the process, because their words show what matters.

We hope that anyone appealing their conviction or sentence will get the support of a lawyer. The guide is designed to help you know when to seek advice, to understand the process and know what you can expect from your lawyer if you have one. The guide might help you understand what the next steps are if you cannot get a lawyer.

We also include advice on pacing yourself. Many women told us that in the first months, everything feels too much. One said,

> "[we need] a 'dummy guide to appeals', a Bible with everything in it would be great".

This guide aims to help you **easily understand the process**, and **take one step at a time**.

This guide covers:

Key things to consider before starting an appeal and managing the process 6

What an appeal is and the different types of appeal (for a conviction and for a sentence) 8

Appealing from the Magistrates' or Youth court 11

Appealing from the Crown Court 13

What is "fresh evidence"? 22

Joint enterprise appeals 26

The Criminal Cases Review Commission (CCRC) 30

Getting legal help 38

Gathering and accessing material 42

Support and information 51

How to use this guide

- Start wherever you want.
- You do not need to read it all at once.
- Pick the part that fits what you need today.
- Make notes and mark pages to come back to later.

Small steps are still progress.

As one of the women in our focus groups said

"know your case inside out... read as much as you can and ask a ton of questions."

Above all, use this guide as a way to help you take control. One woman said:

"there has to be some way of putting each person's case through a process or a channel."

This guide helps you build that channel for your case.

This guide was designed to be clear and kind. Use it at your own pace and share it with others.

Finally, it is important to remember that the process can be very difficult and lengthy with many hurdles along the way, even with the help of a lawyer. The unfortunate reality is only a small number of cases succeed. This guide is here to provide some information about the process so you can decide whether you want to make this choice, and to help you understand the stages if you are appealing or making an application to the CCRC. What is right for one may not be for another. Our support pages at the end are for reference whether you choose to appeal or not.

You might find it useful to:

Begin with the short overview of the appeals process. This outlines the different routes for (i) challenging a conviction; and (ii) challenging a sentence. It also shows where "fresh evidence" can make a difference.

Use the charts to see what step comes next and who to contact. Women told us that a chart makes the process easier to follow.

Use the checklists and examples to save time and energy. They are designed to help you ask for papers, and write clear letters to lawyers.

There are weblinks to forms and sources in the online version of this guide. If you are in prison without access to internet resources, your Offender Manager or the Offender Management Unit might be able to help you get these online forms. If not, you can ask someone to send them to you, including the Prisoners' Advice Service. We have included their contact information at various points in this guide.

Keep copies of all your paperwork.

Try to store key papers together: court papers, any previous advice on appeal, the judge's summing up if you have it (what the judge said to the jury when describing the case and legal issues), any new evidence and letters you have sent or received.

See the 'Key Documents' information on page 42.

Use the "Who to contact" pages.

They list charities, advice organisations, and support services with notes on what each one does. Women asked for signposting that is honest about what services can and cannot offer.

Plan for your energy.

The process is tiring. Some women found that doing this work in the prison library or with short set times helped them focus and avoid burn-out. You are not alone if you need to go slowly.

If you pleaded guilty, this guide explains what that means for appeal options. Women told us this was not made clear to them and asked for facts on what you can and cannot do after a guilty plea.

Expect to ask for things more than once.

Many women said they had to chase forms, timelines and contact details. The checklists and example letters are included in this guide so you do not have to start from scratch each time.

Why appeal?

There are many potential reasons that you might want to consider appealing your case. The first rule is to trust your instinct. If your conviction or sentence feels wrong, ask yourself why that is and try to work out the reasons for your feeling. This may include something significant that went wrong in the process or important information that was missed when the decision was made. It may also include the impact that the conviction or sentence will have on you and your loved ones. You may think that these feelings do not matter, but you should not ignore them.

Remember that you should not be alone in the process of appealing.

At each step of the way, take control of the process. Think about:

Who will be your support network?

How you want to receive information (do you prefer to receive things in writing so you can open them and process them in your own time or do you prefer calls/links?)

How will you store information to keep it confidential and safe?

What steps will you take to be gentle to yourself or get support after receiving difficult information about your appeal?

Finally, think about the practical aspects of appeals: some appeals might result in a re-trial, involve psychiatric assessments or result in immediate release from prison. Think about the practical impact of these possible outcomes and how you take steps to manage them and ensure you have the right emotional support during the process. You may have a trusted friend or family member that you give your lawyer written permission to speak to or you may seek support from the mental health team inside the prison to provide counselling or check-ins. If you are represented, do not be afraid to ask for information about what you can expect to happen and when, although bear in mind that lawyers can only tell you information they know and there are lots of unknowns in appeal cases.

You may wish to keep a journal along with your case papers that outlines the steps you have taken, the advice you have been given and when you have been told to expect updates. Each person will find different ways of managing the stress of an appeal.

This guide explains the process and what tools you may need along the way.

An overview of the appeals process

The routes to appeal are different depending on what kind of court you were convicted in and whether you want to appeal your conviction, your sentence, or both. We have set out below some of the more common reasons and routes for appeal.

Appealing a Magistrates' court conviction

Currently, there is an automatic right of appeal from the Magistrates' court (or the Youth court) to the Crown Court. If you believe the decision of the Magistrates was wrong because the court got the law wrong or made a mistake about the facts, you can apply directly to the Crown Court. You or your lawyer do not need to state a particular reason why you want to appeal, but you do need to explain what element(s) of the case went wrong.

If you pleaded guilty at the Magistrates' or Youth court it is much harder but not impossible to appeal. A guilty plea may be appealed if it there is uncertainty about guilt or if it wasn't entered freely or voluntarily. Uncertainty might arise where some behaviour is accepted but that does not match the allegation. For example, someone might say that they stole but were not dishonest. Sometimes people are given incorrect advice, such as not being told about acting in self-defence. In other circumstances, the CCRC might review a guilty plea that was entered at the Magistrates' court but is now disputed.

> "All long-term prisoners want to understand the appeals process." Focus group participant

Appealing a Crown Court conviction

If you were convicted or pleaded guilty in the Crown Court, the route of appeal is to the Court of Appeal Criminal Division (CACD). The Court of Appeal will only quash (remove) a conviction if it decides that the conviction is "unsafe". This may be because a mistake was made at the trial, important evidence was missing or evidence should not have been heard by the jury. We explain this in more detail from page 13.

Appealing a sentence

If you think that your sentence may be wrong, it is possible to appeal just your sentence to either the Crown Court (if you were sentenced in the Magistrates' or Youth court) or the Court of Appeal (if you were sentenced in the Crown Court). The court can hear argument about why your sentence is wrong. This might be because, for example, it is far too long (the legal term to describe this is 'manifestly excessive'), or the sentence was 'wrong in principle' (for example, the offence was not serious enough for a prison sentence). More details about appealing a sentence can be found at page 15.

Routes to Appeal: An Outline

Convicted or sentenced in the **Magistrates' court.**

Appeal conviction and/or sentence to Crown Court. Most common route of appeal.

No permission required from the court for an appeal hearing.

Rarely, appeals can be to the High Court by Judicial review or case stated. Ask your trial lawyer about this.

Convicted or sentenced in the **Crown Court.**

Appeal conviction and/or sentence to the Court of Appeal (Criminal Division).

Permission needed from the Court of Appeal in order to hear an appeal.

Supreme Court

Very rarely, the High Court or Court of Appeal can give permission to appeal a legal issue to the Supreme Court. It must be a legal issue which is of importance to the general public (i.e. beyond this particular case)

Appealing from the Magistrates' or Youth court

There are different ways to appeal a decision that was made in a Magistrates' or Youth court. This section of the guide focuses on appeals from the Magistrates' court to the Crown Court, which is by far the most commonly used appeal process of the three routes.

Do I need permission to appeal a Magistrates' court decision?

You have an automatic right to appeal your Magistrates' court conviction and/or sentence if you do it within the time-limit (15 working days). You do not need to ask for permission to appeal. If you have a lawyer they will tell you how likely it is you will win an appeal before you make the application.

What can I appeal?

You may appeal against your conviction (if you pleaded not guilty, or if your guilty plea was uncertain/involuntary), against sentence, or against both.

How do I appeal?

You or, if you are represented, your lawyer, must send the appeal application (called the notice of appeal) to both the Magistrates' court where you were convicted and to the prosecutor's office. It must be received within **15 working days** of the date you were sentenced. The form is called an ACC001 and is available online at https://www.gov.uk/guidance/criminal-procedure-rules-forms#appeal. Make sure you choose the correct form because there is one for appealing against both conviction and sentence, and a different one for appealing sentence only.

If you are in prison, you can ask your Prison Offender Manager or your keyworker to download and print the form for you. You can also telephone the Prisoners' Advice Service and they will send you forms. Their telephone number is 020 7253 3323.

When an appeal is submitted after 15 working days, you should include an explanation as to why it is late and include any supporting evidence.

Tip: Post from prison can take even longer so post well in advance if you are able.

Other Ways to Challenge a Magistrates' Court Decision

There are other ways to challenge a conviction in the Magistrates' court in some limited circumstances. There are different processes called 'appealing by way of case stated' and 'Judicial review', that involve looking at whether the magistrates acted beyond their powers. There are strict rules and time limits for these cases, so you should ask your trial lawyer as soon as possible whether they may be applicable, or seek legal advice (see page 38 for lawyers/organisations)

Can I be released while I appeal?

If you are in prison you, or your lawyer, may apply for bail while you wait for the appeal hearing. Bail pending appeal is rarely granted, but you can make an application to either the Magistrates' court or the Crown Court. If you are serving a short sentence, keep in mind that it does take a while for the paperwork to be processed.

What happens when the appeal is heard?

The Crown Court will set a hearing date for the appeal. This is usually prioritised if you are serving a short prison sentence or you are under 18. In an appeal against conviction, this will be a retrial. It may hold a short administrative (preliminary) hearing first, to decide how the evidence should be given.

