

Please see Clerk Notes:-

I know that a judicial review in regards to the Magistrates hearing is being submitted to the Court out of time, but when the Appellants mother contacted the high Court to make enquiries in regards to a judicial review and explained the situation that had occurred throughout this case she was told to submit the application for judicial review for the Magistrates hearing's and that under exceptional circumstances the time limit could be overturned, the reason that this has been submitted to the Court out of time is due to the Appellant taking his barristers opinion that he would be better to go for the Appeal at the Crown Court and this is what the Appellant did. The Appeal hearing was not concluded until 19 January 2017.

On the 13 August 2015, the Metropolitan Police Service posted on their website, this led to all the local newspapers printing the story about the Appellant.

Please see attached:-

But how could the police have printed this as illegality had not been proven?

This led to the Appellant having stones thrown at his windows, and a gun being pulled out on him, which it then took the police six days to come out to take a report, we know the reason why it took the police so long to come and take the report it's how much the police dislike the Appellant, and his family this has been ongoing for over 23 years.

The Appellant's mother contacted many solicitors to try and get a new solicitor to take over the case, each time she was told that solicitors will not take a case on at Appeal stage due to how much legal aid paid for Appeal hearing, legal aid believed the solicitors that acted for the hearing would be dealing with the Appeal hearing so there was a set amount that would be paid for Appeal hearings which would not cover a new solicitor going over the complete case. The Appellant's mother believed it was best to keep the old solicitors on record as it was better to have a solicitor then having none due to the Appellant's health which had deteriorated throughout this case. The Appeal was listed for the 26 October 2015 but only listed for 1-hour hearing the case was put off, due to the case needed to be set for three days as to the Appeal hearing.

The acting solicitors had seemed to have lost the Appellant's bundle it had been removed from the office due to the office being audited in the October 2015, no one seemed to be able to find the Appellant's bundle, and all the missing documents that was meant to have been within the bundle which was for the case and full hearing.

On the 9th November 2015 the case was listed for a mention hearing, all bundles were due to be at the Crown Court by the 23 December 2015. The case was listed for a three-day Appeal to start on 22 February 2016. Disclosure had been requested again.

In the December 2015 arrangements were made for the acting solicitors to attend the Appellants mother's home to go over the case bundles, at this point the Appellants mother made sure that all the CADs and intelligence reports were gone over by the solicitor, upon seeing all the errors the solicitor was shocked, maps were made up to be included in the Appellant's bundle and the Appellant's bundle was remade as it was due to be handed into Wood Green Crown Court on the 23 December 2015. Emails were also sent by the solicitor to the police.

The Appellants mother agreed to print of multiple documents including all maps needed to be done in colour, just prior to the Christmas holiday all printing was done and contact was made with the solicitors in order to get the Appellant's bundle paginated and indexed, on 22 December 2015 multiple texts and calls were made to the solicitor due to the fact the bundle needed to be to the Court by the 23 December 2015.

The acting solicitor firm's replies were not being made in efficient time. On one occasion out of many the acting solicitor did not reply until much later, when she finally did reply she stated, that she could hand in the bundle when she got back from the Christmas and her New Year holidays, this was clearly not adequate as there should have been a case handler in her position to handle the Applicants case load.

Effectively a text was sent to the solicitor stating that this was going to have an effect on families Christmas and New Year due to the Appellant knowing that the Court had ordered the bundle to be submitted to the Court by a certain date and this time limit given by a judge not being merited, a text was received back from the solicitors, this stated the following:- "to be at the office by 18:00 PM" The Appellants mother attended and two bundles were paginated and indexed which took until around 01:30 AM. Miss Ward was not happy due to the time that had to be spent dealing with this as she was due to fly out in the early hours to Ireland. The bundles were left with the Appellants mother, this was achieved so that one mastered copy could be hand-delivered to the Court in the morning on the 23 December 2015 and the other bundle was recorded delivered via the Post Office to the police.

Miss Ward stated after the Christmas and New Year holidays she would get the Appellant's bundle ready so it could be given to him.

The Appellant had not seen the new bundle as the solicitor did not want to meet him, and due to the lateness in which the bundle was made to get into the court and the police, there was not the time for the Appellant to see the new bundle.

One of the texts that were sent to the Appellants mother please see below. Stated: that on the 22/12/2015, "This is a legal aid case Lorraine and Simon need to recognise that he is not paying privately so needs to work within the constraints of the legal aid system." Upon receiving the text the Appellants mother was upset, it was the Court who had set the day for the bundle to be within the Court, not the Appellant.

The solicitors should have dealt with the case in a timely manner and made sure that things were not left to the last minute.

All that the Appellant ever wanted was for the solicitors to do what was right and needed for the Applicant their client, to which never happened.

When overseeing the past activities of: "the case handlers", it is a sure fact that things were always left or not achieved at all, this would always lead the Appellants to his disappointment, in turn, causing wrongful suffering and loss, this seems to continue to leave the Appellant being in receipt of getting the blame, when he should not.

It was also upsetting because it seemed as if: - the Appellant paid for the solicitor's services then things would have been addressed a lot differently. I feel it should make no difference between paying privately or having legal aid put in place, a solicitor's job is to represent their client to the best of their ability seek justice for their client the best they possibly can, this was not the case throughout this case. After the Christmas and the New Year's holidays, we had to keep asking for the Appellant's bundle, we managed to get this in the beginning of February 2016, not long before the trial was due to start, it would also seem the solicitors were having problems getting a barrister for the Appellant still had not seen a barrister, this was at the time of the full hearing at the Magistrate's Court, the original barrister that represented the Appellant at the Magistrate's hearings, was on sabbatical leave. It is also noted that the acting solicitors, did not want a meeting with the Appellant and was mostly dealing with the Appellants mother.

On the 19th February 2016 the acting Solicitors put into the Court for a mention hearing, the Appellant believed this was due to non-disclosure, but the solicitors had also put an application into Break Fixture this was dismissed by His Honour Judge Morrison, this was three days before the three-day Appeal hearing was due to start.

"The Court will not and does not accede to any application for The Appellants."

Solicitor's 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. It was also said that 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."

This information is very important due to what occurred on the 21/09/2016 when HHJ-PAWLAK removed the solicitors from the record, as this was done without the Appellant or a Senior Partner of Michael Carroll & Co being present in Court. ("See date 21/09/2016 as more