

18/01/2016

Your Horner HHJ PAWLAK

I am written this letter after yesterday 17/01/2017 being in court and felt as did 3 other people there is no point carrying on with this Appeal as you have already made you mind up before even hearing the Appeal.

This is not the only time you have brought up the conditions the lower court set Mr Cordell when they granted the ASBO order on the 04/08/2015 after the full hearing.

We felt you was only worried about the conditions so in fact had made your mind up there was only issues with the conditions when in fact you have not even heard the Appeal. So why are you even talking about the conditions and what you believed where problems with the conditions that where set by the lower court, before even hearing the Appeal.

There was more worrying issue such as my son having a solicitor and an acting barrister for the Appeal hearing and legal Aid in place for the acting solicitors.

Your Horner knew after the last solicitor was removed from record by yourself on the 21/09/2016 when we had notified the court we were going to be late to court by 5 or 10 minutes due to traffic, by the time we got to court you had already removed the solicitors while we were not there from record.

We where told this by the acting barrister the solicitor had sent who waited at court till we got there to inform us you had granted there application they could be removed from record.

We where told by the barrister to wait at court that you would call us into court to talk to us which we did and was called into court around 16:00 hours as you was dealing with other trial.

On being called into court you were told by the Respondent Barrister this was not the only time the solicitors had put an application to be removed from record this had been done on the 19/02/2016 again just before the trial was due to start on the 22/02/2016 and had been dismissed by His Honour Judge Morrison sitting that day and notes put by His Honour Judge Morrison, If any attempt is made to repeat this application the Court will require it to be made in person by the Senior Partner of Michael Carroll & Co. You said you could not force a solicitor to act against there will but no acting Senior Partner of Michael Carroll & Co was in court.

We at this point we asked for an adjournment of the 3 day Appeal hearing that was due to start on the 26/09/2016 to get a new solicitor put in place which you refused to do and stated my son could do this himself, there was great concern with this due to my son's learning problems not being able to read and write and heath problems which you was aware of.

In fact my son could not even attend court due to this on the 26/09/2016 due to what this had done to him and made him so ill I had to write a letter to yourself which on the 26/09/2016 had to be addressed by you.

At that hearing I told you I had spent days calling solicitors trying to get one put in place and no one would take the case on due to this being at appeal stage and how much legal Aid paid for appeal hearings and I was being told we would have to pay private to get a solicitor so my son could have a barrister put in place for the appeal hearing to act for him, you said due to the letter I had written you had 3 options open to you and believed this would go to judicial review.

1. Carry on with the Appeal hearing in the hope my son would turn up the next day 27/09/2016.
2. Dismiss the Appeal.
3. Adjourn the Appeal to a later date..

You chose to adjourn the Appeal to a later date to start on the 16/01/2017 and said for us to get a solicitor which you said you would help with and make sure legal aid was in place.

Issues were also raised about the bundles we were working from which were old Respondent bundles and files being missing. (It was not wonder the solicitors wanted to dismiss themselves) We had worked that out when waiting to be called into court with the Respondent barrister. You ordered that the solicitor hand the bundles over to us that day. And set a date for us to come back to court to check we were all working from the same bundles. I believe this date was the 14/10/2016.

Upon getting the bundles from the solicitors it was noted that my own son's bundle had not been updated since Dec 2015. I tried to add the documents that were missing myself and make new indexes up but knew there were still missing documents. It was also noticed that the Respondent bundles we were working from there were around 13 missing statements we had never seen before all dated before the full hearing on the 03/08/2015 and 04/08/2015 at the lower court that we had never seen before.

On the 14/10/2016 you were informed of this and ordered the solicitors to attend court I believe this date was for the 19/10/2016 the Appeal hearing date was also changed to start on the 17/01/2017 for 3 days.

Again you were told the problems I was having trying to get a new solicitor to take this case on.

I tried again to contact the solicitors to work out what was missing so I could add it and they did not get back to me.

On the 19/10/2016 the solicitors did not turn up at court which you were not pleased about I had tried to add and index as much documents as I could but could not be sure 100% if I had all the missing documents.