The appeal is decided by a Crown Court judge and two magistrates (who were not involved in the original decision). Decisions are made by a majority, meaning at least two of the three judges must agree.

During the hearing, you/your lawyer will present your case to the judge and magistrates, and representatives from the prosecution will present the case against you (as the appellant). As it is a rehearing of the evidence, witnesses may be called again.

A decision on the appeal will be made at the hearing. The Crown Court may agree or disagree with the Magistrates' court's decision. If you succeed on appeal against conviction, it (and the sentence) will be quashed (cancelled). If you succeed on appeal against sentence, the Crown Court will change the sentence.

If an appeal does not succeed, the Crown Court can consider imposing a different sentence from the original one. The Crown Court can increase, reduce, or change the type of sentence originally imposed. If you are unsuccessful on appeal, you may also have to pay more costs.

Can I abandon/stop my appeal?

You or your lawyer can stop your appeal before the hearing by submitting a 'notice of abandonment of appeal' to the Crown Court officer and sending it to every other party. The appeal cannot be restarted once it has been stopped.

Can I get legal aid to help with my appeal?

Initial advice on an appeal against conviction or sentence from the Magistrates' court is covered by existing legal aid so your lawyer if you had one will provide an initial opinion about appealing. If you wish to lodge an appeal, a new application for legal aid needs to be made for the appeal proceedings. To get legally aided representation for a Crown Court appeal, you will need to pass an interests of justice test. If an appeal is unsuccessful or abandoned, you may have to pay towards legal aid costs too.

If you were represented by a lawyer at the Magistrates' court trial/sentencing hearing, ask them to help you complete a new legal aid application for the appeal. If a lawyer thinks you will be eligible for legal aid, they will help you complete those forms.

Getting legal help

Getting legal help can be difficult, if you are looking for legal advice please turn to page 38 for information on how to get specialist help for criminal appeals.

Appealing from the Crown Court to the Court of Appeal

Convictions in the Crown Court can be appealed to the Court of Appeal (Criminal Division) (CACD). Unlike from the Magistrates' court, there is no automatic right to an appeal at the Court of Appeal.

Before you can have an appeal hearing, the Court of Appeal must grant permission (also called "leave").

If permission is granted, the court will hear the arguments at a full appeal hearing. You can ask for permission to appeal a conviction, a sentence, or both.

This part of the guide explains the process of appealing to the Court of Appeal. As we have mentioned, this can be a tricky and fairly lengthy process. You may not wish to appeal to the Court of Appeal yourself without help (and many people do not). This section provides some assistance on the process which the Court of Appeal will follow. Please use this section as information to help you decide what is best for you.

It is worth repeating here that most applications to the Court of Appeal are unsuccessful. The following information is there to inform the choice that you wish to make. You know your case best. You should try to get some legal advice if you can, before you make any decisions.

What does the Court of Appeal consider in conviction appeals?

For an appeal against conviction, the Court of Appeal will consider arguments and evidence that potentially show that the conviction is 'unsafe'. This is the standard that is applied by the Court of Appeal.

What does an 'unsafe' conviction look like?

- The judge failed to give the jury correct instructions (called directions). This means that the law was not properly or accurately explained, or there was a significant mistake in the way the facts were reviewed (such as not talking about inconsistencies in the prosecutor's case or focusing too much on inconsistencies in defence evidence).
- The judge allowed or excluded evidence incorrectly, allowing the jury to hear evidence that should not have been admitted or vice versa.
- The judge inappropriately intervened in the case. For example, the judge might have constantly interrupted the defence lawyer when they were asking the witness questions.
- Fresh evidence has come to light. This is evidence that casts doubt on guilt which, had it been placed before the jury, may have resulted in a different verdict (see page 22)
- There were disclosure failures. For example, there was important information that the prosecution did not give to the defence during the trial.
- There were issues with the jury, such as bias or they conducted inappropriate research of their own.
- Your lawyers did not represent you correctly. For example, your lawyers did something wrong which may have changed the outcome of your case. Think carefully about using this ground of appeal as you will be asked to waive legal privilege for the court to assess it. This means things discussed privately with that lawyer may need to come out in the open (this is called "waiving privilege"). Some of this may help your case but some of it may be unhelpful. If you do not waive privilege, that may mean there is a lack of information for a court to consider and therefore could lead to the appeal being dismissed.
- There has been an abuse of process. For example, the police might have been eavesdropping when they should not have been, planting or mishandling evidence.
- Something else went wrong with your trial which you can explain when applying to appeal.

What does the Court of Appeal consider in sentencing appeals?

- For an appeal against sentence, the Court of Appeal needs to be persuaded that your sentence is wrong – that it is either manifestly excessive, wrong in law or in principle. These are the relevant terms that the Court will use when analysing whether the sentence is correct. You should have been advised by your trial team whether the sentence you received was the right type of sentence and the right length. If you have not been given advice, either in person or in writing, you should ask for it. When sentencing, judges must have regard to sentencing guidelines to ensure that the sentence passed is consistent for that type of case. If you think you may have been given the wrong type of sentence or that the sentence is too long, you can seek legal advice or you can ask the Court of Appeal to look at the sentence. The Judge at the Court of Appeal will consider whether the sentence could be wrong and whether to grant you permission to have a hearing to decide your appeal against sentence.

- If you are pregnant or have children, this is something that should have been considered by the judge during sentencing. If you were pregnant or had very young children when sentenced there is specific guidance that judges should follow. The charities Level Up and One Small Thing have information available to women who are pregnant or have young children in custody. They may be able to offer help finding a Mother and Baby unit in prison or putting you in touch with someone who can look at your sentence and give some advice on whether the custodial sentence was appropriate.

Sentencing Guidelines

Many different offences now have a specific sentencing guideline which has been drafted by a body called the Sentencing Council. This guideline outlines all the factors that the judge must consider when setting your sentence. It is important to look at the guideline for your offence to see whether the judge properly considered all of the relevant factors in your case, or whether they missed something. It may be that there is fresh evidence (see page 22 for more information on this) about a particular issue that wasn't known about at trial. This could be important for an appeal.

There are also some overarching guidelines that the trial judges should follow in certain cases. For example, in domestic abuse cases, cases involving young people under 25, and cases involving people with mental or developmental disorders, or neurological impairments. If these are relevant to you, it would be helpful to look over these to see if they have been properly considered in your case.

Is there a time limit to appeal?

The court requests that appeals are lodged within:

- 28 days **from the date of conviction** for appeals against conviction, or
- 28 days **from the date of sentence for sentence appeals**

If you are appealing both conviction and sentence, they are treated separately and the deadlines may be different. If you are appealing your conviction, do not wait for your sentencing hearing before starting your appeal as the 28-day limit for conviction runs **from the date of conviction**.

Your application must be received within the time limit. The court can accept appeals outside this time but reasons for the delay have to be explained.

If you are relying on the post, especially from prison, allow several days for delivery to be sure that it will arrive in time.

After 28 days

Don't worry if you miss the 28-day deadline, you can still apply.

You will need to make a separate application to apply outside the 28 days. This is called an "application for leave to appeal out of time". You can do this by marking this on your paperwork and giving as full an account as possible about why you are outside the 28 days.

Can I get legal advice about an appeal?

If you were represented at trial, your solicitor or barrister should have given you some advice on appealing your conviction and sentence. You are entitled to ask for this in writing. They should set out whether there are any grounds to appeal. If you did not get this advice you can go back to your trial lawyers and ask for this.

Applying for permission to appeal and having an appeal hearing is both lengthy and complicated. It is helpful to get some legal advice and representation, however we acknowledge that finding a lawyer is not easy. If you do wish to fill in the forms yourself, perhaps because you are able to say what went wrong and you want to meet the deadline, or you have fresh evidence, you might find those sections of this guide useful.

Alternatively, you may just use this section to understand what the process is and what you need to get ready while you continue to look for representation.

If your trial lawyer has advised that you should not appeal, this usually brings the legal aid order to an end. The rules on legal aid state that you cannot obtain any more legally aided advice on appeal for another 6 months. Even then, the lawyer must be satisfied that it is appropriate to give further advice and that you have savings and income below a certain level. This is discussed more on page 38.

What is 'permission to appeal'?

This is the first application to the Court of Appeal setting out the reasons for the application to appeal. To apply for permission, the court asks for a 'Form NG' to be sent to them.

There are different versions:

- Form NG (Conviction and sentence)
- Form NG (Sentence)

> "We just need information on where, for example, I can send my appeals letter"
>
> Focus group participant

Use both forms if you want to appeal both conviction and sentence. Both forms are available in 'easy read' versions which may be easier if you decide to complete the form yourself.

- Easy Read Form NG (Conviction and sentence)
- Easy Read Form NG (Sentence)

The easy read forms give space to outline why a person wants to appeal in their own words. It is fine to use additional paper to explain why the appeal is being requested, but it should be sent with the form. At the beginning of these additional pages a short summary/bullet points of all the reasons to appeal can help the judge understand the case quickly.

How to find forms for appeals

All versions of Form NG are available on the gov.uk website, specifically on the section that talks about forms for the Criminal Procedure Rules.

If you are in prison, forms should be available on request from prison staff, the prison library, and/or the Offender Management Unit.

If you struggle to get forms either in prison or online, you can also ask the Prisoners' Advice Service to send you forms. They can be contacted by letter to PO Box 46199, London EC1M 4XA. They also have an advice line on Mondays, Wednesdays, and Fridays 10am-12.30pm & 2pm-4.30pm. The telephone number is 020 7253 3323.

Can I ask for bail while I wait for my appeal?

There is a section on the forms and a separate bail form (often called Form B). You can find Form B on the gov.uk website. Bail pending appeal is often not granted and strict rules apply. However, you should apply if you believe there are strong reasons why you should be released while your appeal is considered.

What happens with the completed forms?

