

### Management of trial issues

- R v Close - inconsistent verdict due to ineffective directions
- R v Boyle and Ford - adverse inference and right to silence
- R v Jones, Tomlinson, Warren and others - defective indictment
- R v Swales - failure to provide a good character direction and inadequate directions given by the Judge
- R v Wheeler - defective direction by Judge in respect of adverse inference

### Appeal against sentence

- R v McKinnon - reduction of sentence from Indeterminate Public Protection (PP) to Extended PP
- R v Laws - consecutive sentence ordered to run concurrently
- R v McDonald - reduction in length of sentence due to failure to take into account mitigating circumstances
- R v Boungueb - Indeterminate PP was changed to S37 Mental Health Act following appeal

### CCRC referral

Since its inception the CCRC has only referred approximately 4% of the applications it received. However; our appeals team has a considerable track record of referrals in the applications which we submit, including a significant number of high profile murder and homicide cases.

R v Traynor – a case in which Stephenson's has fought to have referred back to the Court of Appeal since 2001. Despite two rejections by the CCRC we have never given up hope. This case was finally referred back to the Court of Appeal in 2011.

### About Stephenson's

We are one of the leading law firms in the country at challenging convictions and winning appeals for our clients. We provide legal advice for all aspects of your personal or business life, and by understanding your circumstances and keeping the red-tape to ourselves, we focus on efficiently delivering what you need, when you need it.

We operate from a network of regional locations and are one of the fastest growing practices in the north west of England.

With over 350 staff, you can trust our specialists to take care of things on your behalf, always putting your best interests first. So for legal advice and action the way you want it, just turn to Stephenson's.

# Stephenson's

legal services the way you want them

[www.stephenson's.co.uk](http://www.stephenson's.co.uk)

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# The key to unlocking your appeal



## Appeals from Crown Court and applications to the Criminal Cases Review Commission

# Stephenson's

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## Appeals from Crown Court and Applications to Criminal Cases Review Commission (CCRC)

The criminal trial process is one that depends on human endeavour and judgement. Inevitably, mistakes are made. Being convicted of a crime you did not commit is a devastating experience both for you and your family. Overturning the conviction is not easy.

Very few law firms have the experience and expert knowledge to take you through the appeals process or, if an appeal has already been unsuccessful, an application to the CCRC.

### Areas of specialism

Stephensons has a specialist team with a national reputation for investigating suspect convictions, having cases referred to the Court of Appeal and for having convictions for serious offences overturned. We are one of the most successful practices in the country at getting cases referred back to the Court of Appeal.

Each case is independently reviewed by an experienced criminal law solicitor.

If you have already been unsuccessful in the Court of Appeal, we will prepare an application to the Criminal Cases Review Commission arguing that they should refer your case back to the Court of Appeal.

### We can help

- We will obtain your papers and investigate your conviction
- We will identify and interview relevant witnesses and instruct leading experts if appropriate
- We have an established relationship with effective professional witnesses from around the world
- We will instruct the most experienced and able Counsel and have strong links with many of the leading Barristers Chambers in the UK
- We will support you and your family throughout the process

### Key facts about us

- We have a genuine commitment to understanding our clients' needs and working with them
- We are never more than a telephone call away
- We offer a team of specialist lawyers and support staff
- We offer proactive advice that is clear, comprehensive and tailored to each individual client
- We are members of the Criminal Appeal Lawyers Association (CALA) and Inside Justice's Miscarriage of Justice Unit
- We have a proven track record
- We have a Legal Aid franchise and are willing to consider every case and discuss funding options

We believe the information contained within this leaflet to be correct at the time of publication. While all possible care is taken in producing this leaflet, no responsibility for loss can be accepted by the firm, however caused.

### Next steps

If you are serving a prison sentence for a crime you did not commit and need advice on how to launch an appeal, call Stephensons' experienced appeals team for access to a specialist criminal appeals lawyer. Call us today on **01942 774328** to discuss your case.

### Cases of note

#### Infant head injuries including cases of Shaken Baby Syndrome:

We are specialists in this area and have dealt with a number of cases before the Court of Appeal and applications to the CCRC.

- R v Holdsworth - had her murder conviction quashed in the Court of Appeal and was acquitted following a retrial
- R v Rock - had his conviction reduced from murder to manslaughter
- R v Harris - had her conviction quashed
- R v Callan - murder conviction quashed in the Court of Appeal

### Fresh evidence

- R v North - lack of third party disclosure at original trial
- R v Hall - CCRC referral relating to fibre evidence
- R v Kiszco - forensic analysis
- R v Haskayne - failure of prosecution to discharge its obligations regarding disclosure

### False confessions

- R v Steel - murder conviction based on confession quashed on appeal following referral by the CCRC