

Your Honour

As you were made aware at the mention hearing on the 22/09/2016 there is inaccurate data being held in my sons Simon Cordell PNC record, there are also errors in police officer's statements regarding my character within the Respondent case.

I was very concerned that a court has once again been able to see this inaccurate information and when made aware of the errors did nothing to rectify them.

I called a helpline on the 23/09/2016 and explained about the inconsistencies on my PNC and the errors in the police officers statements I was informed the ICO could address this matter while the case was still being heard and was told to put a form of concern into the ICO. I have now done this and believe you needed to be made aware.

I believe my son's reputation has been diminished in this court and previously in the magistrate's court and am under the assumption this is a breach of my son's human rights, am I correct in my assumption?

My son when this case started was refused legal aid; this was overturned by a judge sitting at the lower court due to these facts. The importance of what is at stake, the complexity of the case, the capacity to represent himself effectively. On the 21/09/2016 when you removed my son's solicitor from record the protection above was removed, you are aware my son cannot read and write effectively to deal with this trial.

At this stage I would also like to draw your attention to your letter that was dated 22/02/2016 and section 4

"4/ The Court will not and does not accede to any application for the Appellants Solicitors to come off the record or to cease acting for the Appellant Such an application was dismissed by His Honour Judge Morrison on the 19th February 2016. 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"

On dismissing the solicitors who was acting for my son and not allowing them to be replaced I believe his rights to a fair trial were removed at this stage.

Guide on Article 6 of the European Convention on Human Rights

Effectiveness of the legal aid granted:

66. The State is not accountable for the actions of an officially appointed lawyer. It follows from the independence of the legal profession from the State (*Staroszczyk v. Poland*, § 133), that the conduct of the defence is essentially a matter between the defendant and his counsel, whether counsel is appointed under a legal aid scheme or is privately financed. The conduct of the defence as such cannot, other than in special circumstances, incur the State's liability under the Convention (*Tuzinski v. Poland* (dec.)).

67. However, assigning a lawyer to represent a party does not in itself guarantee effective assistance (*Sialkowska v. Poland*, §§ 110 and 116). The lawyer appointed for legal aid purposes may be prevented for a protracted period from acting or may shirk his duties. If they are notified of the situation, the competent national authorities must replace him; should they fail to do so, the litigant would be deprived of effective assistance in practice despite the provision of free legal aid (*Bertuzzi v. France*, § 30).

68. It is above all the responsibility of the State to ensure the requisite balance between the effective enjoyment of access to justice on the one hand and the independence of the legal profession on the other. The Court has clearly stressed that any refusal by a legal aid lawyer to act must meet certain quality requirements. Those requirements will not be met where the shortcomings in the legal aid system deprive individuals of the "practical and effective" access to a court to which they are entitled (*Staroszczyk v. Poland*, § 135; *Sialkowska v. Poland*,