Applications for appeal must be sent directly to the **Criminal Appeal Office**, not the Crown Court. This can be done in two ways:

Email: applications@criminalappealoffice.justice.gov.uk

Post: Criminal Appeal Office, Royal Courts of Justice, Strand, London WC2A 2LL

Keep copies of **everything you send and proof that you have sent it**.

If posting, keep proof of posting, and try to get a delivery receipt.

If handing it to prison staff to send on your behalf, ask for a written receipt showing the date it was handed in.

If you change prison or address, inform the Criminal Appeal Office as soon as possible. If you are emailing, add yourself to the email as well and/or request a send receipt if possible.

What Happens Next?

A single judge considers your application looking only at the papers submitted (so there will not be any hearing). At this stage, you are applying for permission, not yet having the full appeal heard.

The judge may:

- Grant permission for the case to proceed for a review by the Full Court (usually three judges);
- Refuse permission for the case to proceed for a review by the Full Court; or
- Refer the matter to the Full Court for further consideration.

What happens if the judge refuses permission?

If the single judge refuses permission, you may "renew" your application. Renewal means asking 2 or more Court of Appeal judges to consider your application for permission to appeal again. Normally carried out at a live hearing, you may be allowed to attend with your lawyers. If you do not have representation (i.e. you are a litigant in person), you have the right to attend the hearing but not to address (speak to) the judges without permission. You normally have 14 days to notify the court that you wish to renew. In some circumstances you may apply to the court to renew after 14 days has passed. The information about how to do this will be on the response (Form SJ) you receive from the court.

If permission to appeal has been refused, the single judge has the power to make a Loss of Time Order. This means that some of the time spent in custody while waiting for the appeal may not count towards your sentence (usually limited to 28 days). This is very rare.

If, having considered the reasons given by the single judge to reject your application for permission to appeal, you feel strongly that this is wrong (remembering the rules on fresh evidence and the need to argue something 'new'), you can apply to renew your application for permission to appeal.

If the single judge has invited the court to consider making a Loss of Time Order at the renewal hearing, the judge will initial the loss of time box on the SJ form. Before considering whether you wish to renew your unsuccessful application you should check to see if the box has been initialled by the single judge.

If you renew your application for permission to appeal, the full court will review the application for permission to appeal and the single judge's reasons and come to a decision. The full court can also make a Loss of Time Order (even of the box is not initialled) if it believes the appeal has no real merit. Again, it is unusual for the full court to make a Loss of Time Order.

You may want to take advice at this stage if you are able. However, there is no right to legal aid after the single judge has refused permission to appeal. If you wish to renew your application for permission to appeal some barristers are prepared to offer representation on a a pro bono (free) basis or you could find a privately funded barrister, however finding a lawyer at this stage will be difficult.

What happens if permission is granted?

If permission is granted, your case will be listed for a full appeal hearing before the Court of Appeal (usually three judges).

If you do not have a lawyer, you may represent yourself. The court is used to dealing with self-represented appellants and will ensure that you have a fair opportunity to present your case. However, the judges cannot act as your lawyer. Legal representation is strongly recommended wherever possible. At the hearing, the judges will hear arguments from the appellant (you) and respondent (the prosecution), review what happened at the trial, the further information that led to the appeal (if relevant), and decide whether or not the conviction is safe, or sentence is wrong. Unlike in the Magistrates' court, the Court of Appeal does not hear all of the evidence again.

The court can:

- quash your conviction;
- order a retrial;
- reduce or change your sentence; or
- dismiss your appeal.

If your conviction is quashed, the court might either substitute a not guilty verdict or substitute a different offence. For example, a murder conviction might be substituted for a manslaughter conviction. The court might also order a retrial if there is new evidence that it thinks a new jury should consider.

What further information do I need to know?

After your application is lodged, the court may send you further correspondence. Read all letters from the Criminal Appeal Office carefully and keep copies.

If permission is granted or your application is renewed, you may be required to file further written arguments before the hearing. Make sure you:

- comply with any deadlines;
- keep copies of everything you send; and
- ask for clarification if you do not understand what is required.

The court may:

- ask for further explanation of your reasons for appealing (your grounds);
- request additional documents;
- provide transcripts from the trial;
- set deadlines for written submissions (sometimes called "skeleton arguments").

If you want to rely on new evidence that was not heard at trial, you may need to apply for permission to rely on that evidence (usually using a separate form, sometimes called Form W). You can find Form W on the gov.uk website . There is guidance for completing Form W on the same gov.uk page.

See pages 22-23 for information on what is 'new' evidence

What can I do if I am not granted permission to appeal or if my appeal is unsuccessful?

You can contact the Criminal Cases Review Commission (CCRC) if you think there has been a miscarriage of justice. See page 30 of this guide for further information on this process.

Can I abandon my appeal?

To abandon your appeal or part of it, complete and return Form A to Criminal Appeal Office, Royal Courts of Justice, Strand, London, WC2A 2LL. A letter or phone call is not enough; you must use this form.

Checklist of things to consider

- Have you used the correct Form NG (Conviction, Sentence, or both)?
- Have you included your Crown Court case number and prison number?
- Is your application going to be received within 28 days of Conviction or Sentence, or both?
- If late, have you ticked the "extension of time" box and explained why?
- Have you signed and dated the form?
- Have you kept a copy?
- Do you have proof that it was sent?

A step-by-step guide to the Court of Appeal process

1 Form received

You will receive written confirmation that your application has been received, including your grounds of appeal along with a case reference number. In some circumstances the prosecution will have an opportunity to reply to your appeal by completing a 'Respondent's Notice'.

2 Case assignment

Your file will be given to a case officer to manage your case. Case officers follow any instructions given by the Court and the Court's Registrar

3 Transcripts obtained

Typed records of Crown Court proceedings are obtained. This can include transcripts of the judge's explanation of the case to the jury, transcripts of the prosecution's opening statement, and of the judge's sentencing remarks.

4 Preparation of papers

The casework team gathers all papers that the judge needs to decide whether to grant permission for the appeal to proceed. Gathering these documents may take some time, and might include asking your lawyer or the prosecution for further information. You might be asked whether you agree with your trial lawyers being spoken to, a process known as 'waiving privilege'.

5 The permission stage

You will be told when the judge is ready to review your case. The judge may grant permission and refer your case to be considered by more judges at another hearing (the "full court"), or may refuse permission.

If permission is granted

If you do not already have one, funding is usually granted for a lawyer to represent you. The paperwork will be sent to you (and your lawyer). A summary is written for the judges and an in person hearing date is fixed (step 6).

If permission is refused

You will be sent Form SJ. If you want to the judge to reconsider the decision, you will need to complete and return that form within 14 days. If the judge initialed the 'loss of time' warning box, your reasons may have no merit. Explain on the renewal form why a loss of time order should not be made.

If you do not renew within 14 days, your case will be closed.

6 Hearing date set

The Court contacts your barrister (if represented) and sets a date as quickly as possible. Complex cases or those requiring witnesses may take longer. Your hearing date will be confirmed to you in writing.

7 The hearing

Hearings are usually in London, involve three judges, and are usually open to the public. If granted permission, you are allowed to attend (usually via video-link if you are in custody). If renewing a refused application, you do have the right to attend but can not address the judges unless permission has been given.

8 The decision

If permission is granted, the Court will allow or dismiss the appeal. This decision is final.

If the appeal is allowed, the Court will quash your conviction/sentence.

If the appeal is dismissed, the original decision will stand.

9 After the hearing

A copy of the court's decision will be sent to you. If your appeal is dismissed or permission refused, this is the final court determination.

You may consider applying to the Criminal Cases Review Commission (CCRC) - see page 30 - to review your case again and refer it back to the Court of Appeal. If your appeal was dismissed after permission was granted, you may ask the court for permission to appeal to the Supreme Court because there is a legal issue which is important to the general public. This is form SC (available from the court).

What is “fresh evidence”?

“Fresh evidence” is evidence that was not shown to the judge and jury at the trial but is now being put forward as part of an appeal. It can include documents, messages, reports, witness statements, digital evidence such as CCTV or any other material linked to the case.

Fresh evidence does not have to be something that only came to light after the trial. It can also be evidence that existed before or during the trial but was not used. If the evidence was available during the trial but was not used, the appeal court will need to know why it was not used during the trial and be persuaded that the reason is good. This might be because it was missed, unavailable at the time, or not disclosed when it should have been, but the Court of Appeal does set quite a high bar for this. Fresh evidence often includes material that creates doubt about a prosecution witness’s honesty or reliability, or evidence that has become important because of new developments in medical or scientific knowledge.

Why is fresh evidence important?

Because there is no right to a retrial at the Court of Appeal, the Court will not allow the same arguments or evidence to be raised in support of an appeal in the hope of a different outcome. For an appeal to be arguable it is necessary to have new or fresh arguments or information to show why your conviction is unsafe.

Remember if you are using fresh evidence, complete a Form W for each piece of evidence

When can fresh evidence be used in an appeal?

Under section 23 of the Criminal Appeal Act 1968, the Court of Appeal may admit fresh evidence if it considers this “necessary or expedient in the interests of justice”. This gives the Court of Appeal a wide discretion.

In deciding whether to admit fresh evidence, the Court of Appeal may consider whether:

- the fresh evidence is believable;
- the fresh evidence would have been allowed to be used at the original trial;
- the fresh evidence might have affected the verdict or decision made at the original trial if it had been known; and
- there is a reasonable explanation for the failure to produce the fresh evidence at the original trial.

These are factors to be taken into consideration, and each case will depend on its own facts, so the court can consider other things too.

Factors such as illness, trauma, poor representation, fear of a witness, lack of awareness of the evidence, or limited access to legal advice or resources may be a ‘‘reasonable explanation’’ of why evidence was not obtained or presented earlier.

The central question is **does the new evidence challenge the safety of the conviction? Could the new information have made a difference to the decision of the jury?**

What kind of fresh evidence should I look for?

Every case is different and there is no one type of fresh evidence that all individuals who are looking to appeal should be trying to obtain. You should think about the arguments that you are trying to make to the Court of Appeal and consider whether there is any evidence that wasn't included in your trial that might be important now.

