

Laws governing appeals to be reviewed by The Law Commission

Published on 26 October 2022

The review follows calls from various bodies to improve the laws relevant to appeals

Brief 3 mins read

A review by The Law Commission of England and Wales has been launched to look at the laws governing appeals for criminal cases.

The effectiveness of the current legislation will be scrutinised, as well as any inconsistencies and gaps within the current law.

Some of the areas that will be covered within the review include:

- the powers of the Court of Appeal
- whether there is evidence that the 'safety test' may make it difficult to correct any miscarriages of justice
- the test used by the Criminal Case Review Commission
- the Attorney General's powers to refer a case to the Court of Appeal because the sentence is 'unduly lenient'

The appeals system has faced calls for reform in recent years – often marked by conflicting views on the areas of law that should be changed.

Our wide-ranging review of appeals will look at the evidence behind competing arguments for reform. We will closely scrutinise where the law is working well, and where it may be falling short.

Professor Penney Lewis, Law Commissioner for Criminal Law

The next step in the review process will be an initial scoping and pre-consultation engagement with stakeholders.

Read more: [Law Commission to undertake review of the appeals system](#)

Download our latest edition of Brief

This article was published in the September/October edition of Brief, which brings you updates in police law, operational policing practice and criminal justice, produced by the College of Policing's legal services department.

- Share your ideas and feedback with the Brief team: brief@college.police.uk
- [College of Policing Brief: September/October 2022 \(pdf\) 634.45 KB](#)

Brief archive

Download our previous editions covering the latest updates in the policing and criminal justice field.

- [College of Policing Brief: August 2022 \(pdf\) 578.49 KB](#)
- [College of Policing Brief: July 2022 \(pdf\) 626.86 KB](#)
- [College of Policing Brief: June 2022 \(pdf\) 735.28 KB](#)
- [College of Policing Brief: May 2022 \(pdf\) 542.38 KB](#)
- [College of Policing Brief: April 2022 \(pdf\) 692.71 KB](#)
- [College of Policing Brief: March 2022 \(pdf\) 502.62 KB](#)
- [College of Policing Brief: February 2022 \(pdf\) 560.68 KB](#)
- [College of Policing Brief: January 2022 \(pdf\) 896.27 KB](#)
- [College of Policing Brief: December 2021 \(pdf\) 789.36 KB](#)
- [College of Policing Brief: November 2021 \(pdf\) 711.13 KB](#)
- [College of Policing Brief: October 2021 \(pdf\) 584.84 KB](#)

- [College of Policing Brief: September 2021 \(pdf\) 554.5 KB](#)

Tags

Criminal justice