

Former solicitor general says miscarriage of justice watchdog is ‘beyond a joke’

Exclusive: Lord Garnier’s comments come after allegations about the ‘absent leadership’ of the Criminal Cases Review Commission



The Guardian has reported on the CCRC’s current chief executive, Karen Kneller, regularly attending expensive Insead business school courses in Fontainebleau. Photograph: Shelter

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The former solicitor general and conservative peer Lord Garnier has said the situation at the miscarriage of justice watchdog is “beyond a joke” and leaves “a big hole in our criminal justice fleet”.

Following revelations in the Guardian about the Criminal Cases Review Commission (CCRC)’s spending on [expensive French business](#) courses for its chief executive and allegations about its [“absent” leadership](#), Garnier said it was time to ask the justice secretary: “Have you got a grip on this?”

The Guardian reported on Monday that the chief executive of the CCRC, Karen Kneller, had regularly attended Insead business school in Fontainebleau over the past five years, including a course whose fees [are advertised](#) at more than £21,000 for 10 days’ teaching. Helen Pitcher, the former chair of the CCRC, held multiple positions at Insead while Kneller attended these courses.



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Helen Pitcher, former chair of the CCRC, resigned last month after an independent panel decided she was no longer fit to stay. Photograph: Criminal Cases Review Commission/PA

The Ministry of Justice (MoJ) said it would be appointing an interim chair “as quickly as possible” to conduct a thorough review of how the organisation – which covers England, Wales and Northern Ireland – operates.

Garnier, who co-chaired a Westminster commission into the CCRC, was one of several figures calling for an overhaul of the body in light of the reporting.

Making reference to a photograph of Pitcher by a [motorboat in Montenegro](#), which she posted during the crisis over [the wrongful conviction of Andrew Malkinson](#), Garnier said of the dysfunction at the top of the organisation: “This is a big hole in our criminal justice fleet, I hate to give a nautical term with her boat in Montenegro, but this long ago got to the stage where it’s beyond a joke.

“We’re talking about human misery for poor Mr Malkinson and other possibly wrongly convicted people in prison. It can’t just be a joke show. It can’t be a circus. It’s got to be a properly functioning organisation, and it’s essential. We discovered that way back after the [Birmingham Six](#).”



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Andrew Malkinson has called for the CCRC to be overhauled. Photograph: Jordan Pettitt/PA

Garnier, who belongs to the parliamentary group on miscarriages of justice, questioned why it was necessary for Kneller to attend multiple expensive Inseed courses which “presumably teaches you all sorts of things, but not necessarily how to run the CCRC”. He said he was “unpersuaded” that it was “a good use of public money”.

He added: “There will come a time, and I think it’s happening right now, when the secretary of state for justice must pull her finger out and get this sorted out, because it can’t just dribble on.”

The Guardian revealed that Kneller was accused of attempting to [“sanitise” an independent review](#) into her organisation’s handling of Malkinson’s case.

In response, Malkinson said: “I am not sure how much more of this my battered psyche can take. In 2018 the incoming CCRC chair was told she needed to fire the CEO to redeem that organisation. Instead, she allowed the CEO to go off to Fontainebleau on fancy training courses while people like me sat behind a door in prison night after night, waiting for the CCRC to act.

“The CCRC’s arrogance and incompetence cost me 10 extra years in prison, and I am not the only one. Surely the Ministry of Justice can see that it is over for the current CCRC? Overhaul it now.”

Matt Foot, co-director of the legal charity Appeal, which was behind Malkinson’s exoneration, said: “For years campaigners and lawyers have been saying that the CCRC does not investigate cases properly. We were told that resources were an issue. These revelations of lavish management spending show that it was not about resources but priorities. The CCRC urgently needs a completely new senior leadership team with a track record of challenging injustice.”

A spokesperson for Pitcher said she “was appointed to overhaul the leadership, processes and governance of the CCRC and her progress towards those goals was acknowledged in every appraisal during her tenure. It is for others to take the CCRC forward now.”

A CCRC spokesperson said: “The CCRC carries out extremely important, challenging work in an often-difficult environment.

“We note that there have been criticisms of us, particularly recently. The hard-working CCRC team remains focused on finding, investigating, and sending potential miscarriages of justice back to the courts; six people have had their cases referred since the start of last month.

“It is not unusual for leaders of high-profile, national organisations to attend advanced management courses.”

An MoJ spokesperson said: “Given the importance of the CCRC’s work, we will appoint an interim chair as quickly as possible who will be tasked with conducting a full and thorough review of how the organisation operates.”