For example, you might be arguing on appeal that the jury were not aware that you were a victim of domestic abuse and/or coercive and controlling behaviour, and that this is important as it might make a particular defence that wasn't explored at trial applicable in your case (such as self-defence). It could also be relevant to a sentencing appeal if it was not already considered at trial. You will likely have to look for independent evidence that you were a victim of abuse. You might get this evidence from records of a domestic abuse charity that you went to for help, your GP records showing your injuries, or police reports from times that you were being dealt with as a victim of abuse.

This is just one example. Domestic abuse and factors such as coercive and controlling behaviour are not always relevant from a legal perspective to an appeal. It can often, however, provide better context to a person's behaviour that leads to a conviction and if you can obtain evidence of any factors that you think might be important, you may wish to share these with your lawyer to get their advice on whether it might be important for an appeal.

A note on 'expert shopping'

Some cases rely on expert evidence to support the prosecution or defence version of events. This could be in the form of forensic evidence, road traffic evidence, evidence about a person's mental health or disability for instance. If evidence was heard at trial from an expert and this evidence was rejected by the jury, the Court of Appeal has strict rules about whether it can consider fresh evidence from a second expert. It is not enough if the second expert simply disagrees with the trial expert. The Court will need to be satisfied that there was something wrong with the trial expert's evidence or that new techniques have been developed which suggest that a different outcome is more reliable.

If you think that there is evidence that could have made a difference to the jury's verdict , which they did not hear at trial, we have some further information on page 42 about how to obtain it.

If there are sensitive aspects to your case and you wish to disclose these to your lawyers you can ask to have a female solicitor or barrister represent you, if you would feel more comfortable speaking with a woman. Equally, if you have been asked to see an expert to discuss your personal circumstances you can ask for a female expert or doctor to assess you.

Recent cases using fresh evidence

Case Study 1 – *R v Porch* [2020] EWCA Crim 1633: The Court of Appeal allowed new evidence in an appeal application and quashed the convictions. The appellant argued that there was fresh evidence in the form of text messages which had been downloaded from three mobile phones, and that those messages significantly undermined whether the prosecution’s main witness could be believed. There had been lots of misunderstandings by all parties to the case, which meant the evidence had not been disclosed during the trial. The appeal court said it was in the interests of justice to admit that evidence. The court found that the new evidence could have made the jury think differently if it was produced during the original trial and quashed the conviction.

Case Study 2 - *R v Wishart* [2025] EWCA Crim 70: In 2025, the Court of Appeal dismissed (rejected) an appeal application as the court found that even if the evidence was accepted, it would not have changed the judge’s original rulings. The appeal put forward fresh evidence from a retired detective and a journalist which said police had failed to disclose important issues around entrapment. They found that the evidence was mainly opinion and speculation, and that it was contradicted by stronger witness testimony. The Court of Appeal therefore refused to accept the fresh evidence. This highlights that fresh evidence must be more than speculation, belief, or opinion. Courts look for evidence that is supported by facts, records, or credible witnesses.

Case Study 3 - *R v Joseph* [2026] EWCA Crim 22: In January 2026, the Court of Appeal allowed an appeal against conviction in part based on new evidence. Several years after the conviction, evidence came to light that a witness had admitted not telling the whole truth, and that new information was confirmed by a police investigation. This meant that some of the evidence given at the original trial was now unreliable. The Court of Appeal decided that the new information was reliable, was in the interests of justice to consider, and might have made a difference to the jury’s decision if it had been known at the time. As a result, the court quashed some of the convictions and the prosecution did not ask for a retrial. Other convictions which involved a different complainant were not quashed.

Checklist for Appeals

1 Identify which court convicted you
Magistrates' court or Crown Court.

2 Check your deadline
Magistrates' court: form must reach court in 15 working days.
Crown Court: 28 calendar days from date of conviction.

3 Get the correct form
ACC001 for Magistrates' court appeals. Form NG for Crown Court appeals.

4 Fill in the form
Personal details, court, dates, reasons.

5 If late, request extension
Explain reasons; court may allow.

6 Send the form and additional documents if required - see page 19
For Magistrates': send form ACC001 to Magistrates' court + prosecutor.
For Crown: send Form NG to the Court of Appeal.

7 Keep proof
Copy of form and proof of posting.

8 Understand next steps
Magistrates: rehearing /review.
Crown: judge decides whether full court should review the case

Joint Enterprise Appeals

There are many reasons why you might want to explore an appeal, but one area of law that is known to leave people with a strong sense of injustice is 'joint enterprise'.

What is joint enterprise?

Joint enterprise or secondary liability allows a person who has deliberately planned, helped or encouraged another person to commit an offence to be convicted and sentenced as if they had committed the offence themselves. This means that whilst a person may not have been the instigatator of the crime, if they were found to have been present and participated in some way then they may be found guilty and sentenced for the main offence. An example of this is a getaway driver who was not responsible for robbing a bank but who drove the robbers to and from the scene knowing that the plan was to rob the bank.

Under joint enterprise the law requires that a person 'intentionally' assisted or encouraged the crime. Sometimes however, the prosecution struggle to show that a person actually intended something to happen and often they will rely on the circumstances of where someone was, and how they behaved, to suggest to the jury that together they had agreed on a plan and had shared knowledge that a crime was going to happen. The prosecution do not need to show evidence of agreement from words, actions alone may be enough for a conviction under joint enterprise.

Joint enterprise can apply to a range of offences. We know that the law of joint enterprise disproportionately affects young people from minoritised backgrounds entrenching racial disparities in the criminal justice system. We also know that many women in prison convicted under joint enterprise laws did not engage in any violent behaviour but were still convicted as a participant in the offence.

What to look out for?

If your conviction or sentence for joint enterprise offence feels unfair, try to break down the reasons why it seems to be wrong, mapping your intentions and knowledge at the time. Is there any new evidence about why you were there, what your understanding was of the situation and why you acted in the way you did.

In the case of women convicted under joint enterprise, it is especially important to think about your specific intentions and the reality of the circumstances you were operating under: for example, we know that in many instances women will be operating in situations where they are coercively controlled, fearful for their safety or trying to protect a loved one. Women with mental health issues that affect their thinking and behaviour (including trauma-related conditions) may be undiagnosed at the point of trial and sentence. This could make a real difference to understanding behaviour during the offence and affect a person's culpability and sentence. Of course, all the "fresh evidence" considerations outlined in this guide will apply and there will need to be good reason why these issues were not brought up earlier – but that does not mean it should not be explored.

Joint Enterprise contribution from Dr Laura Janes KC (Hon).

Laura is a solicitor specialising in prison law, criminal appeals, community care, mental health and public law. She has particular expertise in representing children, young adults and vulnerable people in detention in both penal and mental health settings. She was appointed an Honorary KC in March 2025.

Laura is a Consultant Solicitor at Scott-Moncrieff & Associates Ltd and GT Stewart Solicitors & Advocates

Conviction Case Study: Sally Challen

Sally Challen was convicted in 2011 of murdering her husband. She was sentenced to life imprisonment with a minimum term of 22 years, later reduced to 18 years on appeal. Sally then appealed her conviction. It was overturned in 2019, and a retrial was ordered. Sally went on to plead guilty to manslaughter.

What led to Sally's conviction?

Sally killed her husband Richard by hitting him over the head multiple times. At the trial, the court heard that Richard had controlled Sally during their relationship. Richard had intimidated Sally, attempted to isolate her, had financial control of her, and was unfaithful to Sally several times.

At her trial, the prosecution painted a picture of Sally as a jealous woman whose behaviour had become increasingly obsessive in the run up to the killing. Sally's plea of guilty to manslaughter due to diminished responsibility was not accepted. Her defence team did not make the argument that she had been provoked by Richard, which led to the attack, but the trial judge did leave that issue open for the jury to consider.

Why Sally's sentence was overturned

Sally presented fresh evidence at her appeal to show that her relationship with Richard was one of coercive control. At the time of her first trial, less was known about coercive control and it was not a crime, and so Sally's situation had not been presented to the jury as abuse. Coercive control became a crime as part of the Serious Crime Act 2015. Two reports from professors about the nature of coercive control were submitted as fresh evidence. Sally also brought fresh evidence from an expert psychiatrist who said that at the time of the killing she had been suffering from borderline personality disorder and a severe mood disorder that was likely bipolar affective disorder. The diagnosis of these conditions had been missed at her first trial.

How the fresh evidence was used

On its own, the evidence of coercive control would not have been enough to give Sally a successful appeal. It did not give her a defence for murder. However, the court felt that it was important to consider the new evidence of her psychiatric disorders in the context of the abuse she had suffered, and how understanding of that abuse - and trauma it causes - has developed. The issues raised by the new psychiatric evidence had not been properly explored at trial, and so the partial defences of diminished responsibility and that Sally had been provoked needed to be reconsidered.

The Court of Appeal decided, therefore, to overturn the conviction. They ordered a retrial so that a jury could consider the new information, but the prosecution decided to accept a plea to manslaughter on the basis of diminished responsibility in light of the new information.

Reference: R. v Challen (Georgina Sarah) [2019] EWCA Crim 916

Sentence Case Study: Amy Byrne

Amy Byrne was convicted of conspiracy to commit fraud and sentenced to 44 months in prison. The Court of Appeal reduced the sentence to imprisonment for 32 months.

What was the problem with Amy's original sentence?

Amy had been on bail while awaiting her trial and by the time of her sentence had a baby son who was nine months old. Amy and her baby were separated on the day of her sentencing when Amy was sent to prison. She had not expected a prison sentence and had not prepared for this. She was still breast-feeding. It took three months before Amy and her baby were reunited in a mother and baby unit in prison. Prison policy limits how long babies can remain in prison with their mothers to a maximum of two years. Amy was eligible for Home Detention Curfew (HDC, also known as 'tagging') shortly after her baby's second birthday, but there was no guarantee that she would get that as it is very complicated to arrange release on HDC where babies are involved. Her guaranteed release date would not be until her baby was two and a half and would mean that if she was not released on HDC she would be separated from her baby. If she wasn't released on tag, he would have to be placed in foster care because there was no other suitable placement. Amy was a vulnerable young woman with mental health issues and was understandably distraught at the prospect of being separated from her baby.