A new date was set when again you ordered the solicitors to attend and had also contacted the new company Miss Ward worked for. Later that day Miss ward contacted me and we meet to go over my son's bundle to check the documents and see if there were any missing documents left that needed to be added. Miss ward believed I had covered all the documents.

Each time this was in court after the 26/09/2016 I informed you I was having a great deal of trouble finding a new solicitors to take this case on due to it being at appeal stage. On the 19/12/2016 I wrote a letter to you saying I had tried everything and could not get a new solicitor and asking if the court could help. I got a reply from you from the court on the 21/12/2016 stating.

Good afternoon

Your emailed was placed before HHJ Pawlak who replies:

'We cannot help

1. The Appellants solicitor came off the record at your request not at the direction of the Court
2. This is the Appellants appeal and it first came before the Court in January 2016
3. The Appellant has had long enough to find a solicitor and/or counsel
4. The Court cannot force a solicitor to act against his will for a client.'

Regards

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Point 1: is incorrect my son did not ask for his solicitors to be taken of record.

Point 2: I believe is also incorrect as this was listed before the court on 26/10/2015.

Point 3: I was doing all I could to find a solicitor and/or counsel. I also can not force a solicitor and/or counsel to take an appeal case on and I could not afford to pay for one if I could have paid for one I would have done so long ago.

On the 12/01/2017 late in the day as I did not give up trying to get a new solicitor to take this case on I was given a number for a company called MK-Law I broke down on the phone to them as they were the 1<sup>st</sup> solicitors who even wanted to hear about the case after I said it was at appeal stage.

They were willing to act as long as legal aid was put in place. I got an email sent to them on the 13/01/2017 re transferring legal aid as I believed it was still in place with

the old solicitors from what I had been told by the court. They were also going to need time to get all the bundles and go over them and meet with my son. I do not have an office or an office printer to copy all the bundles and I was only sent one copy from the Respondent due to all the issues with the bundles.

On the 16/01/2017 I know that MK-Law contacted the court about legal aid.

On the 17/01/2017 the appeal hearing was due to start and MK-law sent a Barrister to the court to address the matters of legal aid and ask for an court adjournment so they had time to get the bundles in order have time to go over them and meet with my son and deal with the appeal in the correct way how it should be done.

There were issues with legal aid and it was said it was granted but the old solicitors was saying it was revoked Legal aid was of little help as they could not say if it had been revoked or not.

You refused the court adjournment and said you would give MK-Law the 17/01/2017 to get updated with the case and meet my son and get the bundles in order and could not see a problem with legal aid. And the Appeal would start with them or not on the 18/01/2017. Seeing as we did not get out of court until around 13:00 hours yesterday this was down to half a day to be ready for this appeal hearing on the 18/01/2017.

How is a new solicitor want to get involved in a case when they have not even had time to go over it in the correct way so once again my son has been left with no acting solicitors and is meant to deal with this on his own? My son has learning problems and heath problems how is he meant to cope with this?

- Issues from the start of this case from when it started in 2014

We have never been given any discloser which has been asked for many times.

The whole case relies on hearsay.

We know the Met police hold information on there systems that prove my son never done this and this has been said many time. This is being covered up.

PNC has information on it that is incorrect which has been said in the lower court and appeal court many times.

Statements of police have information in them that can be proven to be incorrect.

Witness statements being written and signed for by police.

CAD time lines being incorrect and so much redaction with them and covering up they have nothing to do with this case.

The list above is only a few of the issues yet this was meant to be a fair trial in the lower court and this appeal.

There are beaches of my son's ECHR which both the court and the police have to follow and this has not been done in this case.

You know my son has heath problems and the stress that is being put on him is not making these heath problems any better he should not be subjected to what has been going on in this case.

I feel I only have one option left and that is to take this to judicial review due to what has gone on from the start of this case to date. And therefore ask for a stay until this has been addressed.

At application will be put in under public funding for all court hearing transcripts for this case which I hope will be granted by the judges who have heard parts of this case and the issues in this case.

Regards

Miss Lorraine Cordell