

# JAMES COLTON

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Ref: 00097/2018

CCRC  
5 Philip's Place  
Birmingham  
B3 2PW

## Response to how my complaint was handled

Dear Helen Pitcher OBE CCRC

Congratulations on your appointment.

The CCRC's handling of my application is not only deceitful but unlawful.

The application I submitted clearly establishes systemic failures in the criminal justice system. Where a defendant can be openly robbed of his defence and the right to due process.

This was recently demonstrated in the case of *R v Stephen Yaxley-Lennon*. Where the Court of Appeal judgement in part stated: "The failure to follow Part 48 Crim PR was more than technical." Yakley was immediately released from prison. His trial was unlawful.

On the 16<sup>th</sup> February 2012 Mr Justice Beatson stated:

- "*The time had long expired for service of a defence statement before your trial team was instructed. In any event you suffered no prejudice from the failure to serve a statement because you were not cross-examined on this matter, nor was it the subject of an adverse comment in the judge's summing-up;*" Emphasis added

So, it is made clear by the single judge sitting at the Court of Appeal. A defence barrister/solicitor is no longer required to make a Defence (case) Statement or can refuse to do so.

And provided a defendant is not cross examined on his evidence including any alibi along with the refusal to call defence witnesses, can lawfully be tried in a British court and convicted.

That the Criminal Procedure and Investigations Act 1996 (c.25 Part 1(II)). And Code of Practice. Is now invalid. No longer a statutory requirement. I don't think so.

This brings English Courts in line with the Stasi Courts of Soviet Russia. And the rule of the mob. The Court of Appeal will never agree to such a repressive regime. This is made clear in the Yaxley-Lennon case.

Karen Kneller the Chief Executive who states she is a barrister, along with Sally Berlin Director of Casework Operations also a barrister, act dumb in this matter. Who clearly find it difficult following the rule of law when it is their job to do so. Aren't barristers recognised as *legal scholars*. Let these 2 executives answer this complaint and not an office worker.

### My first legal team:

Tracey Watson (Bournemouth) 1<sup>st</sup> solicitor

- Refused to make defence statement
- Refused to call defence witnesses
- Withheld exculpatory evidence
- Refused to follow Criminal Procedure Rules
- Refused to have any contact with me and a friend on my behalf

Fern Russell (London) 1<sup>st</sup> barrister

- Refused to make defence statement
- Refused to call defence witnesses
- Withheld exculpatory evidence
- Refused to follow Criminal Procedure Rules
- Desperately tried to get me to plea guilty

For her part in my prosecution she was made a District Judge.

### My second legal team:

Paul Booty (Stowmarket in Suffolk) 2<sup>nd</sup> solicitor

- Refused to make defence statement
- Refused to call defence witnesses
- Withheld exculpatory evidence
- Refused to follow Criminal Procedure Rules

For his part in my prosecution he was made a District Judge. and brags he was the only practising criminal defence solicitor in the county to hold the post.

Christopher Wing (London) 2<sup>nd</sup> barrister

- Refused to make defence statement
- Refused to call defence witnesses
- Withheld exculpatory evidence
- Refused to follow Criminal Procedure Rules
- Tampered with defence evidence

The above only states the fundamentals of how these people mis-conducted my case. There are further arguments in my 32-page submission and a 199-page bundle of evidence and legal arguments.

Those running the daily operations of the CCRC have without hesitation condemned themselves.

Points raised regard my complaint. Answered by Catherine Dilks an office worker.

At page 3 of Dilks response to my complaint states:

“The CCRC refers successful cases to the relevant appeal court. Assuming the CCRC referred your case on this point, it is highly unlikely that the Court would reach a different view on matters that they have already considered. As a result, our decision confirmed that this matter has already been considered by the Court of Appeal and would not, therefore, give rise to a real possibility of your conviction being quashed on this point.” Emphasis added.

*Page 3 Dilks makes the following statement:*

*“Finally this is a submission that you have already made to the Court of Appeal, who rejected it.”* Emphasis added

*At page 4 Dilks states:*

*As a result, this point could not be said to be something that has not already been considered at by the Court of Appeal.* Emphasis added

The CCRC agree with Mr Justice Beatson the single judge sitting at the Court of Appeal. Confirming a defendant has no rights at his trial.

At page 4 of Dilks response to my complaint states:

*Representation and comments from Robert Banks*

*I note your submissions regarding point 2 of our decision and the views of Robert Banks.*

*From the copy of the letter you have supplied, I note that Mr Banks goes on to say "unfortunately, I do not have sufficient information to assist you as to whether the sentences should be consecutive or concurrent."*

Robert Banks (Banks on Sentencing) is a highly respected barrister. Dilks tries hard to switch the point of reference. Childishly ignoring what that point of reference was. Robert Banks stated:

- "I read with interest your complaint against your barrister and note how believable your account is."

Try as I may, I cannot see anyone who values their reputation answering this complaint. They hide in the background getting others to do their dirty work.

According to the CCRC blurb:

10. "Complaints in relation to the manner in which a complaint has been investigated will be considered by the Chief Executive or a Non-Executive Director. On occasions it may be appropriate for the Chief Executive to nominate another appropriate senior member of staff, or Board member. Such complaints must be lodged within 25 working days from the date of the Commission's response to the original complaint."

Once I have your answer to this complaint I can then decide what my next step should be.

I wish you well in your new position and hope you survive the eruption that will come.

A handwritten signature in black ink that reads "James Colton". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

James Colton

CC: Copy to Helen Pitcher OBE at another address.