Why was Amy's sentence reduced?

The Court of Appeal found that the judge that sentenced Amy failed to consider the risk of separation of mother from child when sentencing Amy. The Court considered whether, in a case where a prison sentence is necessary and justified, this could become disproportionate (unfair) if it interfered with family life (a sentence might interfere with family life if it meant that a child or baby would be separated from its mother). The Court said that the more serious the offence, the less likely it would find that immediate imprisonment would be unfair. In cases where the Court must order a sentence of automatic imprisonment, the effect of a mother going to prison on her children or other family members could be a good reason for shortening the length of sentence.

The Court decided that it was appropriate to reduce Amy's sentence because the fact that Amy's baby would end up in foster care was an important factor that justified reducing the length of the sentence that was originally passed.

Additional factors that were required to support Amy

Amy had known from the beginning that her sentence was unfair, but she was confused about what she could do. While in prison she heard about the Criminal Cases Review Commission (CCRC) and made an application. The CCRC told her that she could go straight to the Court of Appeal, and try to appeal her sentence. She applied to the Court of Appeal by herself using its easy read form. The Court of Appeal decided that Amy should have a barrister and solicitor to help her with her case and appointed a legal team for her. Her representatives looked at her case, obtained expert evidence and found her accommodation at Hope Street, a residential community for women in the justice system, so she and the baby had somewhere to live if her appeal was successful. The lawyers worked with the Probation Service so that this placement could be approved, and they supported Amy through the entire process. Her stay at Hope Street was thankfully approved and she went there with her baby after she was released.

Reference: R v Amy Byrne [2024] EWCA Crim 801

The Criminal Cases Review Commission (CCRC)

What is the CCRC?

The CCRC was set up as an independent organisation to investigate potential wrongful convictions or inappropriate sentences. The organisation reviews cases and decides whether they should be sent back to the Court of Appeal or the Crown Court for another review by judges. The CCRC is not a court and cannot change your conviction or sentence.

Who can apply?

You can apply if you have already tried to appeal through the court system but have lost. You do not need to have a lawyer to apply to the CCRC but it is a good idea to get one if you can.

In most cases, the CCRC will only get involved when all other appeal options have been tried. This can include when you have been refused permission to appeal and not renewed your application.

Sometimes you can ask the CCRC to help before you have tried to appeal through the courts. In order to do this, you must show that you have exceptional circumstances for asking at that stage. These usually relate to an inability to obtain new evidence without their help. The CCRC will not accept lack of legal representation as an exceptional circumstance. Wrongfully pleading guilty in the Magistrates' court can be a potential exceptional circumstance because you likely do not have any other route for appeal, but keep in mind the need for some new information that the CCRC can consider, too (below).

"Real possibility"

This is the test that the CCRC will apply when deciding whether to refer your case. When making an application explain to the CCRC what new information or arguments might have made a difference to the jury's decision

What does the CCRC do?

The CCRC investigates criminal cases to check if something went wrong. If they find a good reason to think the conviction or sentence was wrong, they can send the case back to the Court of Appeal for review. The CCRC can only refer a case back to the Court of Appeal if they believe there is a "real possibility" that the Court would overturn the original decision. This means they think there is a more than small chance, but not necessarily a certainty, that the court will change the original outcome. To do this, there usually needs to be something new for the court to consider. This could be fresh evidence or a new legal argument that was not available before.

How does it work?

The CCRC has special powers to investigate cases. They can get documents from the police, courts, and other organisations. They can also look at evidence, speak to witnesses, and ask scientific experts for help. There is no time limit on applying, though very old cases can be harder to investigate if papers or evidence no longer exist.

You do not need a solicitor to apply, but one may be able to help you.

It is free to apply to the CCRC, and they will not charge you for any investigation that they decide to conduct.

What the CCRC cannot do

The CCRC cannot overturn convictions or change sentences themselves: only the appeal courts can do that. It also cannot look at civil matters, immigration cases, or prevention orders. Additionally, the CCRC cannot look at a case before it has concluded, or look at cases that did not happen in England, Wales, or Northern Ireland. It cannot provide legal representation and does not represent either the prosecution or the defence.

Timeframes and fresh evidence

As with other parts of this guide we have tried to include information which is helpful to understand the process and to decide whether appealing at any stage whether against conviction or sentence is right for you.

The CCRC receives many applications. In some cases it is not uncommon for the CCRC to take years to decide on an application. This will depend on how complicated the issues are and what work the CCRC may decide to do on your case. The CCRC has a policy of prioritising certain cases, including cases where a person is in prison or on a life sentence, where a person is under 21 or where there are other special circumstances. Where a woman has childcare responsibilities or mental health issues, then these should be flagged up at the point of application.

As with the Court of Appeal, most applications are unfortunately unsuccessful. The CCRC can only refer your case back if there are new reasons which means the Court might accept your conviction is unsafe or the sentence is wrong.

Fresh evidence considerations apply here. The CCRC will not be persuaded by arguments or evidence raised at trial or at the Court of Appeal. It is important to present new reasons about why the conviction is unsafe, that have not been made before. We appreciate that this is difficult. If you think the CCRC can help find the new information to show your conviction is unsafe then you should ask them to help with this. They will only do tasks which they consider to be reasonable, so you or your lawyer should try and explain your reasons as best you can.

How do I contact the CCRC

Address: 23 Stephenson Street, Birmingham, B2 4BH

Phone: 0121 233 1473 or – from prison - 0800 538 5724 or 0800 456 2669. These last two numbers should be available through your prison PIN and should be on the prison's list of approved legal numbers. If you cannot access the freephone number, you can request that a prison officer helps you contact the CCRC.

Website: www.ccrc.gov.uk

It can take a while to hear back from the CCRC. Usually they give updates at 3-month intervals if they are reviewing your case. If you are concerned about your application, you should contact them.

How to Apply to the CCRC

Check if you can apply

You can apply if:

- You were convicted or sentenced in a criminal court in England, Wales, or Northern Ireland, and
- You maintain your innocence or believe you were given the wrong sentence.

You normally need to have **already tried to appeal** in the usual way outlined in this guide before applying to the CCRC, or have a good reason why you did not appeal at the time. It is rare for the CCRC to review a case that has not already tried an appeal. You would have to persuade the CCRC that there are exceptional circumstances that explain why you have not already appealed (page 30).

Get the application form

There are several ways to get the application form:

1. Online using the CCRC's online application form.
2. Ask a solicitor or prison officer to help you obtain an application form. The application forms should be available on any prison wing, and available on request from the Offender Management Unit. The CCRC regularly sends blank copies of the application form to prisons.
3. Telephone the CCRC using the above contact information and ask for an application form to be sent to you.
4. Ask the Prisoners' Advice Service to send you the forms.

Prepare your application

If you can, get legal representation and work with your lawyers to prepare the application (see page 38 about finding a lawyer). If you cannot get representation, include as much detail as possible about your case, including:

- What went wrong in your case.
- What is new – e.g. new evidence or new information. This could include things like new information about witnesses, new scientific evidence, an error in law that has only recently come to light.
- Anything that might make a court look at your case differently today.

Before accepting your case for review, the CCRC usually needs new and significant evidence or a new legal point that wasn't considered at your trial or appeal.

You don't need special legal knowledge. Just explain things as clearly as you can, and say why the new information would make a difference in your case. You can use more sheets of paper if there is not enough space on the form.

As the CCRC has the power to access police records and information held by lots of agencies, you can make a request to the CCRC to obtain this information if you think this would help your case. The CCRC will only gather material if they think it is reasonable so it is helpful to set out how the information could help and why it is important.

The CCRC has the power to speak to witnesses and instruct experts to carry out investigation and testing. Spell out why a piece of work is important and how that evidence could help your case.

Send your application

Once your form is complete:

- Submit it online, or
- Post your paper form to the address on the form and keep a copy for yourself. If necessary, you can ask the prison staff to help you with this.

Another person can apply on your behalf, but the CCRC will contact the person convicted to check that they want their case to be investigated.

What happens when you apply to the CCRC?

1 Your application is received

The CCRC confirms they have your application. They open a case file.

2 The CCRC checks whether:

Your conviction or sentence is one they are legally allowed to review.

You have already tried to appeal (unless there is a rare/exceptional reason why you could not appeal).

You have already submitted an application for this conviction or sentence before.

If the application does not pass these checks, it will be rejected and you will be given an explanation.

3 A Case Review Manager (CRM) is assigned

This is the person who looks at your case in detail.

They gather the court papers and appeal documents.

They can ask public bodies (such as courts or the Crown Prosecution Service) for information.

They may contact you if they need more documents or clarification.

4 The CRM considers:

Whether there are **new and significant** issues in your case.

This can be new evidence, a new legal point or something important that was not looked at before.

Whether that new and significant issue could lead an appeal court to overturn your conviction or change your sentence.

The answer to both parts of the test must be 'yes' for your case to meet the test to refer it back to the court.

5 An initial view is reached

There are two possible decisions:

If the case may meet the test

The case is sent to a group of Commissioners who decide whether your case should go back to the Court of Appeal. If the group of Commissioners agree your case should go back to the appeal court, it will be referred to the relevant court.

If the case does not appear to meet the test

The case is sent to one Commissioner who reviews the decision of the CRM. That independent Commissioner can either agree to close the case or send it to a group of Commissioners for a final decision.

6 You are told the outcome

If your case is referred to the appeal court, the CCRC will tell you about this. The case will then be sent to the court. If you do not have one, a lawyer can be appointed to help you at court. The court will decide when the case will be reconsidered by judges there. Those judges have the final say about the case.

