



## Justice Committee

**The Rt Hon Shabana Mahmood KC MP**

Lord Chancellor and Secretary of State for Justice

By email only

22 January 2025

Dear Lord Chancellor

### **Formal request to conduct pre-appointment scrutiny: Criminal Cases Review Commission**

On Tuesday 14 January it was confirmed that Helen Pitcher OBE had resigned with immediate effect as Chair of the Criminal Cases Review Commission (CCRC). The CCRC's mishandling of the Andrew Malkinson case under her chairship has been widely publicised. Last July, you yourself referred to Ms Pitcher as "unable to fulfil her duties" and began the process to seek her removal from her position.

Given the circumstances of Ms Pitcher's resignation, action must be taken to rebuild the reputation of the CCRC and repair some of the damage to public trust in the organisation that has been done during Ms Pitcher's time as chair.

We formally request that the Government adds the role of the Chair of the CCRC to those which are subject to pre-appointment scrutiny by the Justice Committee. The Government has in the past taken up a similar recommendation by the previous Committee in relation to the post of Chair of the Legal Services Board.

The Committee believes that parliamentary scrutiny of the appointment of CCRC Chair would make a valuable contribution to public trust in the Commission and the Government's preferred candidate for appointment as Chair. The role of CCRC Chair is in our view particularly suited to a pre-appointment hearing and, in fact, the absence of this requirement is anomalous. The CCRC performs a vital public and legal function and the post of Chair more than meets the criteria set out in para 8 ii and iii of the Cabinet Office Guidance on pre-appointment scrutiny as set out below:

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“ii. posts which play a key role in protecting and safeguarding the public’s rights and interests in relation to the actions and decisions of Government; or

iii. posts in organisations that have a major impact on public life or the lives of the public where it is vital for the reputation and credibility of that organisation that the post holder acts, and is seen to act, independently of Ministers and the Government.”

We also note that Ms Pitcher remains as Chair of the Judicial Appointments Commission (JAC), a role for which the Justice Committee holds responsibility for pre-appointment scrutiny. Given your conclusion that Ms Pitcher was unfit to Chair the CCRC, it would seem inconsistent for questions not to be raised about her fitness to continue as Chair of the JAC. Please can you provide us with an update as to what discussions, if any, there have been regarding Ms Pitcher’s chairing of the JAC?

I would be grateful if you could provide a response to the points above by 7 February 2025.

Yours sincerely,

**Andy Slaughter MP**  
**Chair, Justice Committee**