If your case is not referred back to the appeal court, the CCRC will write to you explaining the reasons. If you think the CCRC has not done their job properly, you can complain and ask for them to look at the case again. You can also reapply in future if new information comes to light.

Examples of CCRC referrals

Case of Stevie Osborne

April 2005 — **Convicted of murder**

Nov 2005 — **Appeal against conviction was dismissed at Court of Appeal**

Sept 2007 — **CCRC received application to review the case**

In this case, the only issue during the trial had been what Stevie's intention was (i.e. what he wanted) when a fatal assault took place.

Stevie presented new information that he suffered from ADHD at the relevant time. New information from psychiatrists supported the idea that Stevie's ability to form a rational judgment or exercise self-control might have been impaired at the relevant time.

The new information meant that Stevie might have been able to use the defence of diminished responsibility at trial. The issue of diminished responsibility was never raised at trial, and there had been no mention of anything related to mental capacity for actions during the trial.

The CCRC gathered all the case papers and reviewed them. They also reviewed the new materials. This work was done by a CRM

The CRM decided that there was a 'real possibility' that the Court of Appeal would decide that the new information might have made a difference to the trial, and recommended a referral to the Court of Appeal.

Three Commissioners at the CCRC reviewed the work that the CRM had done and agreed that there was a real possibility (a probability but not a certainty) that the Court of Appeal would not uphold the original decision.

Aug 2009 — **The CCRC referred the conviction to the Court of Appeal**

March 2010 — **Court of Appeal heard the case**

The Court accepted that the evidence was fresh (i.e. new), and accepted the reason why that information was not used at the original trial. However, theCourt did not accept that the new information was enough to provide a possible defence. The judges decided there was not enough evidence that Stevie's ability to be rational or exercise self-control were impaired to make the defence of diminished responsibility available.

The judges therefore concluded that the jury would not have come to a different decision, and upheld the conviction.

R. v. Osborne [2010] EWCA Crim 547

Case of Josephine Smith

Nov 1993 — **Convicted of murder**

Nov 1994 — **Court of Appeal rejected application to appeal**

Dec 1998 — **CCRC received application to review the case**

In this case, Josephine had evidence that she had been subject to a long history of abuse in the relationship. She was diagnosed with a depressive illness as a result of those experiences. The prosecution had disagreed with that evidence. The defence argued that Josephine was suffering from diminished responsibility as a result of the depressive illness, and had relied on expert psychiatric evidence at the time. At the time, the judge's comments may have led the jury to believe that the information was not relevant also to the defence of provocation. A case that had been decided in 2000 - *Morgan Smith* - said that the same evidence could be used to support both defences of diminished responsibility and provocation. (Note - provocation no longer exists as a defence and has been replaced with the defence of loss of control, which is similar)

The CCRC accepted the case for review on the basis of this new legal issue.

The CCRC gathered all the case papers and reviewed them. They also reviewed the new materials and obtained two further psychiatric reports which specifically addressed the issue of provocation. The new psychiatric reports highlighted that different issues have different importance for each potential defence. This work was done by a Case Review Manager (CRM).

The CRM decided that there was a 'real possibility' that the Court of Appeal would decide that the new information might have made a difference to the trial, and recommended a referral to the Court of Appeal.

Three Commissioners at the CCRC reviewed the work that the CRM had done and agreed that there was a 'real possibility' (a probability but not a certainty) that the Court of Appeal would not uphold the original decision.

Dec 2001 — **The CCRC referred the conviction to the Court of Appeal**

Nov 2002 — **Court of Appeal heard the case**

The Court accepted that the additional psychiatric evidence was fresh (i.e. new), and accepted that had the evidence specifically addressed provocation in the original trial, the outcome might have been different. The Court of Appeal was also a bit critical of the way the judge spoke to the jury about provocation.

The judges therefore decided that if the evidence had been framed in this new way during the trial, the jury might reasonably have decided differently.

The judges quashed the conviction. They replaced the murder conviction with a conviction for manslaughter.

R. v. Josephine Smith [2002] EWCA Crim 2671

Getting legal help

As we have mentioned previously in this guide, appeal cases can be difficult, lengthy and stressful to manage. If you are able, you should seek the help of a solicitor who specialises in appeal work. Some high street criminal defence firms will have a solicitor who has specialist expertise in doing appeal cases. However, many law firms no longer take on criminal appeal cases due to cuts in legal aid. You may need to approach a number of firms, start with local firms and try and explain if you can what went wrong and what opportunities there may be for new information that could help your case.

How do I find a lawyer?

Lots of people try to find lawyers using prison newspapers, such as Inside Time. Please keep in mind, though, that some of the firms that advertise there are not specialist appeals lawyers so it can be difficult to find a lawyer through these adverts.

If you would like to try and locate a specialist appeals lawyer, you can try the Criminal Appeal Lawyers Association. You can ask someone to look at their website for you: https://www.cala.org.uk/solicitors-barristers.

The number of specialist appeals lawyers has significantly reduced because of cuts to legal aid. We anticipate that it might be difficult to find a lawyer to take on your case and that you may want to write instead to one of the organisations below. The better the information you can provide to your lawyer the better chance you have of them taking on your case.

You might also be able to find some free legal advice by asking someone to search for criminal law assistance on the LawWorks website. Unfortunately, these organisations do often face many more requests for help than they can accommodate.

There are some organisations that can sometimes provide free legal advice and assistance in relation to criminal appeals and/or CCRC applications. They include:

Advocate: Advocate is a charity that finds free legal assistance from volunteer barristers. You can apply through their website: https://weareadvocate.org.uk/apply-for-help/how-our-service-works.html

International Dispute Resolution Centre 1 Paternoster Lane, St. Paul's, London, EC4M 7BQ

APPEAL: A legal charity that represents the wrongfully convicted. Application form can be found on their website: https://appeal.org.uk/wp-content/uploads/2026/02/0000_00_00_CW-Case-Enquiry-Form-Feb26-PDF.pdf

Red Lion House (Sixth Floor), 72-75 Red Lion Street, London, WC1R 4NA

Inside Justice: Inside Justice is a charity that conducts casework investigations on behalf of people who claim they have been wrongfully convicted. Information on applying, including an application pack is available on their website: https://www.insidejustice.co.uk/access-to-help/your-case.php

Telephone: 02071830795

Legal aid

There is a small amount of legal aid funding available to help with an appeal to the Court of Appeal or application to the CCRC. Your trial lawyers should provide some initial advice and – if they believe there is good reason to pursue an appeal - the original legal aid order will include that work.

If you need a new lawyer, legal aid is not usually available until 6 months have passed since you last received legally aided advice about a potential appeal. After that time has passed, the lawyer has to believe that your case has sufficient benefit. This means that there might be something about your case which justifies pursuing an appeal or CCRC application. You would also have to pass a means test, which currently requires you to have less than £1000 in capital, and under £99 per week income.

What are Innocence Projects or Law Clinics?

In the UK, Innocence Projects are based in universities, where law students, academics, and lawyers collaborate to investigate alleged wrongful convictions for free (pro bono). They often only become involved in a case after other avenues of assistance have been tried. The Freedom Law Clinic works in a similar way but is not based at a specific university. That organisation partners with several different universities to do similar work.

Cardiff University Innocence Project
Email: lawclinic@cardiff.ac.uk
Telephone: 029208 75364

Innocence Project London
Email: innocenceproject@greenwich.ac.uk
Telephone: 07792285009

Manchester Innocence Project
Address: The Justice Hub, Law School, The University of Manchester, 188 Waterloo Place, Oxford Road, Manchester, M13 9PL
Telephone: 0161 275 7976

Other organisations that might be able to help you

There are some charitable organisations that specifically help people who maintain innocence. They might be able to signpost you to other legal services, or provide other support. They include:

Association for Prisoners Maintaining Innocence (APMI)
APMI supports and campaigns for people who maintain innocence before and after conviction, including prisoners and former prisoners. They provide information and guidance to individuals and those who stand with them, and research on issues affecting people who maintain innocence, advocating for improvements to relevant policies and practices. APMI do not provide legal advice or financial assistance.

5 Brayford Square, London, E1 0SG or info@prisonersmaintaininginnocence.org.uk

CCRC Watch
CCRC is an organisation that campaigns on behalf of prisoners maintaining innocence and highlights systemic problems within the legal system.

Email: ccrcwatch@gmail.com

Specialist women's organisations with expertise in criminal appeals

The Centre for Women's Justice
The Centre for Women's Justice is a charity that holds the state to account for violence against women and girls. They support women who have been victims of abuse and have been wrongfully convicted by the state, bringing together legal expertise and campaigning to bring about a just outcome. An example of one of their cases is Sally Challen whose case appears at page 28. They do not give advice directly but are able to signpost to other organisations who maybe able to offer frontline support.

Oxford House, Derbyshire Street, Bethnal Green, London, E2 6HG

Justice for Women
Justice for Women is a feminist campaigning organisation that supports, and advocates on behalf of, women who have fought back against or killed violent men.

C/O CWJ, Oxford House, Derbyshire Street, Bethnal Green, London, E2 6HG

IMPORTANT
ALL OUTSTANDING
LIBRARY LOANS
WILL BE FINED £0.20
PER WEEK
no bars to reading

Gathering and accessing material

Whether you are just thinking about appealing or you are gathering information in preparation for an appeal, it is important to have access to key documents about your case.

Key documents might include

- prosecution opening/case summary,
- witness statements,
- police interviews,
- transcripts of evidence and summing up,
- sentencing remarks,
- Court of Appeal judgment,
- CCRC decision

If you have any of this information you should read it again if you can to remind yourself about what happened in your case. We appreciate that this may be hard so pace yourself, take care and use the support of others if you can.

If you are thinking of appealing and don't have much paperwork about your case, this section of the guide is about how to access documents which could help with your appeal.

Your case papers

The solicitors who represented you at trial are a good first stop for requesting records. They will usually keep your records for 6-7 years and may then destroy or archive them. If you are considering appealing, you may wish to write to them to ask them to retain them.

Sometimes they will have paper copies of the documents used in your case, sometimes they are held digitally on the law firm's computer systems. Either way, you are entitled to request copies of your file (with some limited exceptions).

See page 46 for a template letter that you can use to write to your solicitors to request your case papers.

We know that it can be hard to keep hold of documents whilst in prison. Even if you are not sure if you want to appeal when your case ends it is a good idea to ask your solicitors for a digital copy of your case files e.g. on a USB flash drive and to ask a family member to keep this safe for you. If you later decide to appeal you can give your new solicitors a copy of your case papers.

Digital case system – from around 2016 cases at the Crown Court became digitalised. Your solicitors have access to this case file. You can ask your solicitors for a copy of the download of the Crown Court digital case file.

Transcripts

The Crown Court records its proceedings. It is possible to ask for parts of the case to be transcribed – i.e. what was said in court is written down and provided in a transcript, though this costs money and can be very expensive depending on how long the transcript will be. It can sometimes be covered by legal aid if you are represented by a lawyer, who can advise you on whether this is possible in your case.

The form you fill out to request a transcript is called the EX107 form, and it can be requested from the Crown Court where you were convicted.

The Crown Court is required to retain the recordings of your trial for a set period of time:

- Seven years for non-custodial sentences;
- At least seven years or the sentence length for custodial sentences (whichever is longer);
- And 99 years for life imprisonment.

If you are considering appealing, you may wish to write to the Crown Court to ask them to retain the recordings and any other papers they may have relating to your case.

Subject Access Requests

Everyone has a right to access the information held about them by organisations, agencies or bodies. This is the case whether you are in prison or out of prison. You do not have to give any reason about why you want this information. You only have to say that you are requesting your personal information in accordance with the Data Protection Act 2018. You should note, however, that you are only entitled to receive your own personal data, not information relating to others. This often means that you might receive documents with certain sections blanked out (redacted). The information removed might be the personal information of another person, such as their name or address.

Even though sections can be redacted, requesting information via a Subject Access Request can be a good way to gather information about you and your case, including information that your trial lawyers may not have obtained. It is helpful that the law requires that the organisations you request your records from must respond to you within a month. They can sometimes write to you to indicate that they need more time to respond, which they are allowed to do. If you have not heard anything back from them, you can make a complaint to the Information Commissioners Office.

Post-conviction disclosure

The rules on what information you are entitled to from the police/prosecution change after you have been convicted. Whilst you can write to the police or the Crown Prosecution Service asking for material relating to your case you will need to explain why you need the material and how it could undermine the safety of your conviction. In other words, how the material could show that you didn't commit the offence; e.g. it could be evidence supporting your alibi or evidence pointing to the guilt of another suspect that the police or the CPS have in their possession.

It can often be very difficult to obtain documents from the police or CPS after a conviction. Even requests by lawyers are routinely refused. This is because the test that the police/CPS apply is whether the information itself can show that you might not be guilty. They use the term that the material 'undermines the safety of the conviction'.

If you do wish to make a request for information to the police for disclosure after your conviction, you can write to them. It is important to outline as specifically as possible what information you are looking for (e.g. a particular item, the previous convictions of a witness, a report in the police's possession) and explain why this piece of evidence is important to your case.

The more focused the request for information is, the more likely it is to succeed. If you think that the police hold this information, then you are entitled to ask for it and they should respond to your request and give reasons for their decision.

It may be helpful to try and obtain legal advice before approaching the police/CPS if you can, as these can be difficult requests to make. If you have made an unsuccessful request or you think that the police/CPS have information which could show that you may not be guilty you can ask the CCRC to make the request as they have powers to do so (see page 30).

Templates

In this section you will find suggested templates that you can use to request further information from a variety of organisations. We suggest that you either copy and paste these templates into a Word document, or rewrite them, inserting the information as required. We have set out guidance on how to do this before each letter.

Letter 1 – Request for your personal information (a Subject Access Request)

Guidance for this template

See page 43 for further information about Subject Access Requests. You can use this template to request records from a variety of different bodies. You might consider requesting records from:

- Your GP
- Your local police force (if for example, you wanted to gather evidence about instances where you were the victim of a crime, or to gather some records about their investigation of you)
- The Crown Prosecution Service
- A prison
- Your solicitors
- Your local council (if for example, you had interactions with social services throughout your life)
- Any support services you have contacted throughout your life (e.g. domestic abuse charities)

Often organisations will require some proof of ID or address before they can respond to a subject access request. You can ask the prison if they can copy your prison ID and provide a letter indicating that you are currently residing in that prison to send along with your request.

[INSERT THE NAME AND ADDRESS OF
THE ORGANISATION YOU ARE
REQUESTING RECORDS FROM]

To whom it may concern,

Re: Subject Access Request

I am writing to you to request that you provide me with any and all personal data relating to my myself held by you in line with the Data Protection Act 2018/UK General Data Protection Regulation.

Please find below my details to help you to identify records relating to me:

Name: [INSERT YOUR NAME HERE]
Previous names: [INSERT ANY PREVIOUS NAMES/SURNAMES YOU HAVE HAD]
Date of birth: [INSERT YOUR DATE OF BIRTH]
Current address: [INSERT YOUR CURRENT ADDRESS]
Previous address(es) [INSERT ANY PREVIOUS ADDRESSES]
Other details: [ADD IN ANY OTHER DETAILS THAT MIGHT HELP THEM LOCATE YOUR PERSONAL DATA, E.G. REFERENCE NUMBERS]

Please find enclosed with this letter the following documents:

- Proof of ID [You can ask a prison officer if they can provide a copy of your prison ID to send with this letter]
- Proof of current address [Ask the prison if they can provide you with a letter explaining that you reside at your current prison.]

The personal data requested relates to all and any information about:

[List here the documents that you want to obtain e.g
- my police investigation and trial papers include reference numbers and dates
- my hospital treatment at X hospital on X date
- my prison records held under prison name and number
- GP records at X Surgery between X and X date
- Social services/ local authority records between X and X date relating to X
- Any information that you think this organisation holds about you e.g. Meeting notes, internal emails, reports etc].

I look forward to receiving your response no later than one month after you receive this request. Should you decide to withhold any personal data, please provide the specific reason(s) for this. Additionally, if it is not obvious, please provide details of the origin of the personal data supplied.

Please send this information to me at HMP [INSERT THE NAME AND ADDRESS OF THE PRISON YOU ARE IN].

If you have any questions about this request, please send me a letter or speak to [X] who has my authority to speak to you about this request.

Thank you for your assistance with this request.

Kind regards,

[SIGN YOUR NAME HERE]

Letter 2 – Request to trial solicitors for case papers

Guidance for this template

You should make sure to give clear details to help them identify your case on the law firm's systems, particularly if it is an older case. If your case is older, your file may have been transferred to an offsite archive, meaning it might take them some more time to transfer all of the documents that you are entitled to. This is why it might be a good idea to specify that you want to obtain certain important documents that will be helpful to assess whether you have grounds to appeal. Important documents include:

- Any transcript that they might have from your trial
- Any attendance notes they might have from your trial
- Any written advice on appealing that your barrister provided after your trial

[INSERT THE NAME OF YOUR TRIAL SOLICITOR HERE]

[INSERT THE ADDRESS OF YOUR TRIAL SOLICITOR HERE]

Dear [INSERT NAME OF YOUR TRIAL SOLICITOR HERE],

Re: Request for case papers

I am writing to you to request that you provide me with a copy of my case papers.

You represented me at trial and I would now like to request that you send to me any and all papers held by your firm relating to me.

Please find below details of my case to help you identify the relevant records.

Name: [INSERT YOUR NAME HERE]
Date of birth: [INSERT YOUR DATE OF BIRTH]
Prison number: [INSERT YOUR PRISON NUMBER HERE]
Date of conviction: [INSERT THE DATE YOU WERE CONVICTED HERE]
Court: [INSERT THE NAME OF THE COURT WHERE YOUR TRIAL TOOK PLACE HERE]
Offence: [INSERT THE TYPE OF OFFENCE YOU WERE CONVICTED OF HERE]

[If you are trying to appeal your conviction/sentence, you may want to include the following section:

I would like to request that you send me all of my case papers, but if this takes some time, as a matter of priority, I would like to receive the following documents if available:

- Any transcripts from my trial, or attendance notes you made during the trial
- Any transcripts or attendance notes from my sentencing hearing
- Any written advice on appeal provided by my barrister]

Please send my case papers to me at HMP [INSERT NAME AND ADDRESS OF YOUR CURRENT PRISON].

[If you would prefer a family member/friend/supporter to receive your case papers, you can include the following instead:

Please can you send my case papers to my [INSERT NAME OF FRIEND/FAMILY MEMBER/SUPPORTER] at [INSERT THEIR ADDRESS HERE].]

If you have any questions about this request, please send me a letter or arrange a video-link with me as soon as possible.

Thank you for your assistance with this request.

Kind regards,

[SIGN YOUR NAME HERE]

Letter 3 – Authority to obtain/share information

Sometimes, you may wish for a friend/family member/supporter to help you in requesting documents on your behalf. Usually, an organisation will not speak to a third party about you or your case without explicit permission. It can be helpful to provide that organisation with your permission in writing so that they can be assured that you are happy for them to deal with another person. You can use this template to give permission to a friend/family member/supporter to deal with a specific organisation on your behalf. Make sure to give as much detail as possible about your friend/family member/supporter so that the organisation can be assured they are communicating with the right person.

SIGNED AUTHORISATION

I, _____ [Insert own name here] _____ (date of birth: / /) give permission for _____ [Insert name of family member/friend/supporter you would like to help with your case] _____ (email address: _____ phone number: _____ _____, to communicate about my case and share records with: ___ [Insert the name of whatever organisation you want your family member/friend/supporter to communicate with in support of your case.] _____ .

Signed:

Date Signed:

Your rights in prison while maintaining innocence

What are the risks to my progression in prison if I maintain innocence?

One of the challenges for people who maintain their innocence is proving that they have been able to address their alleged offending behaviour to a level that allows them to progress, whether to lower conditions of security or to release on licence following a Parole Board review.

It can be more difficult to access an offending behaviour course if for example, it requires you to admit you did the alleged crime. Formal risk assessments may have placed you at a higher risk of harm.

There may also be consequences for prison recategorisation and licence conditions upon release.

How can I manage and minimise those risks?

Most courses do not require full admission of the offence. It is often possible to look at circumstances surrounding the offence. Alternatively, you might ask to do one to one work that does not require you to admit the offence.

Provided you can show you have made progress, this should not be an automatic block to recategorisation or parole. There are other ways in which you can demonstrate that the risks have been reduced.

There is specific guidance from the Parole Board on maintaining innocence. This cannot be the only reason for refusing to release or not recommending open conditions.

If you are appealing your conviction and struggling to progress effectively through the system, you should seek specialist prison law advice.

The Prisoners' Advice Service and the Prison Reform Trust have lots of useful information about these issues. Their full contact details can be found on page 55

Appealing a sentence

If you are looking to appeal your sentence, which if successful would mean that there is a reduction in the time you will spend in custody ask your lawyer, if you have one or the prison service, about how this will affect things like your release date and when you can apply for open conditions. A change in your sentence term can affect your sentence calculation.

If you think that a successful appeal could mean that you miss or come very close to these dates if the appeal is delayed, you or your lawyer should highlight this and ask the Court or the CCRC to prioritise your case.

If you think that you may be released from prison immediately after a successful sentence appeal with no licence period speak to someone supporting you about obtaining accommodation upon release. There are also support agencies from page 51 who can help with this.

What further resources are available to help me with an appeal, or an application to the CCRC whilst in prison?

It can be difficult to access resources that can help you with an appeal or application to the CCRC from prison. There are some avenues of information that might prove useful, though.

Every prison must have a library and it should include the leading book for the Crown Court: Archbold's Criminal Pleading, Evidence and Practice. This book has a section on appeals, and it is section 7 in the volume for 2026. Additionally, as long as there are no public protection concerns, families and friends are allowed to send or hand in books to prisoners.

Efforts are being made to improve access to computers and laptops in prisons. This might include in-cell laptops and self-service kiosks. This may allow you to read digital versions of newspapers such as Inside Time and Converse. Both of those publications often contain articles about appeals and the CCRC. Internet access will be assessed through an individual risk assessment, and no one will be allowed unrestricted internet use.

The legal reform charity, JUSTICE, offers a free guide to appeals to convicted people and their families. This can be obtained by calling 020 7329 5100, or you can ask someone to email admin@justice.org.uk. The Prisoners' Advice Service and the Prison Reform Trust provide some information about appeals and prison life.

The CCRC's outreach team has numerous guides available about its processes, and regularly sends those guides to prison OMUs. You may be able to find those guides – in both paper and video form - in your library, but ask your OMU about them if you cannot find them. If you are able to ask someone to access the internet for you, the CCRC has a comprehensive online database about how it works and example cases. You can also telephone the CCRC using their freephone number (see page 31) and ask them to send materials to you.

Who to contact for support

There are a wide range of specialist support services available. Below you will find the details of some support services that might be relevant.

You might also find the Women's Services Map helpful. This is a directory of services for women in contact with the criminal justice system, which is searchable by region and topic. Topics include accommodation, bereavement, domestic abuse, education and employment, family matters, finances, immigration matters, mental health, physical health, sexual violence, and substance misuse. The website is available here: http://womensservicesmap.com/

These support organisations cannot advise you on your appeal case but they can offer vital support for any other issues you may be experiencing.

Family related support (including abuse)

Name	What they do	How to access support
Rights of Women Family Law Advice Line	Advice line on domestic violence and abuse, divorce, finances and property, cohabitation, parental responsibility and arrangements for children, lesbian parenting.	020 7251 6577 Open: Tuesday -Thursday 7pm – 9pm, and Friday 12pm – 2pm
Rights of Women Legal Guides	Family Law Guides for Women in Prison about adoption, parental responsibility, disagreement among families for women in prison, social services involvement	Rights of Women, 52-54 Featherstone Street, London, EC1Y 8RT Ask for the guides you wish to be sent to you

Imigration related support

Name	What they do	How to access support
Rights of Women Immigration and Asylum Support Advice Line	Advice on immigration status, including domestic violence and family/private life, claiming asylum, trafficking, financial support.	020 7490 7689 Open: Mondays and Thursdays, 10am – 12pm and 2pm – 4pm. Closed on bank holidays.
Rights of Women EU settlement scheme advice line	Advice for women who have experienced violence and are themselves, or are family members of an EU citizen (including EEA and Swiss) who need help with their immigration status under the EU Settlement Scheme.	020 7118 0267 Open: Tuesdays and Wednesday 11am – 1pm

Mental Health support

Name	What they do	How to access support
Mind	Provide mental health support and guidance on mental health conditions.	Infoline: 0300 123 3393 Support line: 0300 102 1234 Legal Line: 0300 466 6463
Samaritans	Provide mental health support through listener services.	116 123 Freepost: Samaritans Letters

Support for people who are pregnant and/or have young children

Name	What they do	How to access support
LevelUP	Charity that campaigns on sentencing and bail for pregnant women. Legal toolkit and resources.	hello@welevelup.org
One Small Thing	Their mission is to redesign the justice system for women and their children. They also facilitate trauma-informed and gender-responsive programmes for the justice and community sectors.	One Small Thing c/o The Foundry 17 Oval Way London SE11 5RR info@onesmallthing.org.uk

Support for racially minoritised women

Name	What they do	How to access support
Hibiscus Initiative	Hibiscus is a feminist, anti-racist and intersectional women's organisation that offers advice and support services to Black and minoritised migrant women in contact with the Criminal Justice.	0207 697 4234 (Prison Support Line)
Muslim Women's Network UK	Specialist culturally sensitive and multi-lingual confidential helpline. Offers support and guidance for those who are suffering from or at risk of abuse, or facing problems on a range of related issues.	0800 999 5786 Muslim Women's Network UK, First Floor, 1192 Stratford Road, BirminghamB28 8AB info@mwnhelpline.co.uk

Support for sex workers

Name	What they do	How to access support
The English Collective of Prostitutes	Gives help and advice to sex workers fighting criminal charges, civil orders, and in trying to get justice against violence.	English Collective of Prostitutes Crossroads Women's Centre 25 Wolsey Mews Kentish Town London NW5 2DX 020 7482 2496 ecp@prostitutescollective.net

Support for people who have experienced violence and other abuse

Name	What they do	How to access support
Rights of Women Criminal Advice Line	Advice about sexual offences, domestic violence, harassment and stalking, controlling behaviour. Advice about the police and the criminal justice system, including compensation and complaints. Also offers telephone interpreting services on their advice lines.	020 7251 8887 Open: Tuesdays 10am – 12pm, and Thursdays 7pm-9pm

Other support for women in prison

Name	What they do	How to access support
Howard League for Penal Reform	National charity promoting penal reform with a legal advice service.	https://howardleague.org/legal-work/advice-line/
JENGbA: Joint Enterprise Not Guilty by Association	Grassroots charity supporting people convicted of joint enterprise convictions.	London: JENGbA, Spaces, Office 140, 17 City N Place, Finsbury Park, London, N4 3FU Warrington: JENGbA, Unit 8, Park, Olympic Way Building, Warrington WA2 0YL 0203 582 6444
Minerva Project	Provides enhanced support to women and girls (15+) who committed a crime and are at risk of re-offending. The service includes keyworker support, group-work, mentoring, and other specialist support.	020 3953 3111. This is a head office number. You may be redirected to regional services.
PACT: Prison Advice and Care Trust	National charity that supports prisoners, people with convictions, and their children and families.	Helpline 0808 808 2003 Helpline opening hours: Monday - Friday 9am - 8pm Saturday and Sunday 10am - 3pm
Prison Reform Trust	Information and advice line.	0808 802 0060 (Free) Open: Monday 3pm–5pm, Wednesdays and Thursdays 10.30am–12.30pm Closed on bank holidays. Message service available when closed. Prison Reform Trust, FREEPOST ND 6125, London EC1B 1PN
Prisoner's Advice Service	Dedicated freephone line for women prisoners on matters relating to life in prison.	0800 024 6205 Open: Tuesdays 10am -12:30pm Prisoners' Advice Service PO Box 46199 London EC1M 4XA

Other support for women in prison

Name	What they do	How to access support
Rights of Women Legal Guides	Guides to the criminal justice system, and offences including abuse and violence and how to make complaints.	Rights of Women, 52-54 Featherstone Street, London, EC1Y 8RT. Ask for the guides you wish to be sent to you
Together Women	Supports women and girls involved in, or at risk of becoming involved in, the criminal justice system across the North of England. They provide a range of support including in relation to housing, domestic abuse, debt and unemployment.	https://togetherwomen.org/
UNGRIPP	A grassroots campaigning organisation pushing for changes to the Indeterminate Sentence for Public Protection (IPP).	ungripp@gmail.com UNGRIPP, Unit 76570, PO Box 6945, London, W1A 6US
Women in Prison	Can help with financial support and housing, provide guidance on being in prison, and can refer you on to further support services if needed.	020 7359 6674 Women in Prison, 2nd Floor, 232 Shoreditch High St, London E1 6PJ

NEVER
GIVE
UP
(dyslexic)

APPEAL is the working name of the Centre for Criminal Appeals, a Charitable Company Limited by Guarantee and a law practice authorised and regulated by the Solicitors Regulation Authority.

Registered Charity Number: 1144162

SRA Authorisation Number: 621184

Company Number: 7556168

72-75 Red Lion Street (6th Floor), London, WC1R 4NA

www.appeal.org.uk

mail@appeal.org.uk

#APPEAL